

RESOLUTION NO. 2016-06

A RESOLUTION of the Susquehanna River Basin Commission adopting Policy No. 2016-01, renaming the “Compliance Reserve Fund” as the “Sustainable Water Resources Fund” and redesignating permitted uses of this fund.

WHEREAS, the Commission, from time to time, receives settlement payments and penalties in connection with violation of Commission regulations, orders, or docket conditions; and

WHEREAS, pursuant to Resolution No. 2008-07, adopted September 11, 2008, such settlement payments and penalties are deposited in the Compliance Reserve Fund; and

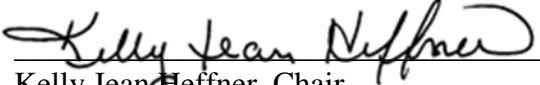
WHEREAS, the Commission wishes to include general fund surpluses into the fund and expand the use of the fund to include expenditures that are required to promote or support the monitoring and/or study of the Basin’s water resources.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby adopts Policy No. 2016-01, a copy of which is attached to this resolution.
2. The Executive Director and the Director of Administration and Finance are hereby directed to rename the “Compliance Reserve Fund” account, which will now be known as the “Sustainable Water Resources Fund” into which all settlement and penalty amounts paid to the Commission, shall be transferred or deposited. General Fund surpluses may also be transferred into the Fund.
3. As authorized by the Commission, transfers may be made from the Sustainable Water Resources Fund to the Commission’s General Fund for any purpose or function of the Commission authorized by the Susquehanna River Basin Compact.
4. Resolution 2008-07 is hereby superseded.
5. Compliance Reserve funds may be invested upon direction of, and as may be determined to be available by, the Executive Director and Director of Administration and Finance. Authorized investment types shall be as set forth in the Commission’s Investment Policy Statement.
6. All expenditures must be approved by the Director of Administration and Finance and the Executive Director. Expenditures exceeding the Executive Director’s spending limits established in the Commission’s Administrative Manual must be approved by the Commission prior to disbursement. Competitive bids must be advertised unless the services to be provided are of a specialized or professional nature.

7. This Resolution shall be effective immediately.

Dated: June 16, 2016



Kelly Jean Heffner, Chair
Pennsylvania

Policy No. 2016-01
June 16, 2016

SUSTAINABLE WATER RESOURCES FUND¹

Purpose

Under the Commission regulations, 18 CFR Part 808, Subpart B, the Commission may assess penalties for violation of Commission orders, regulations, and docket conditions, or negotiate settlements in lieu of penalties.

In 2008 the Commission established the Compliance Reserve Fund (Fund), which was renamed in 2016 to the Sustainable Water Resources Fund². This Fund segregates and accumulates monies collected for civil penalties, settlement payments, and the interest earned on these funds. General Fund surpluses may also be transferred to the Fund. The Fund may be used for any purpose or function of the Commission authorized under the Susquehanna River Basin Compact.

Policy

Expenditures

The Commission's programmatic activities are critical to the effective and efficient management and protection of the water resources of the basin. The Fund may be used to defray a portion of the cost of the Commission's regulatory costs and the costs of other programmatic activities through periodic transfers to the SRBC General Fund. The Fund may also be used to support expenditures that are required to promote or support the monitoring and/or study of the Basin's water resources.

Investment of Funds

Funds may be invested, upon direction of, and as may be determined to be available by, the Executive Director and Director, Administration & Finance. Authorized investment types shall be as set forth in the Commission's Investment Policy Statement.

¹ As authorized by Resolution No. 2008-07, approved on September 11, 2008.

² As authorized by Resolution No. 2016-06, approved on June 16, 2016.

Procedure

All expenditures shall be approved by the Director, Administration & Finance and the Executive Director. Expenditures exceeding the Executive Director's spending limits established in the Commission's Administrative Manual shall be approved by the Commission prior to disbursement. Competitive bids shall be advertised unless the services to be provided are of a specialized or professional nature.

Transfers may be made from the Fund to the Commission's General Fund for any purpose or function of the Commission authorized by the Susquehanna River Basin compact. All transfers from the Fund to the General Fund shall be authorized by the Commission prior to transfer.