

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

RESOLUTION NO. R2-2008-0055

DELEGATION OF AUTHORITY TO EXECUTIVE OFFICER TO ISSUE  
ADMINISTRATIVE CIVIL LIABILITY ORDERS

**WHEREAS:**

1. The Porter-Cologne Water Quality Control Act (California Water Code, Division 7) § 13223(a) provides that a Regional Water Quality Control Board may delegate any of its powers and duties to its Executive Officer excepting only the following:
  - a. The promulgation of any regulations;
  - b. The issuance, modification, or revocation of any water quality control plan, water quality objectives or waste discharge requirement;
  - c. The issuance, modification, or revocation of any cease and desist order;
  - d. The holding of any hearing on water quality control plans; and
  - e. 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, 13304, and 13340 of the Water Code.
2. On January 29, 1970, the California Regional Water Quality Control Board, San Francisco Bay Region ("Board"), adopted Resolution No. 70-11, delegating to its Executive Officer the powers and duties of the Board except those specified in Water Code § 13223(a) and those the Board has previously reserved to itself or any of its members by formal action.
3. Although Resolution No. 70-11 implicitly delegated to the Executive Officer the authority to issue Administrative Civil Liability Orders when it is not necessary for the Board to hold a hearing, it is prudent that the delegation be explicit in order that the authority for this new practice is clearly expressed to the public and the regulated community.

**THEREFORE BE IT RESOLVED THAT:**

Effective July 8, 2008, the Board hereby expressly delegates to its Executive Officer, under the general direction and control of the Board, the authority to issue final Administrative Civil Liability Orders where no hearing is required.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 8, 2008.

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Bruce H. Wolfe  
Executive Officer