

ITEM: 6

SUBJECT: Delegating Certain Powers And Duties To The Executive Officer

BOARD ACTION: *Consideration of Adoption of a Resolution*

BACKGROUND: The Porter-Cologne Water Quality Control Act (California Water Code Section 13223(a)), allows a Regional Water Quality Control Board to delegate any of its powers and duties to its Executive Officer excepting only the following:

1. The promulgation of any regulations;
2. The issuance, modification, or revocation of any water quality control plan, water quality objectives, or waste discharge requirements;
3. The issuance, modification, or revocation of any cease and desist order;
4. The holding of any hearing on water quality control plans; and
5. The application to the Attorney General for judicial enforcement but excluding cases of specific delegation in a cease and desist order and excluding the cases described in subdivision (c) of Section 13002 and 13304 and 13340.

With the appointment of a new Executive Officer, the Board should affirm the continued delegation of powers and duties to the Executive Officer.

ISSUES: Should the Board affirm the delegation of all powers and duties to the Executive Officer as allowed by the California Water Code?

RECOMMENDATION: Adopt the proposed resolution.

Mgmt. Review \_\_\_\_\_  
Legal Review \_\_\_\_\_

**16/17 March 2006 Board Meeting**  
11020 Sun Center Dr. #200  
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