

Budget Change Proposal - Cover Sheet

DF-46 (REV 08/15)

Fiscal Year 2016-17	Business Unit 0555	Department California Environmental Protection Agency	Priority No. 1
Budget Request Name 0555-L01-BCP-BR-2016-GB		Program 0340-SUPPORT	Subprogram N/A

Budget Request Description
California-Mexico Water Resources Improvement - Border Relations Council Expanded Role and Responsibility

Budget Request Summary

California Environmental Protection Agency requests \$175,000 from the California Tire Recycling Management Fund for one permanent position, including \$50,000 one-time in 2016-17 for contract funding, to support the California-Mexico Border Relations Council and its expanded roles and responsibilities, including the requirement to establish the New River Water Quality, Public Health, and River Parkway Development Program, pursuant to Chapter 668, Statutes of 2015 (AB 965)). This proposal covers the anticipated increased workload within the Office of the Secretary, Border and Intergovernmental Affairs section.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed
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Does this BCP contain information technology (IT) components? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	Department CIO	Date
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For IT requests, specify the date a Special Project Report (SPR) or Feasibility Study Report (FSR) was approved by the Department of Technology, or previously by the Department of Finance.

FSR SPR Project No. Date:

If proposal affects another department, does other department concur with proposal? Yes No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By Alex Rodarte, Assistant Secretary	Date 10-16-2015	Reviewed By Aimee Barnes, Deputy Secretary	Date
Department Director Eric Jarvis, Assistant Secretary	Date	Agency Secretary Matthew Rodriguez	Date 1-7-16

Department of Finance Use Only

Additional Review: Capital Outlay ITCU FSCU OSAE CALSTARS Dept. of Technology

BCP Type: Policy Workload Budget per Government Code 13308.0

PPBA	Original Signed By: Ellen Moratti	Date submitted to the Legislature 1/11/16
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Analysis of Problem

A. Budget Request Summary

California Environmental Protection Agency (CalEPA) requests \$175,000 for one permanent position and \$50,000 one-time in 2016-17 for contract funding to support the California-Mexico Border Relations Council (Council) and its expanded roles and responsibilities, including the requirement to establish the New River Water Quality, Public Health, and River Parkway Development Program, pursuant to Chapter 668, Statutes of 2015 (AB 965). This proposal covers the anticipated increased workload within the Office of the Secretary, Border and Intergovernmental Relations section.

The focus of the position will be managing activities related to the California-Mexico Border Environmental Program and the California-Mexico Border Relations Council (Council) and its expanded scope of responsibilities pursuant to AB 965, in particular the establishment of the New River Water Quality, Public Health and River Parkway Development Program (Program). The Program will coordinate funding for, and the implementation of, recommendations from the New River Strategic Plan and the projects identified pursuant to existing law. The position will also support the Solid Waste Working Group, including the group's development of recommendations, and the ongoing implementation of those recommendations.

More broadly, this position will work on the ongoing implementation and execution of CalEPA's responsibilities related to the border, including responsibilities related to the US Environmental Protection Agency's (U.S. EPA) Border 2020 Initiative; U.S. EPA grant programs; coordination with the Border Environmental Cooperative Commission (BECC) and North American Development Bank (NADBank); and the Border Governors' Conference-Sustainable Development Worktable. The position will also collect and analyze data and draft reports associated with key issues, meetings, and/or events for the Border Environmental Program. In addition, the position will support CalEPA's ongoing efforts to consider and address environmental justice and tribal affairs related issues at the border and more broadly. This position also will support the successful implementation of California's MOUs with Mexico and cooperation with other entities on California's climate and environmental initiatives as needed.

B. Background/History

The California-Mexico Border Relations Council (Council) was created in 2006 to fill the need for statewide oversight and coordination of multi-agency involvement with Mexico at our border. The Council is chaired by the CalEPA Secretary, and resides within the Border Affairs Program in CalEPA. During annual meetings, the member agencies of the Council have historically discussed their border activities and projects. The Council has also identified and discussed new border priorities and projects in the areas of infrastructure, trade, environment, health, and security. These efforts are compiled into an annual report to the Legislature on California-Mexico activities and programs.

The New River along the state's border with Mexico is severely polluted and this impacts public health on both sides of the border, and contributes to the water quality problems of the Salton Sea. In recognition of this, in 2010, the Council appointed the New River Technical Advisory Committee to oversee the development of the New River Strategic Plan (Plan) to study, monitor, and enhance the New River's water quality and serve as a springboard for a comprehensive cleanup and restoration effort for the New River. The Plan was completed and released to the public on May 25, 2012. However, further statutory clarification was needed to define how the strategic plan would be implemented and funded by state agencies. Improved coordination and a strategic funding source was also identified as an area of need, to help remediate the health and safety issues posed by the New River. Since the release of the Plan, the Colorado Basin Regional Water Quality Control Board has moved forward on implementing the Strategic Plan recommendations under their jurisdiction that do not require significant additional funding. Meaningful progress and improvements to the water quality in the New River have resulted. However, despite these promising steps, there is still a need for better coordination of state agency involvement and funding for New River remediation, as well as a strategy and funding source to fulfill the remaining recommendations from the Plan that have not yet been implemented.

Ongoing challenges to water quality and waste issues exist at the Tijuana River in San Diego as well. These include significant amounts of sewage, trash, sediment, and other pollutants flowing across the

Analysis of Problem

California-Mexico border through the River and its tributaries. Through the Tijuana River Valley Recovery Team, some progress has been made and a series of recommendations and projects have been identified to protect the river, estuary, and beach waters, to restore water quality to acceptable conditions in accordance with legal standards. Additionally, waste tires and trash on California's border with Mexico has been a decades-long problem impacting water quality on both sides of the border. Chapter 24, Statutes of 2015 (SB 83) requires the California-Mexico Border Relations Council to establish the Border Region Solid Waste Working Group (Group). SB 83 appropriated \$300,000 on a one-time basis to support the Group and charges the Group with developing and coordinating long-term solutions to address and remediate problems associated with waste tires, solid waste, and excessive sedimentation along the border, as specified, and requires the Council to identify and recommend to the Legislature changes in law necessary to achieve these goals.

C. State Level Considerations

The New and Tijuana Rivers on the State's border with Mexico are severely polluted, posing public health risks on both sides of the border. The New River also contributes to the water quality problems of the Salton Sea. The Council developed a plan, the New River Strategic Plan, to clean up the New River; however, to date, there has not been funding dedicated to the Council and limited funding has been available to agencies to carry out actions or projects identified in the Plan.

AB 965 requires the Council to establish the New River Water Quality, Public Health, and River Parkway Development Program to coordinate projects and funding identified by the New River Strategic Plan. The Council is required to define how the strategic plan will be implemented and funded by state agencies to help remediate the health and safety issues posed by the New River.

Additionally, waste tires and trash on California's border with Mexico, particularly in the Tijuana Valley, have been a decades-long problem impacting water quality on both sides of the border. The recently established Border Region Solid Waste Working Group is required to coordinate with the Council to develop long-term solutions to remediate this problem.

CalEPA is required to meet its responsibilities in leading the Council, coordinating the now bi-annual Council meeting, and reporting to the Legislature on the status of the Council's efforts. Coordination with other state environmental agencies is necessary for these tasks.

D. Justification

AB 965 impacts the CalEPA in numerous ways: 1) expands the membership of the California-Mexico Border Relations Council (Council); 2) requires the Council to establish the New River Water Quality, Public Health, and River Parkway Development Program to coordinate projects and funding identified by the New River Strategic Plan; 3) clarifies that priorities and projects identified by the Council shall be funded by the California Border Environmental and Public Health Protection Fund; and 4) clarifies that the California Border Environmental and Public Health Protection Fund may receive proceeds of Proposition 1 bonds.

AB 965 provides the Council with additional statutory authority to coordinate, identify, and fund projects to clean-up the state's border with Mexico. Additionally, the expanded membership of the Council provides a more comprehensive forum to coordinate and fund projects to clean-up the many environmental problems that have plagued California's border for decades.

As the lead Agency for the California-Mexico border Relations Council, CalEPA is responsible for implementing the AB 965 mandates. AB 965 provides the Council with additional statutory authority to coordinate, identify, and fund projects to clean-up the state's border with Mexico, and is responsible for supporting the expanded membership of the Council.

The increased responsibilities and workload associated with AB 965 exceeds existing budgeted resources. Additional staff is required to meet the new statutory requirements.

Analysis of Problem

E. Outcomes and Accountability

CalEPA would be better able to manage activities related to the California-Mexico Border Environmental Program and the Council. Specifically, the requested resources would enable CalEPA to support the work necessary for the Council to comply with AB 965, and CalEPA would be able to implement the New River Water Quality, Public Health and River Parkway Development Program.

The position will also assist with the collection and analysis of data and draft reports on key issues, meetings and/or events for the Border Environmental Program. In addition, the position will support CalEPA's ongoing efforts to consider and address environmental justice and tribal affairs related issues at the border and more broadly. This position also will support the successful implementation of California's MOUs with Mexico and cooperation with other entities on California's climate and environmental initiatives as needed.

F. Analysis of All Feasible Alternatives

Alternative 1: Approve the increased staffing and contract funding for CalEPA.

Pros: These positions will enable CalEPA to support the work necessary for the Council to comply with AB 965, including the establishment of the New River Water Quality, Public Health, and River Parkway Development Program and to coordinate projects and funding identified by the New River Strategic Plan.

Cons: Increased state expenditures.

Alternative 2: Approve only the increased staffing for CalEPA annually.

Pros: This position will also enable CalEPA to support the work necessary for the Council to comply with AB 965, and establish of the New River Water Quality, Public Health, and River Parkway Development Program and to coordinate projects and funding identified by the New River Strategic Plan. This option is less costly than Alternative 1.

Cons: Increased state expenditures. The absence of contract funding for the development and implementation of programs and projects at the border will delay implementation and decrease the effectiveness of the position and the New River Water Quality, Public Health, and River Parkway Development Program.

Alternative 3: Provide no new funding.

Pros: No cost increase to the state.

Cons: CalEPA will have no resources to support the work necessary for the Council to comply with AB 965, and not be able to establish the New River Water Quality, Public Health, and River Parkway Development Program. Nor would it be able to coordinate projects and funding identified by the New River Strategic Plan, or develop and implement border programs and projects. The poor environmental conditions at the border at the New River in particular will continue, impacting the New River and nearby communities, as well as the Salton Sea.

G. Implementation Plan

One this proposal is approved by the Legislature, CalEPA will start the recruitment process to fill the 1.0 full time position.

H. Supplemental Information

N/A.

I. Recommendation

It is recommended that Alternative 1 be approved to ensure CalEPA will be able to implement the requirements contained in AB 965.

BCP Fiscal Detail Sheet

BCP Title: California-Mexico Water Resources Improvement (AB 965)

DP Name: 0555-103-BCP-DP-2016-GB

Budget Request Summary

	FY16					
	CY	BY	BY+1	BY+2	BY+3	BY+4
Positions - Permanent	0.0	1.0	1.0	1.0	1.0	1.0
Total Positions	0.0	1.0	1.0	1.0	1.0	1.0
Salaries and Wages						
Earnings - Permanent	0	69	69	69	69	69
Total Salaries and Wages	\$0	\$69	\$69	\$69	\$69	\$69
Total Staff Benefits	0	32	32	32	32	32
Total Personal Services	\$0	\$101	\$101	\$101	\$101	\$101
Operating Expenses and Equipment						
5301 - General Expense	0	2	2	2	2	2
5302 - Printing	0	1	1	1	1	1
5304 - Communications	0	2	2	2	2	2
5320 - Travel: In-State	0	4	4	4	4	4
5322 - Training	0	1	1	1	1	1
5324 - Facilities Operation	0	10	10	10	10	10
5340 - Consulting and Professional Services -	0	50	0	0	0	0
5346 - Information Technology	0	4	3	3	3	3
Total Operating Expenses and Equipment	\$0	\$74	\$23	\$23	\$23	\$23
Total Budget Request	\$0	\$175	\$124	\$124	\$124	\$124
Fund Summary						
Fund Source - State Operations						
0226 - California Tire Recycling Management Fund	0	175	124	124	124	124
Total State Operations Expenditures	\$0	\$175	\$124	\$124	\$124	\$124
Total All Funds	\$0	\$175	\$124	\$124	\$124	\$124
Program Summary						
Program Funding						
0340 - Support	0	175	124	124	124	124
Total All Programs	\$0	\$175	\$124	\$124	\$124	\$124

