



DEDICATED TO THE ADVANCEMENT OF STORMWATER QUALITY MANAGEMENT, SCIENCE AND REGULATION

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Legislative bills of interest: As discussed in *NewsFlash 2009-07*, five different versions of a comprehensive water bond have been [proposed](#) (\$10-15B); *other legislation of note:*

SCA 18 (Liu/Yee) Proposition 218 exemption – Constitutional amendment requiring voter approval; would add stormwater fees to the list of activities (drinking water, sanitary sewers, and garbage collection) exempt from Proposition 218 (which specifies that local fees must be approved by a 2/3 majority vote in a general election or by a majority of all property owners). [Uphill](#) battle: attempts in three previous sessions unsuccessful. Support includes several counties and the [League](#) of California Cities, California Coastkeeper Alliance; opposition includes California Taxpayers Association.

SB 310 (Ducheny) Stormwater watershed improvement plan - Authorizes MS4 permittees (city, county, special district) to develop a watershed improvement plan and to impose fees on activities that generate runoff or runoff pollutants to pay for the plan and for implementation activities (e.g., detention, infiltration, etc.) approved by the Regional Water Board. Original version amended to address [concerns](#) of NRDC and the Navy; [supported](#) by the California Building Industry Association (CBIA). The legislation attempts to address Proposition 218 limitations by taking advantage of regulatory fees known as “Sinclair Fees” (Sinclair Paint Company v. State Board of Equalization (1997)). However, this exception to Proposition 218 was specific to industrial dischargers and could be challenged if used for residential properties.

SB 346 (Kehoe & Simitian) Phase-out of copper in brake friction materials - See *NewsFlash 2009-07*. First CASQA formal [advocacy](#) for legislation. (passed out of Senate Appropriations, therefore progressing)

SB 413 (Ducheny) Permit fee increase – Allows permit fees to include State Water Board and Regional Water Board costs for preparing Basin Plans and other water quality plans. Stakeholder concern that additional monies from increased stormwater permit fees may not be directed toward stormwater planning. (1st hearing [cancelled](#).)

SB 757 (Pavley) Ban on lead tire weights - See *NewsFlash 2009-07*

AB 68 (Brownley, et al.) Single-use carryout bags - After 7-1-2010, would require stores to charge at least \$0.25 per single-use carryout bag to fund mitigation and education activities. [Supported](#) by BASMAA and Heal-the-Bay; related bills: [AB 87](#) (Davis), [AB 1141](#) (Calderon), and [SB 531](#) (DeSaulnier)

AB 283 (Chesbro) Product stewardship - Cradle-to-cradle producer responsibility. From the bill: “It is necessary for producers to design and manufacture products that are more resource efficient, less hazardous, have fewer greenhouse gas impacts, and are more recyclable.” Supported by [Californians](#) against Waste, BASMAA, and [League](#) of California Cities.

AB 408 (Saldana) General planning to address stormwater augmentation – When a planning agency is adopting or amending its general plan, the bill would require that the local Regional Water Board be noticed, which then would provide information on LID and other information to increase stormwater recharge and reuse; also, places mandate on State Water Board to increase sustainable local supplies. (1st hearing [cancelled](#).)

Searching for the latest updates is [easy](#) - insert bill number or sponsor’s name. For information on other stormwater-related bills, contact the CASQA Legislation Subcommittee Chair [Jason Uhley](#).

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