

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2016-0039**

DELEGATING AUTHORITY TO ADMINISTER CLEANUP AND ABATEMENT ACCOUNT (CAA) DROUGHT-RELATED EMERGENCY DRINKING WATER FUNDS APPROPRIATED BY THE BUDGET ACT OF 2016 AND ALLOCATING UP TO \$4 MILLION FROM THE CAA TO BE ADMINISTERED TO CONTINUE EMERGENCY FUNDING FOR DISADVANTAGED COMMUNITIES WITH CONTAMINATED DRINKING WATER SUPPLIES

WHEREAS:

1. Due to severe and persistent drought conditions in the State of California (State), the Governor issued a “Proclamation of a State of Emergency” on January 17, 2014, and a “Proclamation of a Continued State of Emergency” on April 25, 2014; and Executive Orders B-26-14, B-28-14, B-26-15, B-29-15, and B-37-16;
2. In Executive Order B-26-14, the Governor directed the State Water Resources Control Board (State Water Board), among other agencies, to assist local agencies in identifying and addressing acute drinking water shortages in domestic water supplies;
3. Assembly Bill (AB) 91 (Stats. 2015, ch. 1) added Item 3940-101-0679 to Section 2.00 of the Budget Act of 2014 to appropriate \$15 million from the State Water Pollution Cleanup and Abatement Account (CAA) to the State Water Board to “address drought-related drinking water emergencies or threatened emergencies, without regard to whether the need for emergency drinking water is as a result of the discharge of waste”;
4. AB 91 also added Item 3940-102-0679 to Section 2.00 of the Budget Act of 2014 to appropriate \$4 million from the CAA to the State Water Board to “provide interim emergency drinking water to disadvantaged communities with contaminated drinking water supplies, without regard to the source of contamination, including those contaminated drinking water supplies exacerbated by drought conditions”;
5. The appropriations in AB 91 had an encumbrance deadline of June 30, 2016;
6. On May 19, 2015, the State Water Board adopted [Resolution No. 2015-0035](#), which delegated authority and adopted the Drinking Water Emergency Funding Guidelines (Guidelines) for administering the emergency drinking water funding appropriated by AB 91;
7. Senate Bill (SB) 826 (Stats. 2016, ch. 23), the Budget Act of 2016, appropriated \$15 million to continue addressing drought-related drinking water emergencies or threatened emergencies within the State (Sec. 2.00, Item 3940-101-0679);
8. Funding for disadvantaged communities that are experiencing contamination-related, but not drought-related, drinking water emergencies is not included in the Budget Act of 2016;
9. The delegations of authority and Guidelines adopted by the State Water Board in Resolution No. 2015-0035 do not address the SB 826 funding appropriation;

10. It is the intent of the State Water Board to continue to provide interim emergency drinking water to affected disadvantaged communities and to address drought-related drinking water emergencies and threatened emergencies in an expedient manner.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the allocation of up to \$4 million from the CAA to continue to provide emergency drinking water funding to disadvantaged communities with contaminated drinking water supplies;
2. Authorizes the Executive Director, Deputy Director of the Division of Financial Assistance (Division), or designee to approve or deny funding requests for \$500,000 or less, not to exceed the \$4 million CAA allocation, to provide emergency drinking water funding to disadvantaged communities with contaminated drinking water supplies;
3. Authorizes the Executive Director, Deputy Director of the Division, or designee to approve or deny drought-related emergency drinking water funding requests for \$500,000 or less, consistent with Item 3940-101-0679 of Section 2.0 of the Budget Act of 2016;
4. Authorizes the Executive Director, Deputy Director of the Division, or designee to execute agreements and amendments to disburse funds approved pursuant to Resolved Nos. 2 and 3, and to perform all acts and to do all things necessary and convenient to implement such agreements; and
5. Directs State Water Board staff to administer the drinking water funds addressed in Resolved Nos. 2 and 3 in a manner consistent with the Guidelines approved in Resolution No. 2015-0035.

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 July 19, 2016.

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

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board