

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2026-0004

AUTHORIZING THE EXECUTIVE DIRECTOR, CHIEF DEPUTY DIRECTOR, DEPUTY DIRECTOR OF THE DIVISION OF ADMINISTRATIVE SERVICES, OR DESIGNEE TO ENTER INTO AND AMEND INTERAGENCY AGREEMENTS WITH THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL FOR OVERSIGHT OF THE DEPARTMENT OF DEFENSE AND STATE MEMORANDUM OF AGREEMENT PROGRAM FACILITIES DURING FISCAL YEARS 2026-2027 AND 2027-2028

WHEREAS:

1. Section 121(f)(1) of the Federal Comprehensive Environmental Response, Compensation, and Liability Act and the Defense Environmental Restoration Act , 10 U.S.C. § 2701 et seq., require the United States Department of Defense (DoD) to provide for substantial and meaningful involvement by each State in the initiation, development, selection of remedial actions, and implementation of environmental cleanup at federal facility sites and the payment of oversight costs to the States.
2. The Department of Defense and State Memorandum of Agreement (DSMOA) was developed in 1989 with the goal of expediting environmental restoration, promoting collaborative efforts with the DoD and partnering agencies to restore and reuse contaminated military properties, and efficiently provide reimbursement to States for regulatory activities and services. Participating States apply for and are awarded a DSMOA Cooperative Agreement. The DSMOA Cooperative Agreements are executed in two-year cycles and the 2026-2028 cycle (which includes fiscal years [FYs] 2026-2027 and 2027-2028) is currently under development. The 2026-2028 cycle DSMOA Cooperative Agreement will take effect on July 1, 2026.
3. The DoD Cleanup Program, implemented by the State Water Resources Control Board (State Water Board) and Regional Water Quality Control Boards (Regional Water Boards), collectively referred to as the Water Boards, oversees, along with other California State agencies, the cleanup of contaminated military properties and properties formerly used by the military (Formerly Used Defense Sites, FUDS) to protect water quality and human and ecological health. The cost of the Water Boards' regulatory oversight services and activities for the cleanup of military properties and FUDS under the DSMOA are paid through a reimbursement process.
4. The Department of Toxic Substances Control (DTSC) acts as the State Point of Contact and signatory on the DSMOA Cooperative Agreements for the

State of California and manages the DSMOA funding coordination for all California state agencies.

5. Every two years, concurrently with the DSMOA cycles, the State Water Board enters into an Interagency Agreement with DTSC to reimburse the Water Boards for their regulatory oversight activities and services to implement its statutory responsibilities during the DoD's environmental investigation and cleanup activities.
6. Executing a new two-year Interagency Agreement with DTSC, to be effective July 1, 2026, will secure reimbursement funding for FYs 2026-2027 and 2027-2028 of the cost of the Water Boards' regulatory oversight of cleanup activities on military properties and FUDS under the DSMOA.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Authorizes the Executive Director, Chief Deputy Director, Deputy Director of the Division of Administrative Services, or designee to enter into, execute, and to perform all acts and to do all things necessary and convenient for the implementation of an Interagency Agreement with the DTSC for reimbursement of the Water Boards' cost of oversight of the cleanup of military properties and FUDS under the DSMOA during FYs 2026-2027 and 2027-2028 for an amount not to exceed \$10.5 million per year.

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 February 3, 2026.

AYE: Chair E. Joaquin Esquivel
Board Member Sean Maguire
Board Member Laurel Firestone

NAY: None

ABSENT: Vice Chair Dorene D'Adamo
Board Member Nichole Morgan

ABSTAIN: None

Courtney Tyler
Courtney Tyler
Clerk to the Board