

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2014-0027**

DELEGATES AUTHORITY TO THE DEPUTY DIRECTOR OF THE DIVISION OF FINANCIAL ASSISTANCE (DFA), OR DESIGNEE, OF THE STATE WATER RESOURCES CONTROL BOARD (STATE WATER BOARD) TO EXECUTE CERTAIN FINANCIAL ASSISTANCE AGREEMENTS, AMENDMENTS, AND RELATED SECURITY INSTRUMENTS AND DELEGATES AUTHORITY TO THE EXECUTIVE DIRECTOR, OR THE EXECUTIVE DIRECTOR'S DESIGNEE, TO RESOLVE CERTAIN DISPUTES

WHEREAS:

1. The State Water Board is aware of the Governor's intention to transfer the Drinking Water Program from the California Department of Public Health through budget trailer language;
2. The contemplated budget trailer language would transfer several financial assistance programs, including the Drinking Water State Revolving Fund (DWSRF) and programs implementing relevant portions of the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Prop. 50) and the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Prop. 84), (collectively, the Transferred Drinking Water Financial Assistance Programs);
3. The State Water Board has previously delegated authority to execute financial assistance agreements and amendments for financial assistance programs implemented pursuant to the bond laws approved in 1970, 1974, 1978, 1984, 1978, 1986, 1988, 1996, 2000, 2002, and 2006 (collectively referred to as the Bond Act Programs); Section 319(h) of the Clean Water Act (the 319 Grant Program); and the Clean Water State Revolving Fund (CWSRF);
4. It is anticipated that, as with many financial assistance approvals for the Bond Act Programs, the 319 Grant Program, and the CWSRF, many of the Transferred Drinking Water Financial Assistance Programs' financial assistance agreements will be routine and non-controversial. For the orderly and efficient management of the State Water Board's financial assistance programs, it is appropriate and desirable to delegate to appropriate staff the authority to approve all routine financial assistance agreements, amendments, and related security instruments that are consistent with internal policies and any applicable agreements with federal agencies, that do not exceed the funds available, and that do not raise significant issues requiring consideration at a Board meeting; and
5. For the orderly and efficient administration of the State Water Board's financial assistance agreements, it is desirable to designate appropriate staff to make a final agency determination concerning any dispute arising out of such agreements or relating to the performance thereof.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:


1. Authorizes the Deputy Director of DFA, or designee, to enter into financing agreements and amendments thereof for loans, grants, installment sales agreements, and other such financial assistance for routine, non-controversial projects that are consistent with those policies and agreements that the State Water Board has adopted or will adopt governing the internal management of the Bond Act Programs, the 319 Grant Program, the CWSRF, and the Transferred Drinking Water Financial Assistance Programs;

2. The Deputy Director of DFA may delegate his or her responsibilities herein to an Assistant Division Deputy Director authorized to act as a designee in the Division Deputy Director's absence or as otherwise set forth in an adopted policy handbook or guidelines;
3. The Deputy Director of DFA, or designee, is directed in exercising this vested authority, without restricting the authority specified, to bring to the attention of the Board members at Board meetings, or by other appropriate communication, any matters that are of a unique, controversial, or unusual nature, or that appear to depart from the policies of the State Water Board;
4. Except as otherwise specifically provided by the State Water Board, the Executive Director, or designee, shall be the duly authorized representative of the State Water Board for the purpose of making a final determination of any dispute arising under or relating to the performance of any financing agreements to which the State Water Board is a party;
5. This authorization shall not be construed to eliminate the necessity of required approval or concurrence of any other state agency;
6. This resolution shall become operative and supersede Board [Resolution No. 2007-004](#) upon the effective date of budget trailer bill language transferring the Drinking Water Program from the California Department of Public Health to the State Water Resources Control Board. To the extent this resolution is inconsistent with [Resolution 2002-0105](#), this resolution supersedes Resolution 2002-0105 upon its effective date.

**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

  
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 Jeanine Townsend  
 Clerk to the Board