

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2011-0005**

AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO ONE OR MORE  
CONTRACTS TO HIRE ENVIRONMENTAL CONSULTANTS TO COMPLETE WORK  
REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)  
FOR WATER RIGHTS ACTIONS

WHEREAS:

1. The State Water Resources Control Board (State Water Board) must comply with CEQA when it approves an application or petition;
2. California Code of Regulations, title 14, section 15045, subdivision (a) provides legal authority for the CEQA Lead Agency to charge and collect reasonable fees for the cost of completing environmental activities and documentation;
3. The State Water Board has faced delays in processing applications and petitions due to disagreements with CEQA consultants, the refusal of applicants or petitioners to provide payment to consultants for the completion of environmental activities and documentation required by CEQA, or unsatisfactory work products;
4. The State Water Board desires to implement a pilot project to determine whether it can more effectively and efficiently complete environmental compliance processing by contracting directly with environmental consultants; and
5. Delegation of this authority to the Executive Director will allow the Executive Director to compensate consultants from the Water Rights Fund for the completion of environmental activities and documentation, and pursue cost recovery from the applicant and/or petitioner of the payments to reimburse the Water Rights Fund.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to implement a pilot project to do the following:

1. Administer funds from the Water Rights Fund for an amount not to exceed a total of \$1 million per year, for a duration not to exceed five years, to execute one or more contracts to hire an environmental consultant or consultants to complete work required by CEQA for appropriative water right actions;
2. Make direct payments for such work from the Water Rights Fund for a total amount not to exceed \$1 million per year; and
3. Pursue cost recovery from the applicant and/or petitioner in order to reimburse the Water Rights Fund.

Within two years of contract execution, the Executive Director shall report on the implementation of the pilot project to the State Water Board; and unless the State Water Board extends the authorization following the report, no additional projects shall be enrolled in the pilot project.

This authority may be redelegated.

### CERTIFICATION

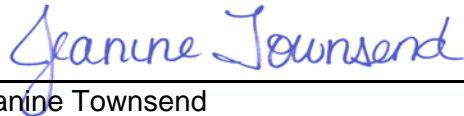
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on February 1, 2011.

AYE: Chairman Charles R. Hoppin  
Vice Chair Frances Spivy-Weber  
Board Member Tam M. Doduc  
Board Member Dwight P. Russell

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board