

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
SEPTEMBER 22, 2005

ITEM 5

SUBJECT

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT FISCAL YEARS (FY) 2006-07/2007-08 CLEAN WATER ACT SECTION 106 WATER POLLUTION CONTROL PROGRAM GRANT, PLUS ANY CARRY-OVER FY 2005-06/2006-07 GRANT FUNDS

DISCUSSION

Section 106 of the federal Clean Water Act (CWA) authorizes the appropriation of monies for federal grants to assist states in administering programs for the prevention, reduction, and elimination of pollution in accordance with the Partnership Agreement. The State Water Resources Control Board (State Water Board) annually files an application with the U.S. Environmental Protection Agency (USEPA) for a continuing annual grant under CWA Section 106 and develops workplans to specify the tasks to be accomplished. Currently, the 106 funds support the National Pollutant Discharge Elimination System (NPDES) Program (wastewater and storm water) and Total Maximum Daily Load (TMDL) work.

In December 2003, the State Water Board and USEPA (collectively Agencies) signed a Partnership Agreement that prepared a Surface Water Program's Five-Year Strategy (Strategy) which addresses how the Agencies will achieve the objectives of the Partnership Agreement. This application covers the remaining two years of the Partnership Agreement's five-year Strategy. In accordance with the Partnership Agreement, Section 106 may be used for fulfilling the provisions of the Partnership Agreement, including ambient water quality monitoring.

For FY 2006-07/2007-08, USEPA has indicated that it is willing to provide up to a total of \$27 million in CWA Section 106 grant funds, plus carry-over funds from FY 2005-06/2006-07.

The exact amount of carry-over CWA Section 106 grant funds will not be ascertainable until final Financial Status Reports are prepared in September 2006/2007.

POLICY ISSUE

Should the State Water Board authorize the Executive Director to:

1. Apply for and accept a FY 2006-07/2007-08 CWA section 106 grant, (not to exceed \$27 million) plus any carry-over FY 2005-06/2006-07 grant funds;
2. Negotiate, approve, and/or amend the grants and the workplans; and

3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA Section 106 grant funds?

FISCAL IMPACT

The FY 2005-06 CWA Section 106 grant was in an amount of \$10,072,600. If unexpended FY 2005-06/2006-07 grant funds are carried over to the FY 2006-07/2007-08 grants, the State Water Board will be advised; and the FY 2006-07/2007-08 grants will be amended accordingly.

REGIONAL WATER QUALITY CONTROL BOARD IMPACT

All Regional Water Quality Control Boards.

STAFF RECOMMENDATION

That the State Water Board authorizes the Executive Director to:

1. Apply for and accept a FY 2006-07/2007-08 CWA Section 106 grant, (not to exceed \$27 million) plus any carry-over FY 2005-06/2006-07 grant funds;
2. Negotiate, approve, and/or amend the grants and the workplans; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA Section 106 grant funds.

DRAFT

August 29, 2005

Revised 9/12/05

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2005-

AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT FISCAL YEAR (FY) 2006-07/2007-08 CLEAN WATER ACT SECTION 106 WATER POLLUTION CONTROL PROGRAM GRANT, PLUS ANY CARRY-OVER FY 2005-06/2006-07 GRANT FUNDS

WHEREAS:

1. The U.S. Environmental Protection Agency (USEPA), Region 9, has indicated that the FY 2006-07/2007-08 federal Clean Water Act (CWA) Section 106 Water Pollution Control Program Grant for California will not exceed \$27 million, plus any carry-over FY 2005-06/2006-07 funds.
2. In December 2003, the State Water Resources Control Board (State Water Board) and USEPA (collectively Agencies) signed a Partnership Agreement that prepared a Surface Water Program's Five-Year Strategy (Strategy) which addresses how the Agencies will achieve the objectives of the Partnership Agreement. This application covers the remaining two years of the Partnership Agreement's five-year Strategy.
3. The CWA Section 106 Grant currently assists the State Water Board in funding the National Pollutant Discharge Elimination System (NPDES) Program for regulation of surface water discharges including storm water discharges and Total Maximum Daily Load development. In accordance with the Partnership Agreement, the Section 106 funds could also be used for other Partnership Agreement activities, including surface water ambient water quality monitoring.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to:

1. Apply for and accept a FY 2006-07/2007-08 CWA Section 106 grant, (not to exceed \$27 million) plus any carry-over FY 2005-06/2006-07 grant funds;
2. Negotiate, approve, and/or amend the grants and the workplans; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA Section 106 grant funds.

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 September 22, 2005.

DRAFT

Revised 9/12/05

Debbie Irvin
Clerk to the Board