

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2009-0066**

TO EXTEND TIMEFRAMES FOR IMPLEMENTATION OF FEDERAL ECONOMIC RECOVERY  
LEGISLATION AND AUTHORIZE ONE PERCENT INTEREST/SERVICE RATE FOR  
DISADVANTAGED COMMUNITY (DAC) WASTEWATER PROJECTS FOR THE CLEAN  
WATER STATE REVOLVING FUND (CWSRF) PROGRAM

WHEREAS:

1. On March 17, 2009, the State Water Resources Control Board (State Water Board) adopted [Resolution 2009-0027](#) to provide direction to staff to implement the American Recovery and Reinvestment Act of 2009 (ARRA) for the CWSRF Program;
2. On June 16, 2009, the State Water Board adopted [Resolution 2009-0051](#) clarifying allocation of 15 percent of the ARRA subsidy funds and establishing the criteria and process for awarding ARRA funds to new expanded use (stormwater, estuary and nonpoint source) projects until August 31, 2009;
3. The Division of Financial Assistance (Division) received an overwhelming number of applications requesting ARRA funds;
4. The Division has not been able to process applications to meet the timeframes established in Resolutions 2009-0027 and 2009-0051 due to the ARRA workload and mandated furloughs; and
5. In order to use the subsidy funds, certain DAC wastewater applicants need one (1%) percent interest and service rate incentives to make the Project viable.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Extends to September 30, 2009 the date by which DAC Wastewater and expanded use projects must have an executed or executable financing agreement in order to receive ARRA subsidy funds;
2. Makes ARRA subsidy funds that are not committed to DAC Wastewater, projects that lost previously committed state grant funding, or other expanded use projects available for distribution to all eligible applicants starting September 30, 2009;
3. Delegates to the Executive Director the responsibility in consultation with the State Water Board Chair and Vice-Chair to distribute uncommitted subsidy funds after September 30, 2009. Distributes uncommitted subsidy funds as determined by the Executive Director to eligible applicants that can submit an Approval of Award (AOA) request before January 1, 2010, and a copy of an executed construction contract before February 1, 2010;

4. Determines that any applicant with an executed debt obligation after October 1, 2008, that is otherwise eligible for ARRA funding is eligible for any remaining subsidy funds distributed in this manner; and
5. Authorizes up to \$42 million in additional CWSRF funding at one percent interest/service rate for DAC Wastewater projects until September 30, 2009.

### 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 September 1, 2009.

AYE: Chairman Charles R. Hoppin  
Vice Chair Frances Spivy-Weber  
Board Member Tam M. Doduc

NAY: None

ABSENT: Board Member Arthur G. Baggett, Jr.

ABSTAIN: None

  
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Jeanine Townsend  
Clerk to the Board