STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – OFFICE OF RESEARCH, PLANNING, AND PERFORMANCE
OCTOBER 7, 2025

ITEM 2

SUBJECT

CONSIDERATION OF A PROPOSED RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR, CHIEF DEPUTY DIRECTOR, DEPUTY DIRECTOR OF THE DIVISION OF ADMINISTRATIVE SERVICES, OR DESIGNEE TO ENTER INTO AND AMEND CONTRACTS AND INTERAGENCY AGREEMENTS FOR MANDATED SCIENTIFIC PEER REVIEW AND OTHER EXPERT REVIEW.

DISCUSSION

Health and Safety Code section 57004 requires California Environmental Protection Agency (CalEPA) boards, departments, and office to submit for external scientific peer review the "scientific basis" and "scientific portions" of proposed rules. The law further specifies that CalEPA, or a board, department, or office within CalEPA, must enter into an agreement with a "peer review entity" (e.g., the National Academy of Sciences, the University of California, the California State University, or any similar scientific institution of higher learning) to conduct external scientific peer reviews.

The State Water Board manages the external scientific peer review program for CalEPA and its boards, departments, and office. The proposed resolution would authorize the executive director, chief deputy director, deputy director of the division of administrative services, or designee to enter into and amend contracts and interagency agreements for mandated scientific peer review and other expert review. Each such contract or interagency agreement shall not exceed five years in length and the total amount of each contract or interagency agreement shall not exceed $5,000,000.

The current practice is for the peer review entity to invoice each CalEPA organization for peer review services. Starting July 1, 2026, that will change due to contracting requirements. The peer review entity will invoice the State Water Board for all peer review services and then the State Water Board will invoice each CalEPA organization for reviews the CalEPA organization requested. Accordingly, total contract amounts must be sufficient to cover the work that the peer review entity may do for *all* CalEPA organizations.

POLICY ISSUE

None.

FISCAL IMPACT

None.

REGIONAL BOARD IMPACT

None.

STAFF RECOMMENDATION

Staff recommends that the Board adopt the proposed Resolution.