

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2009-0085**

AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN A MEMORANDUM OF AGREEMENT WITH THE CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD (CENTRAL VALLEY WATER BOARD) AND THE CENTRAL VALLEY SALINITY COALITION

WHEREAS:

1. On January 31, 2006 the State Water Resources Control Board (State Water Board) and the Central Valley Water Board held a joint workshop to receive information on salinity in the Central Valley.
2. The Central Valley Water Board has initiated the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative to develop a salinity management plan for the Central Valley.
3. In July of 2008 the Central Valley Salinity Coalition was formed as a non-profit member organization that works in partnership with the Water Boards to organize, facilitate, and collect funding for efforts needed to complete the CV-SALTS work and efficiently manage salinity in the Central Valley.
4. A Memorandum of Agreement has been prepared by the staffs of the State Water Board, the Central Valley Water Board, and the CVSC to memorialize understandings regarding the representation and governance of CV-SALTS; coordination of salinity management, regulatory and planning efforts in and affecting the Central Valley Region; and funding for CV-SALTS projects.

THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to sign the Memorandum of Agreement between the State Water Board, the Central Valley Water Board, and the CVSC.

**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 December 1, 2009.

AYE: Chairman Charles R. Hoppin  
Vice Chair Frances Spivy-Weber  
Board Member Tam M. Doduc  
Board Member Arthur G. Baggett, Jr.  
Board Member Walter G. Pettit

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board

**Central Valley Salinity Alternatives for Long-Term Sustainability Initiative  
Memorandum of Agreement**

Among the

Central Valley Regional Water Quality Control Board  
Central Valley Salinity Coalition  
State Water Resources Control Board

Regarding

Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS)

This Memorandum of Agreement (MOA) memorializes the understanding of Central Valley Regional Water Quality Control Board, the Central Valley Salinity Coalition and the State Water Resources Control Board (collectively, the "Parties") regarding representation and governance of CV-SALTS, coordination of salinity management, regulatory and planning efforts in and affecting the Central Valley Region, and funding for CV-SALTS projects.

WHEREAS,

1. The Parties desire to coordinate their efforts related to salinity planning, management and regulatory programs within the Central Valley Region; and
2. The Parties desire that the CV-SALTS Executive Committee serve as the overarching public coordinating committee through which the efforts of the parties shall be coordinated and guided; and
3. The Parties desire to identify the mechanisms for governance, administration and funding of CV-SALTS studies and projects; and
4. The Parties desire to clarify the roles and responsibilities of each signatory to this MOA; and
5. The Parties are committed to support and encourage organized salt management for the Central Valley Region.

The Parties agree as follows:

**Terms of Agreement**

Each of the parties will undertake cooperative efforts in support of the CV-SALTS Initiative as described below.

**1. Roles and Responsibilities of the Parties:**

**1.1. Central Valley Salinity Coalition (CVSC)**

CVSC commits to do all of the following:

1. Prepare and maintain the governance documents as Standing Rules for CV-SALTS committee membership, powers and terms of office. In cooperation with the CV-SALTS Executive Committee, CVSC may adopt or change the Standing Rules for the CV-SALTS Executive Committee from time to time. Adoption of or changes to the Standing Rules for the Executive Committee shall be by vote of the CVSC Board of Directors and

require the approval of the CV-SALTS Executive Committee. Adoption of or changes to the Standing Rules for all committees, other than the Executive Committee, shall be made by the CV-SALTS Executive Committee in cooperation with and documented by CVSC. CVSC shall update the Standing Rules and inform the other Parties of any such changes within 10 days after the last required approval.

2. Coordinate committee meetings and other special workshops and meetings as necessary to carry out the work of CV-SALTS, and maintain a record of actions taken by the committees.
3. Negotiate, enter into, and administer contracts for performance of work on behalf of the CV-SALTS Initiative, to the extent the Board of Directors determines that adequate resources are available to carry out the work.
4. Solicit funding and in-kind contributions to support the CV-SALTS mission and workplan, including grants, partnerships and member contributions to fund programs and projects of CVSC and CV-SALTS.
5. Prepare an annual and project budgets for CV-SALTS activities.
6. Establish and maintain a website to provide up-to-date information regarding CV-SALTS.

### **1.2 Central Valley Regional Water Quality Control Board (Regional Water Board)**

The Regional Water Board commits to do all of the following:

- A. Designate a Board Member to serve as Co-Chair of the CV-SALTS Leadership Group.
- B. Actively participate, through Board Members and staff, in the CV-SALTS Initiative and cooperate in planning, funding, and implementation with CVSC.
- C. To the extent consistent with its legal obligations and to the extent feasible, coordinate all salinity management and regulatory programs within its jurisdiction through the CV-SALTS initiative.
- D. Consider the technical information, monitoring data and other studies generated and compiled by CV-SALTS in its development of Basin Plan amendments related to salts and nutrients.

### **1.3 State Water Resources Control Board (State Water Board)**

The State Water Board agrees to do all of the following:

- A. Designate a Board Member to serve as Co-Chair of the CV-SALTS Leadership Group.
- B. Actively participate, through Board Members and staff, in the CV-SALTS Initiative and cooperate in planning, funding, and implementation with CVSC.
- C. To the extent consistent with its legal obligations and to the extent feasible, coordinate all salinity management and regulatory programs under its jurisdiction that significantly affect the Central Valley Region through the CV-SALTS initiative.
- D. Support CVSC efforts to obtain State and federal funding to further the CV-SALTS mission.

## **2 Funding**

The Parties will work together and individually to identify additional funding sources, including but not limited to private and public grants, and will provide all essential information concerning those funding sources to CVSC. CVSC will be responsible for all applications for additional funding and will act as administrator for the collection of any such funding for CV-SALTS.

### **3 Benefits**

Over time certain benefits of salt management from participation in these programs may become documented by the Parties. Should credit/offset or other programs be implemented such benefits associated with participation in CV-SALTS and its programs will accrue to the CVSC Members and funding entities as documented by CVSC in subsequent agreements.

### **4 Term of Agreement**

The term of this MOA is from the date the last party signs until December 31, 2014 unless terminated or extended by mutual agreement of the Parties.

### **5 Addition or Withdrawal**

Any Party may withdraw from the MOA after providing a 60-day notice in writing to the other Parties. Additional Parties may be added to the MOA with the unanimous consent of the Parties, and this MOA amended accordingly to reflect the roles and responsibilities of such additional parties.

### **6 Modification**

This MOA may be modified with the concurrence of the Parties, and modifications shall be effective upon execution of the modified MOA by all of the Parties.

### **7 Funding Uncertainties**

The Parties cannot be assured of the results or success of the CV-SALTS Initiative. Nothing within this MOA shall be construed as creating a promise or guarantee of future funding nor shall any liability accrue to the Parties should CV-SALTS not meet all objectives. In agreeing to have CVSC act as lead for contracting, administration and other efforts on behalf of the Parties, the Parties do not intent to create or transfer any funding liability to CVSC that would not otherwise exist. CVSC is responsible for accurately and clearly accounting for all funding received and expended for CV-SALTS programs.

### **8 Limitations**

Nothing in this MOA creates any legal relationship among the Parties other than as expressly provided herein.

This MOA does not affect the independent decision-making authority of the State Water Board or the Regional Water Board, and does not commit either of them to any particular substantive or procedural approach.

### **9 Notice**

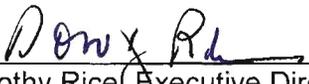
Any notices sent or required to be sent to any party shall be mailed to the signatories at the following addresses:

  
\_\_\_\_\_  
Daniel Cozad, Executive Director  
Central Valley Salinity Coalition Inc.  
360 Lakeside Avenue  
Redlands, CA 92373

March 8, 2010  
Date

  
\_\_\_\_\_  
Pamela C. Creedon, Executive Officer  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670-6114

March 7, 2010  
Date

  
\_\_\_\_\_  
Dorothy Rice, Executive Director  
State Water Resources Control Board  
1001 I Street, 25<sup>th</sup> Floor  
Sacramento, CA 95814-2828

5.13.2010  
Date

**10 Counterparts**

This agreement may be executed in counterparts which taken together constitute the complete document.