

Assembly Bill No. 1210

Passed the Assembly September 8, 2011

Chief Clerk of the Assembly

Passed the Senate September 7, 2011

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2011, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 6730.4 to the Business and Professions Code, relating to water quality, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1210, Garrick. Water quality: stormwater discharge: civil engineering activities.

(1) Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater by municipalities and industries in accordance with the federal national pollutant discharge elimination system (NPDES) permit program.

Existing law, the Professional Engineers Act, requires all civil engineering plans, calculations, specifications, and reports to be prepared by, or under the responsible charge of, a licensed civil engineer. A violation of the act is a crime.

This bill would exempt a civil engineer from any requirement of additional experience, training, or certification requirements in order to perform activities in the preparation of a Storm Water Pollution Prevention Plan pursuant to a specified general permit for stormwater discharges.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 6730.4 is added to the Business and Professions Code, to read:

6730.4. (a) Notwithstanding any other law, a licensed civil engineer shall not be required to satisfy any additional experience, training, or certification requirements in order to perform activities in the preparation of a Storm Water Pollution Prevention Plan (SWPPP) pursuant to the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ of the State Water Resources Control Board), or any amendments to that order.

(b) For purposes of Order No. 2009-0009-DWQ of the State Water Resources Control Board and any amendments thereto, a licensed civil engineer shall be deemed to be in compliance with all qualified SWPPP developer training and certification requirements and shall have the full authority of a person who possesses a qualified SWPPP developer certificate issued by the State Water Resources Control Board.

(c) The preparation of a SWPPP by a licensed civil engineer who does not possess a qualified SWPPP developer certificate issued by the State Water Resources Control Board does not constitute a violation of Order No. 2009-0009-DWQ of the State Water Resources Control Board or any amendments thereto.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure licensed engineers are able to perform activities relating to stormwater pollution prevention as soon as possible, it is necessary that this act take effect immediately.

Approved _____, 2011

Governor