

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0026**

AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO APPLY FOR,
ACCEPT, AND/OR AMEND A FEDERAL CLEAN WATER ACT
SECTION 205(j) GRANT AND AUTHORIZING EXECUTION AND AMENDMENT OF
AGREEMENTS FOR SUPPORT OF THE 205(j) PROGRAM

WHEREAS:

1. Section 205(j) of the federal Clean Water Act (CWA) requires states to reserve one percent of their annual Title II Clean Water Construction Grant allocation for water quality management planning activities. Beginning in federal Fiscal Year 1989, CWA section 604(b) supplemented CWA section 205(j)(2) to maintain such funding.
2. The State Water Resources Control Board (State Water Board) is the state agency designated to administer the 205(j) Program. Typically 40 percent of these funds are passed through to local agencies for projects.
3. State Water Board staff works with the United States Environmental Protection Agency (U.S. EPA) and other stakeholders to identify projects eligible for funding pursuant to the pass through requirements.
4. These pass through requirements can be waived if the Governor determines, and the U.S. EPA approves, a finding that the allocation will neither result in significant participation by planning organizations, nor significantly assist in development and implementation of the state's water quality management program. The Governor has delegated the authority to request a waiver of the pass through requirements to the Executive Director of the State Water Board.
5. Many water quality planning activities administered by the State Water Board have been under-supported. These include refinement of designated beneficial uses of the state's waters, establishment of water quality objectives to protect those uses, contract activities, and other important activities related to the Division of Water Quality's workload associated with developing and processing Total Maximum Daily Loads.
6. Staff and administrative support resources from the 205(j) grant will contribute significantly to meeting these needs.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Executive Director or designee to apply for, accept, and amend as necessary the annual 205(j) water quality management planning grant.
2. Authorizes the Executive Director or designee to negotiate, approve, and amend 205(j) water quality management planning workplans.

3. Authorizes the Executive Director to apply for a waiver of the pass through requirements when deemed necessary.
4. Authorizes the Executive Director or designee to negotiate agreements or contracts to support the state's water quality planning activities and to perform all acts, and to do all things necessary and convenient to implement such agreements or contracts.
5. Authorizes the issuance of in-kind services with U.S. EPA and amendments in accordance with approved workplans to implement projects subject to the availability of federal funding.

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 June 17, 2014.

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

NAY: None

ABSENT: Board Member Dorene D'Adamo

ABSTAIN: None



Jeanine Townsend
Clerk to the Board