

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2022-0020**

TO ALLOCATE UP TO \$150,000 IN ADDITIONAL FUNDS FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) FOR PHASE 1 OF THE NEWPORT BAY *CAULERPA PROLIFERA* ERADICATION PROJECT (PROJECT)

WHEREAS:

1. In May 2021, the Santa Ana Regional Water Quality Control Board (Santa Ana Regional Water Board) submitted a request for CAA funds for the Project to address *Caulerpa prolifera* infestation in the China Cove area of Newport Bay. The proposed Phase 1 eradication plan consists of mapping and monitoring of the infestation, removal, and eradication of any regrowth;
2. The Project has encountered delays with the removal of the infestation and Phase 1 of the eradication plan has not yet been completed;
3. The Deputy Director of the Division of Financial Assistance (DFA) has approved a total of \$500,000 in CAA funding for the Project;
4. Given the total request of \$650,000 for the Project exceeds the \$500,000 threshold for DFA approvals delegated in [Resolution No. 2018-0056](#), State Water Resources Control Board (State Water Board) approval of the additional \$150,000 is required;
5. The requested allocation is consistent with the purposes of Water Code section 13442, which provides that the State Water Board may approve the payment of moneys from the CAA to a public agency, including a Regional Water Board, to assist in cleaning up a waste or abating the effects of a waste on water of the state; and
6. Consistent with the [CAA Funding Program Guidelines](#), adopted by the State Water Board on December 11, 2018, this Project is categorized as a Tier 1 project that requires immediate action to mitigate a significant threat to the environment or public health and safety.
7. On May 28, 2021, the Deputy Director of DFA determined the Project is exempt from the California Environmental Quality Act under a categorical exemption for emergency projects (California Code of Regulations, Title 14, Div. 6, Ch. 3, Article 19, Section 15308).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the allocation of up to \$150,000 in additional CAA funds, for a total of \$650,000 in CAA funds for the Project, with the following conditions:
  - a. Only \$100,000 will be initially approved, with the remaining \$50,000 contingent upon the provision of a \$50,000 match from the City of Newport Beach.
  - b. The funds will be available until October 31, 2022, with any unexpended funds reverting to the CAA as of December 31, 2022, unless Deputy Director or Assistant Deputy Director of the DFA 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 Resources Control Board held on June 7, 2022.

AYE: Chair E. Joaquin Esquivel  
Vice Chair Dorene D'Adamo  
Board Member Sean Maguire  
Board Member Laurel Firestone  
Board Member Nichole Morgan

NAY: None

ABSENT: None

ABSTAIN: None

 for  
Jeanine Townsend  
Clerk to the Board