

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE  
JULY 17, 2007**

**ITEM 4**

**SUBJECT**

CONSIDERATION OF AUTHORIZATION TO ALLOCATE \$200,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) FOR THE ENVIRONMENTAL CIRCUIT PROSECUTOR'S PROJECT (ECP) TO PROSECUTE ENVIRONMENTAL CRIMES INVOLVING THE DISCHARGE OF POLLUTANTS TO WATER

**DISCUSSION**

The Environmental Circuit Prosecutor's Project was established in 1998 by the California District Attorney's Association (CDA) to assist local District Attorneys in more than 30 rural counties with prosecution of environmental crimes, including illegal discharges of pollutants to water. Several of the Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board's Underground Storage Tank regulatory program are beneficiaries of the Circuit Prosecutor's activities as the enforcement actions assist in prevention of water resource contamination and/or the cleanup of a waste or abatement of its effects on the waters of the state and the United States. While the CDA work also involves non-water-board-related environmental crimes, the funding for non-water work is provided by other sources. In addition, the ECP is involved in training and coordinating with other local and state environmental enforcement agencies to enforce environmental laws.

**POLICY ISSUES**

Should the State Water Board approve \$200,000 from the CAA for the Environmental Circuit Prosecutor's Project for prosecution of environmental crimes involving the discharge of pollutants to water?

**FISCAL IMPACT**

The CAA has an uncommitted balance of \$5,000,000. Approving \$200,000 for this project will leave an uncommitted balance of \$4,800,000 in the CAA.

**REGIONAL BOARD IMPACT:**

Yes, there are benefits to several Regional Water Boards.

**STAFF RECOMMENDATION**

The State Water Board should approve funding of \$200,000 from the CAA to support the Environmental Circuit Prosecutor's Project for prosecution of environmental crimes and civil enforcement actions involving the threatened or actual discharge of pollutants to water.

Staff further recommends that the grant funds contain a recommendation from the State Water Board that the Environmental Circuit Prosecutor Project find a regular and consistent source of funds so that it does not have to rely on grants from public agencies to operate.

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2007 -**

APPROVAL OF AUTHORIZATION TO ALLOCATE \$200,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) FOR THE ENVIRONMENTAL CIRCUIT PROSECUTOR'S PROJECT TO PROSECUTE ENVIRONMENTAL CRIMES INVOLVING THE DISCHARGE OF POLLUTANTS TO WATER

WHEREAS:

1. The Environmental Circuit Prosecutor's Project was established in 1998 by the California District Attorney's Association to assist local district attorney's with prosecution of environmental crimes and additional funding is required to maintain their services in the amount of \$200,000;
2. The Regional Water Quality Control Boards and the Underground Storage Tank regulatory program are beneficiaries of the Circuit Prosecutor's activities as the enforcement actions assist in the prevention of water contamination and/or cleanup of a waste or abatement of its effects on the waters of the state.
3. While the CDAA work also involves non-water-board-related environmental crimes and training, the funding for non-water enforcement work is funded from other sources.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board approves \$200,000 from the CAA for the Environmental Circuit Prosecutor's Project to prosecute environmental crimes involving the discharge of pollutants to water.

The State Water Resources Control Board encourages the Environmental Circuit Prosecutor's Project to find a long-term solution to its funding shortages and develop a regular source of funding consistent with its role as an entity which protects the interests of the People of the State of California.

**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 17, 2007.

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Clerk to the Board