

STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE  
MAY 4, 2010

ITEM 3

SUBJECT

CONSIDERATION OF A RESOLUTION TO RATIFY DELEGATE AUTHORITY TO THE EXECUTIVE DIRECTOR, THE CHIEF DEPUTY DIRECTOR, OR THE DEPUTY DIRECTOR OF THE DIVISION OF ADMINISTRATIVE SERVICES' TO EXECUTION OR AMEND CERTAIN OF AND DELEGATE THE AUTHORITY TO AMEND AN INTERAGENCY AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) IN SUPPORT OF THE PROPOSITION 84 AND PROPOSITION 1E PROGRAMS

DISCUSSION

DWR requires support from the State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (Regional Water Boards) for two programs: 1) the Proposition 84 Integrated Regional Water Management (IRWM) Program, and 2) the Proposition 1E Storm Water Flood Management (SWFM) Program. Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Pub. Resources Code, § 75001 et seq.), authorizes the Legislature to appropriate \$1 billion to DWR for IRWM projects. Proposition 1E, the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Pub. Resources Code, § 5096.800 et seq.), authorizes the Legislature to appropriate \$300 million for SWFM projects.

Water Code section 10540 requires IRWM plans to address protection and improvement of water quality within the area of the plan, and to be consistent with the relevant Regional Water Board Water Quality Control Plan. Water Code section 10541 requires DWR to consult with the State Water Board, Regional Water Boards, and other state agencies with water management responsibility and authority in development of the program guidelines. Additionally, Water Code section 10541 requires that the guidelines developed by DWR to disburse Proposition 84 IRWM grant funds shall require IRWM plans to consider objectives in the appropriate Basin Plan and strategies to meet applicable water quality standards.

DWR has budgeted up to \$1 million per year for up to five years to support continued close interagency coordination for the two programs.

On March 11, 2010, the Deputy Director of the Division of Administrative Services (Deputy Director) signed an interagency agreement with DWR is requesting that the State Water Board enter into interagency agreements with DWR for State Water Board and Regional Water Board personnel services in support of the two programs. The State Water Board had previously delegated authority to the Deputy Director in Resolution 2002-0105 to execute, for and on behalf of the State Water Board and Regional Water Boards, interagency agreements that involve no more than \$500,000 or three years duration. The interagency agreement with DWR exceeds these limits.

**POLICY ISSUE**

Should the State Water Board ~~ratify delegate authority to the Executive Director, The Chief Deputy Director, or~~ the Deputy Director of the Division of Administrative Services' ~~to~~ **execute or** ~~and delegate the authority to~~ amend **an** interagency agreements **in an amount up to** \$1 million per year for up to five years with DWR for support of the Proposition 84 IRWM and Proposition 1E SWFM programs?

**FISCAL IMPACT**

Currently, the State Water Board assists DWR with existing personnel and resources. Future requests and allocations from DWR may require that Personnel Years (PY) be established for the State Water Board and/or the Regional Water Boards **via a Budget Change Proposal.**

**REGIONAL BOARD IMPACT**

Yes. Personnel services for all Regional Water Boards.

**STAFF RECOMMENDATION**

The State Water Board should delegate authority to the Executive Director, The Chief Deputy Director, or the Deputy Director of the Division of Administrative Services to execute or amend interagency agreements up to \$1 million per year for up to five years with DWR for support of the Proposition 84 IRWM and the Proposition 1E SWFM Programs.

State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012 to comprehensively address water quality protection and restoration, and the relationship between water supply and water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes.

**D R A F T**

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2010-**

TO ~~RATIFY DELEGATE AUTHORITY TO THE EXECUTIVE DIRECTOR, THE CHIEF DEPUTY DIRECTOR, OR~~ THE DEPUTY DIRECTOR OF THE DIVISION OF ADMINISTRATIVE SERVICES' ~~TO EXECUTIONE OR AMEND CERTAIN OF AND DELEGATE THE AUTHORITY TO AMEND AN~~ INTERAGENCY AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR) IN SUPPORT OF THE PROPOSITION 84 AND PROPOSITION 1E PROGRAMS

WHEREAS:

1. DWR administers the Proposition 84 Integrated Regional Water Management (IRWM) and the Proposition 1E Storm Water Flood Management (SWFM) Programs;
2. The Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Pub. Resources Code, § 75001 et seq.), authorizes the Legislature to appropriate \$1 billion to DWR for IRWM projects;
3. The Proposition 1E, the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Pub. Resources Code, § 5096.800 et seq.), authorizes the Legislature to appropriate \$300 million for SWFM projects;
4. Water Code section 10540 requires IRWM plans to address protection and improvement of the water quality within the area of the plan, and be consistent with the relevant Regional Water Quality Control Board (Regional Water Board) Water Quality Control Plan;
5. Water Code section 10541 requires DWR to consult with the State Water Resources Control Board (State Water Board), Regional Water Boards, and other state agencies with water management responsibility and authority in development of the IRWM program guidelines, and that IRWM plans consider the objectives in the appropriate Basin Plan and strategies to meet applicable water quality standards;
6. DWR has budgeted up to \$1 million per year for up to five years to support continued close interagency coordination for the two programs; and

## D R A F T

7. DWR is requesting to enter into interagency agreements with the State Water Board for up to \$1 million per year for up to five years for personnel services from the State Water Board and the Regional Water Boards in support of the two programs.

THEREFORE BE IT RESOLVED THAT:

The State Water Board ratifies ~~authorizes the Executive Director, the Chief Deputy Director, or~~ the Deputy Director of the Division of Administrative Services' ~~to~~ execution of ~~and delegates the authority to~~ amend an interagency agreements in an amount up to \$1 million per year for up to five years with DWR for support of the Proposition 84 IRWM and Proposition 1E SWFM programs, and to perform all acts and to do all things necessary and convenient to implement such agreements.

## CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on May 4, 2010.

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Jeanine Townsend  
Clerk to the Board