To: Fullagar, Jill[Fullagar.Jill@epa.gov]
From: Henning, Alan
Sent: Wed 11/25/2015 9:42:43 PM
Subject: RE: 2016

Jill, thanks so much for your response. This is very helpful. I did let the State know that we (EPA) didn't see challenges at the fed level with their approach. They did need to consider their own policies/practices/ rules though.

Have a great Thanksgiving.

Alan

From: Fullagar, Jill
Sent: Wednesday, November 25, 2015 1:26 PM
To: Henning, Alan <Henning.Alan@epa.gov>; Carlin, Jayne <Carlin.Jayne@epa.gov>; Gutierrez, Mary <Gutierrez.Mary@epa.gov>
Cc: Croxton, Dave <Croxton.David@epa.gov>
Subject: RE: 2016

Hi Alan,

I looked through the guidance and couldn't find anything that specifically said that the state had to issue a new solicitation. I did find:

"EPA recognizes that each state has a different process, often governed or influenced by state laws, regulations, or control mechanisms that result in varying time periods for subgrants and contracts to implement projects. States should make every effort, including modifying state procedures, if appropriate, to assure that the funds are made available to project implementers as soon as possible after the grant is awarded to the state."

Since what they outline below would be the most expeditious and efficient way to fund their subawards, it

seems to me that it would be ok. Mary—can you tell us if there is other guidance outside the 319 guidance that mandates that they solicit for new projects? Thanks.

jill

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From: Henning, Alan
Sent: Monday, November 16, 2015 4:28 PM
To: Carlin, Jayne <Carlin.Jayne@epa.gov>; Fullagar, Jill <Fullagar.Jill@epa.gov>
Cc: Croxton, Dave <Croxton.David@epa.gov>
Subject: FW: 2016

Jill and Jayne,

Below is an e-mail Ivan sent me this afternoon. Ivan Camacho is DEQ's 319 Grants Administrator This language appears on DEQ's web site. Because of the CZARA withholdings, the State is not going to run a RFP for 319 funding in FY 2016. They have plenty of very good unfunded projects from the 2015 process which largely went unfunded because of CZARA. While this seems to be a pragmatic approach, is there any programmatic condition or legal condition that may be at play here? I reviewed the programmatic conditions in the State's 2015 grant. This issue was not mentioned, at least not on the surface. It may be embedded in the

CWA Section 319 language but I haven't looked yet. I just wanted to run this by you two for your thoughts.

Alan

From: CAMACHO Ivan [mailto:CAMACHO.Ivan@deq.state.or.us]
Sent: Monday, November 16, 2015 3:24 PM
To: Henning, Alan <Henning.Alan@epa.gov>
Subject: 2016

The Oregon Department of Environmental Quality will not seek 319 Grant Program Request for Proposals for 2016. This is due to the number of unfunded high-priority projects submitted during the 2015 319 Grant RFP process and uncertainty for receiving full funding for the program in 2016.This uncertainty is due to unresolved issues brought to the state's attention by NOAA and EPA and associated with the state's coastal nonpoint pollution program, under EPA's Coastal Zone Act Reauthorization Amendment (CZARA). There continues to be the potential for EPA to withhold 2016 319 Grant funds until the issues are fully resolved.

When DEQ gets more information from EPA about 2016 319 Grant funds, it will review the unfunded high-priority project proposals from the 2015 319 Grant Program RFP for consideration in 2016. We recognize that some applicants may no longer be interested or able to use the 2016 319 Grant funds. However, based on the number of 2015 grant applications received we believe there'll be a sufficient number of high-priority projects to fund in the event DEQ is funded at a level similar to what it received from EPA for the 2015 319 Grant Program.

Thank you for your continued interest in the Oregon 319 Grant Program. DEQ will continue to work with its partners to implement high-priority work to help meet our Nonpoint Source Program goals.

Ivan Camacho

Oregon 319 Grants Administrator

Oregon Department of Environmental Quality

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