

MEMO

Submitted by: Judy Kelly

Subject: Executive Board Authorization to Enter into a Contract with the State Water Resources Control Board for Statewide TMDL Assistance and Approve a Resolution

Date: May 4, 2010

Executive Summary

This project is intended to provide support for development, the adoption process and implementation of Total Maximum Daily Loads (TMDLs) and Water Quality Control Plans, including alternative strategies for resolving Clean Water Act section 303(d) listings. Successful development, adoption, approval and implementation of TMDLs and Water Quality Control Plans requires extensive stakeholder and public participation and support. In order to foster public understanding and acceptance of TMDL and water quality control projects and project components, the State Water Board and Regional Water Quality Control Boards (Regional Water Boards), must insure that stakeholders are informed about the issues associated with developing and implementing TMDLs. This project includes the compilation and dissemination of information relevant to TMDL development, adoption, and implementation

Under this contract, ABAG staff will assist the State Water Board and Regional Water Boards with CEQA compliance, and TMDL and Water Quality Control Plan development, adoption and implementation. Staff will develop and produce TMDL and water quality control planning education and outreach materials for State Water Board and Regional Water Board use for outreach to and communication with stakeholders and the public as part of CEQA compliance, and TMDL and Water Quality Control Plan development, adoption and implementation. Staff will develop written content for the State-wide TMDL Program for use in public outreach through the internet. The information will explain the TMDL Program in a manner easily understood by the public; it will address the purpose and legal requirements of the Program, how TMDLs are developed and implemented, how the public can be involved, and Program successes.

The contract amount totals \$ 92,657 for a contract period of two years. This project serves as implementation of the SFEP's Comprehensive Conservation and Management Plan (CCMP).

Recommended Action

Staff recommends that the Board approve the Executive Director or designee to enter into this contract with the State Water Resources Control Board and approves the attached resolution language prescribed by the Division of Financial Assistance at the State Water Resources Control Board.

Attachment: Draft Resolution

Item 6.J.

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 08-10

**A RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE
STATE OF CALIFORNIA AND DESIGNATING A REPRESENTATIVE TO SIGN THE
AGREEMENT, AND ANY AMENDMENTS THERETO, FOR THE TMDL AND WATER
QUALITY PLANNING PROGRAMS SUPPORT PROJECT**

WHEREAS, the Executive Board authorizes the Association of Bay Area Governments to enter into an Agreement with the State of California; and

WHEREAS, the Executive Board authorizes the Executive Director, or designee, to sign the Agreement, and any amendments thereto; and

NOW, THEREFORE, BE IT RESOLVED, by the Executive Board of the Association of Bay Area Governments that Resolution 06-10 is adopted.

The foregoing adopted by the Executive Board this 20th day of May, 2010.

Mark Green
President

Certification of Executive Board Approval

I, the undersigned, the appointed and qualified Secretary-Treasurer of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called meeting held on the 20th day of May, 2010.

Henry L. Gardner
Secretary-Treasurer

Approved as To Legal Form

Kenneth K. Moy
Legal Counsel