

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION--DIVISION OF WATER QUALITY
JULY 21, 2005

ITEM 6

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ACCEPT A FEDERAL CLEAN WATER ACT SECTION 205(j) GRANT

DISCUSSION

Section 205(j) of the federal Clean Water Act (CWA) authorizes states to reserve up to one percent of their annual Title II Clean Water Construction Grant allocation for water quality management planning activities. Beginning in Federal Fiscal Year (FFY) 1989, CWA section 604(b) supplemented CWA section 205(j)(2) to maintain such funding. Funding is provided each year to the State Water Resources Control Board (State Water Board) by the U.S. Environmental Protection Agency (USEPA). These funds have historically been used by the Division of Water Quality (DWQ) to support water quality planning projects conducted by local agencies in California. Annual grants to the State Water Board are usually less than \$1 million, and the State Water Board has typically been required by CWA to pass through a minimum of 40 percent of these funds to local agencies for planning projects.

The Phase 19 205(j) grant for FFY 2005 is for \$778,466. The State Water Board received a waiver from USEPA for FFY 2005 dated May 27, 2005, and intends to use the section 205(j) grant to support its overall water quality planning program rather than pass through 40 percent to local agencies. Full use of these funds for the State Water Board's core water quality planning program will significantly augment our highest priority activities and represent the most effective use of these funds. Retention of the "pass-through" funds is necessary to supplement the statewide water quality planning effort at the State Water Board and the Regional Water Quality Control Boards (Regional Water Boards). These priority activities include developing statewide water quality objectives for bacteria and nutrients, developing an economic protocol for State and Regional Water Board staff, and other important activities related to DWQ's workload associated with developing and processing Total Maximum Daily Loads.

POLICY ISSUE

Should the State Water Board accept the FFY 2005 Phase 19 205(j) grant?

FISCAL IMPACT

State Water Board and Regional Water Board activities undertaken pursuant to this grant will be accomplished within budgeted resources.

REGIONAL WATER BOARD IMPACT

Yes, all Regional Water Boards.

STAFF RECOMMENDATION

That the State Water Board:

1. Authorizes the Executive Director to apply for and accept the FFY 2005 Phase 19 water quality management planning grant under CWA sections 205(j) and 604(b).
2. Authorizes the Executive Director to approve the final Phase 19 water quality management planning workplan.

DRAFT

June 27, 2005

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2005 -

AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ACCEPT A FEDERAL CLEAN WATER ACT SECTION 205(j) GRANT

WHEREAS:

1. Section 205(j) of the federal Clean Water Act (CWA) authorizes states to reserve up to one percent of their annual Title II Clean Water Construction Grant allocation for water quality management planning activities. Beginning in Federal Fiscal Year (FFY) 1989, CWA section 604(b) supplemented CWA section 205(j)(2) to maintain such funding.
2. A total of \$778,466 will be available in FFY 2005 for funding the water quality management planning program from CWA section 604(b), of which 40 percent is typically passed through to local agencies for projects.
3. The State Water Resources Control Board (State Water Board) has been granted a waiver from the pass-through requirement from the U.S. Environmental Protection Agency (USEPA), the federal granting agency, and will use the 205(j) grant to support its overall water quality planning program.
4. The core water quality planning activities managed by the State Water Board will significantly benefit from the supplemental funding provided by the annual section 205(j) grant. These include developing statewide water quality objectives for bacteria and nutrients, developing an economic protocol for State Water Board and Regional Water Quality Control Board staffs, and other important activities related to the workload associated with developing and processing Total Maximum Daily Loads.
5. In-kind services with USEPA, as well as staff resources from the 205(j) grant, will contribute significantly to meeting these needs.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Executive Director to apply for and accept the FFY 2005 Phase 19 water quality management planning grant under CWA sections 205(j) and 604(b).
2. Authorizes the Executive Director to approve the final Phase 19 water quality management planning workplan.

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 July 21, 2005.

Debbie Irvin
Clerk to the Board