

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2012-0053**

TO ALLOCATE \$2,000,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO
THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH) TO PROVIDE INTERIM
REPLACEMENT DRINKING WATER TO SEVERELY DISADVANTAGED COMMUNITIES

WHEREAS:

1. The California Department of Public Health (CDPH) estimates that, as of September 2012, there are approximately 168 small water systems, as defined by CDPH, that rely on contaminated groundwater as their source of drinking water where the groundwater consistently exceeds a primary safe drinking water standard, potentially requiring replacement drinking water;
2. There is a need to provide safe drinking water to assist severely disadvantaged communities on an interim basis. The CAA funds would be intended for those public water systems (including non-transient systems, e.g., schools) whose existing water supply is affected by a waste and that are addressing their long-term need by having a project ranked on CDPH's priority list pursuant to Health and Safety Code section 116760.70. These would be public water systems that serve severely disadvantaged communities and that are unable to provide an adequate supply of safe drinking water to their service area(s);
3. A "public water system" is defined by Health and Safety Code section 116275 subdivision (h) as a system for the provision of water for human consumption that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year;
4. A "severely disadvantaged community" is defined by Health and Safety Code section 116760.20 as a community with a median household income of less than 60 percent of the statewide average; and
5. The requested allocation is consistent with the purposes of Water Code section 13442. Section 13442 provides that the State Water Board may order monies to be paid from the CAA to a public agency and certain not-for-profit organizations and tribal governments with authority to clean up or abate the effects of a waste "to assist it in cleaning up the waste or abating its effects on the waters of the state."

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Allocates \$2,000,000 from the CAA to CDPH to provide interim replacement drinking water to severely disadvantaged communities whose drinking water supply is affected by a waste, as defined by Water Code section 13050 subdivision (d), and that are addressing their long-term need for a safe drinking water supply by submitting a pre-application to CDPH and having their project ranked on CDPH's priority list pursuant to Health and Safety Code section 116760.70;

2. Directs Division of Financial Assistance (Division) staff to work in partnership with CDPH to ensure the expenditure of CAA funds by CDPH is consistent with the purposes of Water Code section 13442 and to ensure that projects are funded as expeditiously as possible;
3. Directs Division staff to prepare an Interagency Agreement with CDPH that specifies the work to be completed with CAA funds and specifies the respective obligations of the parties. The Interagency Agreement shall require CDPH to submit regular reports to the Board that include a list of proposed projects and summaries of funded projects;
4. May increase or decrease the funding at the State Water Board's discretion if emergency circumstances require use of any uncommitted and unexpended CAA funds; and
5. Makes funds available until January 31, 2015. Reverts any unexpended funds to the CAA as of July 30, 2015, unless the Deputy Director or Assistant Deputy Director of the Division authorizes an extension.

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 October 16, 2012.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Steven Moore
 Board Member Felicia Marcus
 Board Member Tam M. Doduc

NAY: None

ABSENT: None

ABSTAIN: None



 Jeanine Townsend
 Clerk to the Board