



MEMO

Submitted by: Judy Kelly, Director, San Francisco Estuary Project

Subject: Authorization for Entering into Financial Assistance Agreement

Date: May 6, 2009

Executive Summary

The Association of Bay Area Governments (San Francisco Estuary Project) has been requested by the State Water Resources Control Board to apply for federal ARRA (American Recovery and Reinvestment Act of 2009) stimulus funds as a forgivable loan administered by the State Board under the State Revolving Fund (SRF) program for the Taking Action for Clean Water Project currently funded under a frozen Proposition 50 State Board grant.

The Taking Action for Clean Water Project will reduce water quality impairment through TMDL Implementation. The San Francisco Estuary Project will manage a partnership effort to implement specific, measurable actions in Bay Area TMDLs. Project goals are to restore beneficial uses and reduce pollutant loads of three high priority contaminants, sediment, PCBs, and pesticides, to Bay Area creeks, San Francisco Bay, Tomales Bay, and the adjacent coastal ocean. While this project focuses on Bay Area TMDL implementation, a number of the implementation actions have statewide relevance, either serving as models for actions in other regions, or, in the case of pesticides, providing direct benefit to other regions. The Taking Action for Clean Water Project uses a source reduction/pollution prevention strategy aimed at reducing or eliminating the sources of these pollutants. Because of this focus on addressing key pollutants at their source, the project will contribute to the long-term attainment and maintenance of water quality objectives.

Recommended Action

Staff recommends that the Board approve the attached resolution (language prescribed by the State Revolving Fund, administered by the Division of Financial Assistance at the State Water Resources Control Board) and direct the Executive Director to sign and transmit it to the Division of Financial Assistance.

Next Steps

Should this project be restarted under ARRA, a financial assistance agreement would be entered into for completion of the project.

Attachments: Draft Resolution

**ASSOCIATION OF BAY AREA GOVERNMENTS
EXECUTIVE BOARD**

RESOLUTION NO. 09-09

**A RESOLUTION AUTHORIZING ENTERING INTO A FINANCIAL
ASSISTANCE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL
BOARD FOR THE TAKING ACTION FOR CLEAN WATER: TMDL
IMPLEMENTATION PROJECT AND DESIGNATING A REPRESENTATIVE TO SIGN
THE FINANCIAL ASSISTANCE AGREEMENT, AND ANY AMENDMENTS THERETO**

WHEREAS, the Association of Bay Area Governments is authorized to enter into a financial assistance agreement with the State of California and the State Water Resources Control Board; and

WHEREAS, the Association of Bay Area Governments authorizes the Executive Director, or designee, to sign the financial assistance agreement, and any amendments thereto; and

WHEREAS, the Association of Bay Area Governments agrees and further does authorize the aforementioned representative or his/her designee to certify that the Association of Bay Area Governments has and will comply with all applicable federal and state statutory and regulatory requirements related to any financial assistance funds received.

**ASSOCIATION OF BAY AREA GOVERNMENTS
RESOLUTION NO. 09-09**

NOW, THEREFORE, BE IT RESOLVED, that the Executive Board of the Association of Bay Area Governments adopts Resolution No. 09-09.

The foregoing adopted by the Executive Board this 21st day of May, 2009.

Rose Jacobs Gibson
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 21st day of May, 2009.

Henry L. Gardner
Secretary-Treasurer

Approved as To Legal Form

Kenneth K. Moy
Legal Counsel

