

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE
DECEMBER 2, 2008**

ITEM 4

SUBJECT

CONSIDERATION OF A RESOLUTION TO COMMIT UNUSED PROPOSITION 13 WASTEWATER CONSTRUCTION AND COASTAL NONPOINT SOURCE CONTROL, AND PROPOSITION 84 AGRICULTURAL WATER QUALITY FUNDS TO OPERATE PROJECT MONITORING DATA CENTERS

DISCUSSION

The Costa-Machado Water Act of 2000 (Wat. Code, § 79000 et seq.) (Proposition 13), provides funding for a variety of water quality and flood protection projects. The State Water Resources Control Board (State Water Board) is authorized to administer Proposition 13 funds, and has remaining funds available from the Wastewater Construction Grant Subaccount (Wat. Code § 79122.2), and the Coastal Nonpoint Source Control Subaccount (Wat. Code § 79148.4). Both of these subaccounts allow for funds to be used to operate monitoring programs and related data management facilities.

Additionally, the State Water Board is authorized to administer approximately \$13.7 million in bond funds from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and the Coastal Protection Bond Act of 2006 (Proposition 84) for the Agricultural Water Quality Grant Program (AWQGP). The State Water Board, in [Resolution 2008-0044](#), approved concept proposals and authorized issuance of grants for the Proposition 84 AWQGP. The San Diego Regional Water Quality Control Board (San Diego Regional Water Board) declined to conduct a competitive process to select a grantee to implement the approved concept proposal in the region. Therefore, Proposition 84 AWQGP funds previously committed to the San Diego Regional Water Board project are available.

Proposition 84 stipulates that water quality monitoring collected as part of project implementation shall be integrated into the Surface Water Ambient Monitoring Program (SWAMP) administered by the State Water Board (Pub. Resources Code, § 75072.) Section 75072 also allows up to ten percent of funds allocated for each Proposition 84 program to be used for funding planning and monitoring necessary for the successful design, selection, and implementation of projects.

Senate Bill 1070 (Stats. 2006, Ch. 750) requires the Secretaries of the California Environmental Protection Agency and the California Resources Agency to enter into a Memorandum of Understanding and establish the California Water Quality Monitoring Council (Monitoring Council). Among other things, the Monitoring Council and the State Water Board must develop a strategy to provide water quality monitoring, assessment, and water quality improvement project effectiveness information to the public via the Internet.

The Department of Water Resources (DWR) and other agencies within the Resources Agency, and the Department of Public Health are also authorized to administer Proposition 84 funds.

Water quality monitoring associated with Proposition 84 projects funded by other agencies also must be integrated into SWAMP. In a May 29, 2007 letter to Executive Director Rice, Mr. Lester Snow, DWR Director committed to working with the State Water Board on implementation of Proposition 84 data management issues. State Water Board staff met with staff from the Resources Agency and DWR in June 2007 to discuss a mechanism for integrating projects data into an appropriate database. Due to uncertainty about DWR's bond appropriations and support for the California Environmental Data Exchange Network (CEDEN) at the time, and the upcoming formation of the Monitoring Council, staff did not have additional meetings on the subject.

This item would provide funding for four data centers for the purposes of collecting and integrating project data into CEDEN in order to more comprehensively track water quality project effectiveness and make it accessible to the public. The data centers are located at: 1) University of California, Davis, 2) San Francisco Estuary Institute, 3) Moss Landing Marine Laboratory, and 4) Southern California Coastal Water Research Project. The funds will provide for the operation of the four centers for up to a three-year period. The data centers will integrate monitoring data across departments and agencies, and will be made available to the public through a user-friendly Internet portal. If other funding agencies or departments contribute funds to support the data centers, the full amount of the State Water Board and Regional Water Quality Control Boards' (Regional Water Boards) bond funds authorized in this item will not be utilized for the purpose of funding the data centers.

POLICY ISSUE

Should the State Water Board:

1. Approve the Project to utilize unused Propositions 13 and 84 grant funds to operate four data centers for up to three years?
2. Authorize the Deputy Director of the Division of Financial Assistance (Division) to issue grants and any amendments necessary to implement the Project?

FISCAL IMPACT

The total Project cost is \$4 million over three years. Staff will seek cost-sharing agreements with other agencies, particularly the DWR, that will utilize the data centers for their grant project data needs. The Project will be funded from the following State Water Board Bond Fund Sources: 1) up to \$2.9 million from the Proposition 13 Coastal Nonpoint Source Subaccount, 2) up to \$710,000 from the Proposition 13 Wastewater Construction Grant Subaccount, and 3) up to \$401,300 from the Proposition 84 AWQGP funds.

ENVIRONMENTAL IMPACT

Division staff has determined that this Project does not have a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and is therefore, not a project for the purposes of California Environmental Quality Act.

REGIONAL BOARD IMPACT

The Project affects all Regional Water Boards. There will be an initial minimal impact to all Regional Water Boards to coordinate getting grantees to utilize the data centers. Regional Water Boards will receive a benefit of increased availability of data and reduction of requests for grant information from the public.

STAFF RECOMMENDATION

The State Water Board:

1. Approves a Project to utilize unused Propositions 13 and 84 grant funds to operate four data centers for up to three years; and
2. Authorizes the Deputy Director of the Division to issue grants and any amendments necessary to implement the Project.

State Water Board action on this item will assist the Water Boards in reaching Goal 5 of the Strategic Plan Update: 2008-2012 to improve transparency and accountability by assuring Water Board goals and actions are clear and accessible, by demonstrating and explaining results achieved with respect to goals and resources available, by enhancing and improving accessibility of data and information, and by encouraging the creation of organizations or cooperative agreements that advance this goal, such as establishment of a statewide water data institute. In particular, approval of this item will assist in fulfilling Objective/Action 5.2 to enhance the Water Boards' water quality data systems, and the accessibility of water body and facility data information on the Internet.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2008-

TO COMMIT UNUSED PROPOSITION 13 WASTEWATER CONSTRUCTION AND COASTAL NONPOINT SOURCE CONTROL, AND PROPOSITION 84 AGRICULTURAL WATER QUALITY FUNDS TO OPERATE PROJECT MONITORING DATA CENTERS

WHEREAS:

1. In November 2000, the voters approved the Costa-Machado Water Act of 2000 (Proposition 13) authorizing funding for water quality projects;
2. Proposition 13 established the Coastal Nonpoint Source Control (CNPSC) Program (Wat. Code, § 79148 et seq.) to provide funding for projects that restore and protect the water quality and environment of coastal waters, estuaries, bays, and near shore waters and groundwaters;
3. The State Water Resources Control Board (State Water Board) is authorized to administer the CNPSC funds;
4. A project to provide comprehensive capability for monitoring, collecting, and analyzing ambient water quality, including monitoring technology that can be entered into a statewide information base with standardized protocols and sampling, collection, storage, and retrieval procedures is eligible to receive CNPSC funding;
5. Proposition 13 established the Wastewater Construction Grant Subaccount (Wat. Code § 79121) and authorized the State Water Board to use up to two percent (\$710,000) of the funds in the account to undertake plans, surveys, research, development, and studies necessary or desirable to carry out the provisions of Article 3 of Chapter 7 of Division 26 of the Water Code;
6. The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) authorized the State Water Board to administer approximately \$13.7 million in bond funds for the Agricultural Water Quality Grant Program (AWQGP);
7. Proposition 84 requires that monitoring data be integrated into the Surface Water Ambient Monitoring Program;
8. Proposition 84 provides that up to ten percent of the funds allocated for a program may be used for planning and monitoring necessary for successful design, selection, and implementation of the projects (Pub. Resources Code, § 75072); and
9. The activities undertaken pursuant to this Resolution are not a project pursuant to the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.).

DRAFT

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves a Project to utilize unused Propositions 13 and 84 grant funds to operate four data centers for up to three years; and
2. Authorizes the Deputy Director of the Division of Financial Assistance to issue grants and any amendments necessary to implement the Project.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the forgoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on December 2, 2008.

Jeanine Townsend
Clerk to the Board