

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE
APRIL 22, 2014**

ITEM 6

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION DELEGATING AUTHORITY TO APPROVE FUNDING AND TO EXECUTE AGREEMENTS FOR THE PROVISION OF INTERIM EMERGENCY DRINKING WATER TO DISADVANTAGED COMMUNITIES WITH CONTAMINATED DRINKING WATER SUPPLIES

DISCUSSION

Extremely dry conditions have persisted in the State since 2012 and are likely to continue through 2014, which may be the driest year on record. Water supplies of the State are at a record low, resulting in potential risks to human health and the environment. Current drought conditions may exacerbate the contamination of drinking water sources in communities across the State.

On January 17, 2014, the Governor issued a “Proclamation of a State of Emergency” due to drought conditions in the State of California. On March 1, 2014, the Governor signed a two-bill, \$687.4-million emergency drought relief package—Senate Bill (SB) 103 (Stats. 2014, ch. 2) and SB 104 (Stats. 2014, ch. 3)—, and the bills took effect immediately. SB 103 amended the Budget Act of 2013 (Stats. 2013, chs. 20 & 354). Among other things, the amendments added Item 3940-002-0679 to Section 2.00 of the Budget Act of 2013 (Stats. 2014, ch. 2, § 19.) Item 3940-002-0679 appropriates \$4 million from the State Water Pollution Cleanup and Abatement Account (CAA) to the State Water Resources Control Board (State Water Board) to “provide interim emergency drinking water to disadvantaged communities with contaminated drinking water supplies, without regard to the source of contamination, including those contaminated drinking water supplies exacerbated by drought conditions.”

The State Water Board is currently taking many actions in response to the drought. The State Water Board plans to utilize the \$4 million appropriated by Item 3940-002-0679 to provide interim emergency drinking water to affected disadvantaged communities in an expedient manner. Eligible entities that could apply for this funding include public agencies, not-for-profit water districts, other not-for-profit organizations, and tribal governments. The State Water Board will coordinate with the Regional Water Quality Control Boards (Regional Water Boards), the California Department of Public Health (CDPH) district offices, the Office of Emergency Services (OES), and other stakeholders (e.g., environmental justice groups, community assistance groups, etc.) to identify those disadvantaged communities that are most at-risk and would benefit from financial assistance. The State Water Board will also coordinate resources and assistance efforts with other State and Federal entities that provide funding for interim emergency drinking water supplies. The State Water Board will develop an extensive outreach strategy to provide funding in the most expeditious manner possible.

While not a requirement for this funding, this Project meets the following CAA program preferences:

- Preference #1: Emergency Cleanup Projects – Public Safety.
- Preference # 2: Projects that address Disadvantaged Communities Environmental Justice infrastructure needs.

POLICY ISSUE

Should the State Water Board:

1. Authorize the Deputy Director of the Division of Financial Assistance to approve or deny interim emergency drinking water funding requests, consistent with Item 3940-002-0679 of Section 2.00 of the Budget Act of 2013, for \$150,000 or less?
2. Authorize the Executive Director to approve or deny interim emergency drinking water funding requests, consistent with Item 3940-002-0679 of Section 2.00 of the Budget Act of 2013, including but not limited to funding requests for more than \$150,000?
3. Authorize the Deputy Director of the Division of Financial Assistance to execute agreements and amendments to disburse funds approved pursuant to Resolved Nos. 1 or 2, and to perform all acts and to do all things necessary and convenient to implement such agreements?

FISCAL IMPACT

The Budget Act of 2013, as amended by SB 103, has appropriated \$4 million from the CAA for this specific purpose, and there are adequate funds in the CAA to support this expenditure.

REGIONAL BOARD IMPACT

Yes. The Regional Water Boards (and California Department of Public Health district offices) will assist in coordinating with impacted communities that are potentially eligible for interim emergency drinking water funding.

STAFF RECOMMENDATION

The State Water Board should adopt the proposed Resolution.

<p>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.</p>

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2014-

DELEGATION OF AUTHORITY TO APPROVE FUNDING AND TO EXECUTE AGREEMENTS FOR THE PROVISION OF INTERIM EMERGENCY DRINKING WATER TO DISADVANTAGED COMMUNITIES WITH CONTAMINATED DRINKING WATER SUPPLIES

WHEREAS:

1. On January 17, 2014, the Governor issued a "Proclamation of a State of Emergency" due to drought conditions in the State of California;
2. Current drought conditions, which are anticipated to continue through 2014, may exacerbate the contamination of drinking water sources in communities across the State;
3. Senate Bill 103 (Stats. 2014, ch. 2) added Item 3940-002-0679 to Section 2.00 of the Budget Act of 2013 to appropriate \$4 million from the State Water Pollution Cleanup and Abatement Account to the State Water Resources Control Board (State Water Board) to "provide interim emergency drinking water to disadvantaged communities with contaminated drinking water supplies, without regard to the source of contamination, including those contaminated drinking water supplies exacerbated by drought conditions";
4. Eligible entities that could apply for this funding include public agencies, not-for-profit water districts, other not-for-profit organizations, and tribal governments; and
5. It is the intent of the State Water Board to provide interim emergency drinking water to affected disadvantaged communities in an expedient manner.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Deputy Director of the Division of Financial Assistance to approve or deny interim emergency drinking water funding requests, consistent with Item 3940-002-0679 of Section 2.00 of the Budget Act of 2013, for \$150,000 or less;
2. Authorizes the Executive Director to approve or deny interim emergency drinking water funding requests, consistent with Item 3940-002-0679 of Section 2.00 of the Budget Act of 2013, including but not limited to funding requests for more than \$150,000; and

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3. Authorizes the Deputy Director of the Division of Financial Assistance to execute agreements and amendments to disburse funds approved pursuant to Resolved Nos. 1 or 2, 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 Resources Control Board held on April 22, 2014.

Jeanine Townsend
Clerk to the Board