

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

ITEM 3

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO APPLY FOR AND ACCEPT FISCAL YEAR (FY) 2007-08 CLEAN WATER ACT SECTION 106 WATER POLLUTION CONTROL PROGRAM GRANT

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 (U.S. EPA) for a continuing annual CWA section 106 Water Pollution Control Program Grant (CWA section 106 grant) and develops workplans to specify the tasks to be accomplished. The CWA section 106 grant funds support the National Pollutant Discharge Elimination System Program (wastewater and storm water) and Total Maximum Daily Load work.

U.S. EPA and the State Water Board are in the process of closing out the current five-year CWA section 106 grant in preparation for application and award of a new continuing grant. Current plans are to have a new multi-year grant in place on July 1, 2008. To minimize any disruption in federal funding pending approval of the new multi-year grant, this resolution seeks authorization for State Water Board staff to apply for a one-year bridge grant.

POLICY ISSUE

Should the State Water Board authorize the Executive Director or designee to:

1. Apply for and accept a FY 2007-08 CWA section 106 grant as a bridge grant, in an amount not to exceed \$5 million;
2. Negotiate, approve, and/or amend the grant and the workplans; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 grant funds.

FISCAL IMPACT

Existing budget authority for both the National Pollutant Discharge Elimination System Program and Total Maximum Daily Load work is currently adequate to accommodate the anticipated grant.

REGIONAL WATER QUALITY CONTROL BOARD IMPACT

All Regional Water Quality Control Boards.

STAFF RECOMMENDATION

That the State Water Board authorizes the Executive Director or designee to:

1. Apply for and accept a FY 2007-08 CWA section 106 grant as a bridge grant, in an amount not to exceed \$5 million;
2. Negotiate, approve, and/or amend the grant and the workplans; 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 OR DESIGNEE TO APPLY
FOR AND ACCEPT FISCAL YEAR (FY) 2007-08 CLEAN WATER ACT
SECTION 106 WATER POLLUTION CONTROL PROGRAM GRANT

WHEREAS:

1. The Clean Water Act (CWA) section 106 grant currently assists the State Water Resources Control Board (State Water Board) in funding the National Pollutant Discharge Elimination System Program for regulation of surface water discharges, including storm water discharges and Total Maximum Daily Load development.
2. In December 2003, the State Water Board and the U.S. Environmental Protection Agency (collectively Agencies) signed a 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. This grant request covers the last year of the Partnership Agreement's five-year Strategy which runs through June 2008.
3. The State Water Board will need to apply for a bridge grant in order to complete the activities covered under the Partnership Agreement.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director or designee to:

1. Apply for and accept a FY 2007-08 CWA section 106 Water Pollution Control Program Grant as a bridge grant, in an amount not to exceed \$5 million;
2. Negotiate, approve, and/or amend the grant and the workplans; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 Water Pollution Program 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 September 4, 2007.

Jeanine Townsend
Acting Clerk to the Board