

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2022-0019**

AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO ONE OR MORE MULTI-YEAR CONTRACTS UP TO A COMBINED SUM OF \$4,000,000 FOR A STATEWIDE WASTEWATER NEEDS ASSESSMENT

WHEREAS:

1. On February 16, 2016, the State Water Resources Control Board (State Water Board) adopted [Resolution No. 2016-0010](#) identifying the human right to water as a top priority and core value of the Water Boards.
2. On June 18, 2019, the State Water Board adopted [Resolution No. 2019-0021](#) authorizing the Executive Director or designee to enter into one or more multi-year contracts up to a combined sum of \$3,000,000 for a drinking water needs assessment, which was completed in 2021 to advance the goals of the Human Right to Water.
3. On November 16, 2021, the State Water Board adopted [Resolution No. 2021-0050](#) condemning racism, xenophobia, bigotry, and racial injustice and strengthening its commitment to racial equity, diversity, inclusion, access, and anti-racism as a top priority and core value of the Water Boards; including reaffirming the Water Boards' commitment to providing for the protection of public health in communities disproportionately burdened by environmental contamination.
4. There are an estimated 3,000 domestic/municipal wastewater collection or treatment systems permitted by the Water Boards through individual or general waste discharge requirements or National Pollutant Discharge Elimination System permits for wastewater discharge, disposal, or reuse (wastewater sanitation systems). The 2015 American Housing Survey estimates that 6.4% of California households are reported as not being connected to sewer systems, resulting in an estimated 1.2 to 2.5 million Onsite Wastewater Treatment Systems in California, which are locally permitted and required to comply with applicable requirements in the statewide [Onsite Wastewater Treatment System \(OWTS\) Policy and conditional waiver of waste discharge requirements](#). Safe management of human waste through these wastewater sanitation systems is crucial for ensuring human and environmental health.
5. The Water Boards lack a statewide comprehensive set of data for California's wastewater sanitation systems, including, but not limited to, a statewide system inventory, the geographic area locations or service boundaries, siting and design characteristics, network connections between facilities and upstream/downstream users, nexus to drinking water sources and associated risks, current population served, infrastructure failures and associated repair costs, and factors

that inform technical, managerial, and financial capacity of the system owners or operators to support the development of a statewide wastewater needs assessment.

6. The State Water Board recognizes that without collecting a comprehensive set of data for California's wastewater sanitation systems, determining comprehensive solutions and identifying costs associated with addressing systems at risk of threatening public health goals will remain unresolved.
7. The State Water Board recognizes that wastewater sanitation systems are aging, and an assessment is needed to determine which systems have the potential to release harmful pollutants such as bacteria and nitrate into surface water and groundwater that may also serve as drinking water sources.
8. Collecting information and developing criteria to create a statewide risk framework to prioritize funding for California's wastewater sanitation systems is essential to effectively utilize infrastructure investments. This is particularly important for California's most vulnerable populations, including disadvantaged or severely disadvantaged communities with inadequate or failing sanitation systems and threatened access to healthy drinking water supplies. It is also necessary to support the State Water Board's stated goals in Resolution No. 2016-0010 and Resolution No. 2021-0050.
9. The Division of Financial Assistance (DFA) identified a statewide wastewater needs assessment as an eligible activity under the Clean Water State Revolving Fund as a reasonable cost of administering the Clean Water State Revolving Fund. DFA has allocated \$4,000,000 from the Clean Water State Revolving Fund for a statewide wastewater needs assessment contract anticipated to span four years.
10. The State Water Board acknowledges that California's wastewater sanitation systems span several diverse categories of local siting, design, technology, age, costs, and affordability across public agencies, contracted entities, and private owners and intends to enter into a contract with one or more universities to conduct an independent analysis through the statewide wastewater needs assessment.
11. State Board [Resolution No. 2012-0061](#) directs the Executive Director to bring to the attention of the board members at a workshop or by other appropriate communication "any matter involving the execution of a contract or amendment thereto for which authority has not been expressly delegated by Board resolution." Adoption of this Resolution would allow the Executive Director to enter into and amend a contract or multiple contracts for a statewide wastewater needs assessment for up to \$4,000,000.
12. The State Water Board's Division of Administrative Services will ensure that these contracting activities are in compliance with State contracting laws, regulations, policies, and procedures.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Resources Control Board hereby authorizes the Executive Director or designee to enter into and amend one or more contracts up to a total sum of \$4,000,000 to support a statewide effort to conduct an assessment of wastewater needs to improve sanitation access to all Californians and to help achieve the human right to water goals.
2. 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 purposes of making a final determination of any dispute arising under or relating to the performance of any contracts authorized pursuant to this resolution to which the State Water Board is a party.
3. This authorization shall remain in full force and effect until modified or revoked by the State Water Board.

**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

  
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Jeanine Townsend  
Clerk to the Board