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AJR-44 Municipal separate storm sewer system stormwater permits: federal financial support. (2015-2016)

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Assembly Joint Resolution No. 44

CHAPTER 145

Relative to stormwater.

[Filed with Secretary of State August 25, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 44, Holden. Municipal separate storm sewer system stormwater permits: federal financial support.

This measure would urge the federal government to provide greater financial support for local agencies implementing a federal mandate to improve stormwater quality, including, but not limited to, by passing legislation strengthening the Clean Water State Revolving Fund and creating new grant programs to assist in funding stormwater projects.

Fiscal Committee: no

WHEREAS, In 2012, the California Regional Water Quality Control Board, Los Angeles, issued a new municipal separate storm sewer system (MS4) stormwater permit in accordance with the National Pollutant Discharge Elimination System pursuant to the federal Clean Water Act and delegated authority from the United States Environmental Protection Agency; and

WHEREAS, The MS4 permit issued by the California Regional Water Quality Control Board, Los Angeles, enacts some of the strictest permit standards in United States history with over 30 pollutants being monitored; and

WHEREAS, The Legislature recognizes the unique nature of stormwater in California and the environmental need to strictly monitor stormwater runoff to protect streams, rivers, and oceans; and

WHEREAS, The pollutants in stormwater runoff frequently result in beach closures, damage to aquatic species, and harm to the ecosystems of California's coastline; and

WHEREAS, The MS4 permit issued views stormwater as a resource to improve local water resiliency and reduce imported water costs, provide community open space for recreation, encourage green streets, improve water quality, reduce flooding, adapt to climate change, and enhance wildlife; and

WHEREAS, Local agencies must take all necessary steps to ensure local infrastructure and development complies with the new MS4 permit in a cost-effective and timely manner; and

WHEREAS, The State Water Resources Control Board has several grant and loan programs to assist local agencies fund projects necessary to comply with the MS4 permit requirements; and

WHEREAS, The Water Quality, Supply, and Infrastructure Improvement Act of 2014 passed by the voters as Proposition 1 at the November 4, 2014, statewide general election contained funding for MS4 permit projects; and

WHEREAS, Numerous local agencies across the County of Los Angeles have formed watershed management programs to comply with MS4 permit requirements; and

WHEREAS, The total cost of compliance with the MS4 permit for the County of Los Angeles exceeds \$20,000,000,000; and

WHEREAS, Pursuant to order WQ 2015-0075 of the State Water Resources Control Board, all regional water boards are directed to consider the watershed management program and enhanced watershed management program approach to receiving water limitations compliance when issuing Phase 1 MS4 permits going forward; and

WHEREAS, The State Water Resources Control Board should delay the 2017 compliance deadlines to enable local agencies to engage in a good faith, collaborative process that can lead to a more fiscally realistic and sustainable management strategy; and

WHEREAS, To date, the federal government has provided the least amount of funding for MS4 permit compliance; and

WHEREAS, Local, state, and federal financial assistance is necessary to assist local agencies to comply with the MS4 permit; now, therefore be it,

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges the federal government to provide greater financial support for local agencies implementing a federal mandate to improve stormwater quality, including, but not limited to, by passing legislation strengthening the Clean Water State Revolving Fund and creating new grant programs to assist in funding stormwater projects; and

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.