

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
DECEMBER 4, 2007**

ITEM 10

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO APPLY FOR, ACCEPT, AND/OR AMEND A GRANT FROM U.S. EPA UNDER CLEAN WATER ACT SECTION 106.

DISCUSSION

Section 106 of the federal Clean Water Act (CWA) authorizes the appropriation of monies for federal grants to assist states in administering programs for the prevention, reduction, and elimination of pollution. The State Water Resources Control Board (State Water Board) annually files an application with the U.S. Environmental Protection Agency (USEPA) for a continuing annual grant under CWA section 106 and develops workplans to support the National Pollutant Discharge Elimination System (NPDES) Program and Total Maximum Daily Load (TMDL) work.

In December 2003, the State Water Board and USEPA (collectively Agencies) signed a Program Partnership Agreement that prepared a Surface Water Program's Five-Year Strategy (Strategy), which addresses how the Agencies will achieve the objectives of the Partnership Agreement. We are in the process of renewing this agreement. This application would cover the renewed Partnership Agreement's five-year Strategy.

For each FY starting in 2008 through 2013, CWA section 106 grant funds will be allocated to the NPDES wastewater regulatory program, the NPDES storm water regulatory program, TMDL development work, and surface water ambient monitoring, as preliminarily agreed upon with USEPA.

POLICY ISSUE

Should the State Water Board authorize the Executive Director to:

1. Apply for and accept FYs 2008-2013 CWA section 106 grant, not to exceed \$60,000,000;
2. Negotiate, approve, and/or amend the grants and the workplan; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 grant funds?

FISCAL IMPACT

This is an ongoing grant for which the State Water Board already has budget authority. Grant funding of up to \$12 million per year is approximately 50 percent in-kind services. Current budget authority of \$5.8 million may need to be augmented if USEPA awards more than this amount for State operations.

REGIONAL WATER BOARD IMPACT

All Regional Water Quality Control Boards.

STAFF RECOMMENDATION

That the State Water Board authorizes the Executive Director to:

1. Apply for and accept FYs 2008-2013 CWA section 106 grant, not to exceed \$60,000,000;
2. Negotiate, approve, and/or amend the grants and the workplan; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 grant funds.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2007-

AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT FISCAL YEARS (FYs) 2008-2013 CLEAN WATER ACT SECTION 106 WATER POLLUTION CONTROL PROGRAM GRANT AND TO NEGOTIATE, APPROVE, AND/OR AMEND THE GRANTS AND THE WORKPLAN

WHEREAS:

1. The U.S. Environmental Protection Agency (USEPA), Region 9, has indicated that the FYs 2008-2013 Clean Water Act (CWA) section 106 Water Pollution Control Program Grant for California will not exceed \$60,000,000.
2. In December 2003, the State Water Resources Control Board (State Water Board) and USEPA (collectively Agencies) signed a Program Partnership Agreement that prepared a Surface Water Program's Five-Year Strategy (Strategy), which addresses how the Agencies will achieve the objectives of the Partnership Agreement. A renewal to this agreement is in process. This application would cover the renewed Partnership Agreement's five-year Strategy.
3. The CWA section 106 Grant assists the State Water Board in funding the National Pollutant Discharge Elimination System Program for regulation of surface water discharges including storm water discharges, Total Maximum Daily Load development, and surface water ambient monitoring activities.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

Authorizes the Executive Director to:

1. Apply for and accept FYs 2008-2013 CWA section 106 grant, not to exceed \$60,000,000;
2. Negotiate, approve, and/or amend the grant and the workplan; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 grant funds.

CERTIFICATION

The undersigned, Acting 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 December 4, 2007.

Jeanine Townsend
Acting Clerk to the Board