

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF WATER QUALITY  
JANUARY 18, 2011**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF A PROPOSED RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO APPLY FOR, ACCEPT, AND/OR AMEND A GRANT FROM U.S. EPA UNDER CLEAN WATER ACT SECTION 106 AND AUTHORIZING EXECUTION AND AMENDMENT OF CONTRACTS USING THESE FUNDS.

**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 grant under CWA section 106 and develops workplans to support the National Pollutant Discharge Elimination System (NPDES) Program, Total Maximum Daily Load (TMDL) work and the Surface Water Ambient Monitoring Program (SWAMP).

For each FY starting in 2011 through 2014, CWA Section 106 grant funds will be allocated to the NPDES wastewater regulatory program, the NPDES storm water regulatory program, TMDL development work, and SWAMP, as preliminarily agreed upon with U.S. EPA.

**POLICY ISSUE**

Should the State Water Board authorize the Executive Director to:

1. Apply for and accept FYs 2011-2014 CWA section 106 grant, not to exceed \$50,000,000;
2. Negotiate, approve, and/or amend the grants and the workplan; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 grant funds?

**FISCAL IMPACT**

This is an ongoing grant for which the State Water Board has baseline authority. Grant funding of \$15-17 million per year is approximately 50 percent in-kind services. Current budget authority of \$ 10 million may need to be augmented if USEPA awards more than this amount for State Operations.

**REGIONAL BOARD IMPACT**

All Regional Water Quality Control Boards.

## **STAFF RECOMMENDATION**

That the State Water Board authorizes the Executive Director to:

1. Apply for and accept FYs 2011-2014 CWA section 106 grant, not to exceed \$50,000,000;
2. Negotiate, approve, and/or amend the grants and the workplan; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 grant funds.

State Water Board action on this item will assist the Water Boards in reaching the following Goals of the Strategic Plan Update 2008-2012: Goal 1: Implement strategies to fully support the beneficial uses for all 2006-listed water bodies by 2030. Goal 6: Enhance consistency across the Water Boards, on an ongoing basis, to ensure our processes are effective, efficient, and predictable, and to promote fair and equitable application of laws, regulations, policies, and procedures.

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2011-**

AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE  
TO APPLY FOR, ACCEPT, AND/OR AMEND A GRANT FROM U.S. EPA UNDER  
CLEAN WATER ACT SECTION 106 AND AUTHORIZING EXECUTION AND AMENDMENT  
OF CONTRACTS USING THESE FUNDS

WHEREAS:

1. The U.S. Environmental Protection Agency (U.S. EPA), Region 9, has indicated that the FYs 2011-2014 Clean Water Act (CWA) section 106 Water Pollution Control Program Grant for California will not exceed \$50,000,000;
2. The CWA section 106 Grant assists the State Water Resources Control Board in funding the National Pollutant Discharge Elimination System Program for regulation of surface water discharges including storm water discharges, Total Maximum Daily Load development, and surface water ambient monitoring activities.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to:

1. Apply for and accept FYs 2011-2014 CWA section 106 grant, not to exceed \$50,000,000;
2. Negotiate, approve, and/or amend the grants and the workplan; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA section 106 grant funds.

**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 January 18, 2011.

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Jeanine Townsend  
Clerk to the Board