

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2016-0043**

ADOPTING GUIDELINES TO ADMINISTER EMERGENCY DRINKING WATER FUNDING  
AUTHORIZED BY RESOLUTION NO. 2016-0039

WHEREAS:

1. Due to severe and persistent drought conditions in the State of California (State), the Governor issued a “Proclamation of a State of Emergency” on January 17, 2014; a “Proclamation of a Continued State of Emergency” on April 25, 2014; and Executive Orders B-26-14, B-28-14, B-26-15, B-29-15, B-36-15, and B-37-16;
2. In Executive Order B-26-14, the Governor directed the State Water Resources Control Board (State Water Board), among other agencies, to assist local agencies in identifying and addressing acute drinking water shortages in domestic water supplies;
3. Current drought conditions have exacerbated the impacts of drinking water source contamination and have reduced California communities’ access to safe, reliable, and affordable drinking water;
4. Communities that are in greatest need of State funds on an emergency basis are those with limited or no access to alternative sources of safe, reliable, and affordable drinking water and no or limited funds to implement solutions that would provide access to safe, reliable, and affordable drinking water;
5. In 2014, Senate Bill (SB) 103 (Stats. 2014, ch. 2) provided \$15 million in general funds to the California Department of Public Health (CDPH) for assistance to public water systems addressing drought-related drinking water emergencies or threatened emergencies. Upon transfer of the Drinking Water Program from CDPH to the State Water Board on July 1, 2014, the State Water Board’s Division of Financial Assistance (Division) has administered these funds under the Public Water System Drought Emergency Response Program;
6. SB 103 also appropriated \$4 million from the State Water Pollution Cleanup and Abatement Account (CAA) to the State Water Board to “provide interim emergency drinking water to disadvantaged communities with contaminated drinking water supplies, without regard to the source of contamination, including those contaminated drinking water supplies exacerbated by drought conditions”;
7. Assembly Bill (AB) 91 (Stats. 2015, ch. 1) added Item 3940-101-0679 to Section 2.00 of the Budget Act of 2014 to appropriate \$15 million from the CAA to the State Water Board to “address drought-related drinking water emergencies or threatened emergencies, without regard to whether the need for emergency drinking water is as a result of the discharge of waste”;

8. AB 91 also added Item 3940-102-0679 to Section 2.00 of the Budget Act of 2014 to appropriate \$4 million from the CAA to the State Water Board to “provide interim emergency drinking water to disadvantaged communities with contaminated drinking water supplies, without regard to the source of contamination, including those contaminated drinking water supplies exacerbated by drought conditions”;
9. On May 19, 2015, the State Water Board adopted [Resolution No. 2015-0035](#), which delegated authority and adopted guidelines for administering the emergency drinking water funding appropriated by AB 91;
10. SB 826 (Stats. 2016, ch. 23), the Budget Act of 2016, appropriated \$15 million from the CAA to continue addressing drought-related drinking water emergencies or threatened emergencies within the State (Sec. 2.00, Item 3940-101-0679);
11. Funding for disadvantaged communities that are experiencing contamination-related, but not drought-related, drinking water emergencies is not included in the Budget Act of 2016;
12. On July 19, 2016, by [Resolution No. 2016-0039](#), the State Water Board approved the allocation of up to \$4 million from the CAA to provide interim emergency drinking water to disadvantaged communities with a contaminated water supply, and delegated authority to administer this CAA allocation and the SB 826 drought-related appropriation consistent with the procedures and criteria prescribed in the funding guidelines approved in Resolution No. 2015-0035;
13. It is desirable to adopt new Emergency Drinking Water Funding Guidelines (Guidelines) for administering the funding authorized in Resolution No. 2016-0039 to effect certain substantive changes from the funding guidelines approved in Resolution No. 2015-0035;
14. It is the intent of the State Water Board to continue to provide interim emergency drinking water to affected disadvantaged communities and to address drought-related drinking water emergencies and threatened emergencies in an expedient manner;
15. As required by State Water Board [Resolution No. 2016-0029](#), staff will condition funding upon compliance with emergency water conservation regulations, to the extent feasible; and
16. It is the intent of the State Water Board to provide the Emergency Drinking Water funding only to those qualifying recipients and projects that have no other funding options to address the emergency (e.g., available reserves, other State grants or loans).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the Guidelines in [Attachment A](#) and authorizes the Deputy Director of the Division to make non-substantive changes to the Guidelines, as necessary. This approval of the Guidelines shall supersede only Resolved No. 5 of Resolution No. 2016-0039 approved by the State Water Board on July 19, 2016; and

2. Directs the Executive Director, Deputy Director of the Division, or designee to periodically report back to the State Water Board regarding activities undertaken pursuant to this resolution, including, but not limited to, identification of projects funded and any non-substantive changes made to the Guidelines.

### 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 August 16, 2016.

AYE:           Chair Felicia Marcus  
                  Vice Chair Frances Spivy-Weber  
                  Board Member Tam M. Doduc  
                  Board Member Steven Moore  
                  Board Member Dorene D'Adamo

NAY:           None

ABSENT:       None

ABSTAIN:     None

  
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Jeanine Townsend  
Clerk to the Board