

Assembly Joint Resolution

No. 44

Introduced by Assembly Member Holden

June 9, 2016

Assembly Joint Resolution No. 44—Relative to stormwater.

LEGISLATIVE COUNSEL’S DIGEST

AJR 44, as introduced, 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.

- 1 WHEREAS, In 2012, the California Regional Water Quality
2 Control Board, Los Angeles, issued a new municipal separate
3 storm sewer system (MS4) stormwater permit in accordance with
4 the National Pollutant Discharge Elimination System pursuant to
5 the federal Clean Water Act and delegated authority from the
6 United States Environmental Protection Agency; and
7 WHEREAS, The MS4 permit issued by the California Regional
8 Water Quality Control Board, Los Angeles, enacts some of the
9 strictest permit standards in United States history with over 30
10 pollutants being monitored; and
11 WHEREAS, The Legislature recognizes the unique nature of
12 stormwater in California and the environmental need to strictly

1 monitor stormwater runoff to protect streams, rivers, and oceans;
2 and

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

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

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

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

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

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

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

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

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

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

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

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

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