

### A COMPILATION OF STORMWATER AND OTHER RELATED WATER NEWS

By S. Wayne Rosenbaum, Foley & Lardner LLP

#### NATIONAL NEWS

##### High and Dry Court

(Fresno Bee, 7/5) "[The Supreme Court's muddled 4-4-1 decision on the Clean Water Act and wetlands shows, once again, the importance of elections.](#)"

##### Supreme Court Splits on Wetlands Protection

(MSNBC, 6/19) "[The Supreme Court clashed Monday on whether the government can extend protections for wetlands miles away from waterways, in its first significant environmental ruling under Chief Justice John Roberts.](#)"

##### Excerpts from Supreme Court Opinions

(Associated Press, 6/19) "[Excerpts from the Supreme Court's 4-1-4 ruling that the government can block development on millions of acres of wetlands if it proves development would "significantly affect the chemical, physical, and biological integrity" of nearby navigable waters.](#)"

##### Clean Water Act Sanity on the Horizon?

(Human Events, 7/3) **OPINION.** "[The June 19 5-to-4 Supreme Court decision in the double cases of Rapanos v. United States and Carabell v. U.S. Army Corps of Engineers was another slow step in the long overdue reform of the application of the Clean Water Act's Section 404 and the rediscovery of the 5th Amendment.](#)"

##### \$10 Million Awarded for Beach Water Quality

(EPA, 6/19) **NEWS RELEASE.** "[Ten million dollars will be awarded by the Bush Administration this year to 30 states and five territories for water quality monitoring.](#)"

##### The Board Room: Forgotten Rain

(Land Development Today, June, 2006) Another ingenious member of our editorial board, Bill Archdeacon, reminds us that the "new" practice of rain harvesting is about 4,000 years old. He also introduces readers to a key resource on the subject.

[full story](#)

For more information on the matters discussed in this issue of the **Stormwater News** please contact the following Foley & Lardner LLP professional, or the member of the firm who normally handles your legal matters.

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### **EPA Proposes Revisions to CAFO Permitting Rule; Covers Fewer CAFOs**

(This Week in Washington, June 23, 2006) On June 22 the U.S. Environmental Protection Agency (EPA) announced proposed revisions to the National Pollutant Discharge Elimination System (NPDES) permitting requirements and Effluent Limitations Guidelines and Standards for Concentrated Animal Feeding Operations (CAFOs) rule issued in 2003. The revisions are in response to a court ruling in 2005 by the U.S. Court of Appeals for the Second Circuit in *Waterkeeper Alliance, et al., vs. EPA*, which both upheld and vacated or remanded provisions of the CAFO regulations. The proposal would not require CAFOs land applying manure, litter or processed wastewater to get NPDES permits if the only discharge from those facilities is agricultural stormwater. Only CAFOs that discharge or propose to discharge would need to apply for a permit. EPA estimates that 18,800 CAFOs are in the U.S., a growth of approximately 22% from 2002 to 2005. The proposed rule is anticipated to reduce the number of facilities needing permit coverage to approximately 14,000 CAFOs; approximately 25 percent fewer than would have been permitted under the requirements of the 2003 rule.

The proposal would provide the public with the opportunity to review nutrient management plans by requiring CAFOs to submit them with their permit application. Permitting authorities would be required to provide public notice and review of the plans, and include them as enforceable elements of the permit. The proposal also clarifies the selection of best conventional technology for fecal coliform bacteria. EPA will accept public comments up to 45 days after publication in the Federal Register. A copy of the proposed rule is available at <http://www.epa.gov/npdes/afo/revisedrule>. (SRT)

### **Proposed Revisions to NPDES CAFO Rule**

(NPDES News - June 29, 2006) EPA is proposing to revise the NPDES permitting requirements (Section 122) and Effluent Limitations Guidelines (Section 412) for CAFOs in response to the order issued by the Second Circuit Court of Appeals in *Waterkeeper Alliance et al. v. EPA*, 399 F.3d 486 (2nd Cir. 2005). This proposed rule responds to the court order while furthering the statutory goal of restoring and maintaining the nation's water quality and effectively ensuring that CAFOs properly manage manure generated by their operations. The proposed rule also responds to the court's remand orders regarding water-quality based effluent limitations (WQBELs) and pathogens. For further information go to [www.epa.gov/npdes/afo/revisedrule](http://www.epa.gov/npdes/afo/revisedrule)

### **Puerto Rico Pays Largest CWA Fine in History**

(EPA, 6/23) **NEWS RELEASE.** ["The Puerto Rico Aqueduct and Sewer Authority \(PRASA\) entered into an agreement to plead guilty to an indictment charging 15 felony counts of violating the federal Clean Water Act \(CWA\) through the illegal discharge of pollutants from nine sanitary wastewater treatment plants and five drinking water treatment plants, the Justice Department and Environmental Protection Agency \(EPA\) announced today."](#)

**Justices to Hear Global Warming Case**

(Associated Press, 6/27) ["The Supreme Court agreed Monday to consider whether the Bush administration must regulate carbon dioxide to combat global warming, setting up what could be one of the court's most important decisions on the environment."](#)

**Senator Moves to Suspend Arsenic Limit for Water**

(LA Times, 6/29) ["Just months after a new standard took effect to limit levels of arsenic in drinking water, Sen. Larry E. Craig \(R-Idaho\) will introduce a measure today to suspend enforcement of the rule for small water systems, including more than 100 in California."](#)

**CALIFORNIA NEWS****Blue Ribbon Panel Report: SWRCB-Convened Panel Assesses Numeric Performance Goals for Storm Water –**

(Water Quality News Flash, June 26, 2006) Last September, the State Water Resources Control Board (SWRCB) convened a Blue Ribbon Panel to consider the feasibility of establishing numeric effluent limits or other quantifiable limits for use in stormwater permits (see *NewsFlash 05-31*). SWRCB has now released the panel's report.

Currently, storm water permits issued for municipal-type discharges (including Caltrans) generally require that storm water management plans be designed to achieve compliance with water quality standards. The permits also require compliance with standards through an "iterative process" in which exceedances of standards are supposed to trigger implementation of improved best management practices (BMPs). In practice, cost-effective BMPs are lacking for many pollutants and storm water runoff often exceeds standards at the point of discharge. A different approach is used in permits for industrial wastes and sewage treatment plants. These permits typically include numeric "water quality-based effluent limits" which apply water quality standards to the discharges. They may also include limits applied on a categorical basis regardless of water quality issues (i.e., "technology-based" limits). The current State Board policy is that numeric water quality-based limits are not feasible for storm water. In addition, neither the SWRCB nor U.S. EPA has specified technology-based limits for storm water.

SWRCB is considering using numeric effluent limits for storm water from municipal, industrial, and construction activities and convened the panel to look at the feasibility of this. The panel noted that, "Both [permittees and NGOs] believe that permitting has become overly complex, and that it is extremely difficult, if not impossible to objectively determine if a facility, operation or municipality is in compliance with its permit requirements."

For municipal discharges, the panel said, "It is not feasible at this time to set enforceable numeric effluent criteria for municipal BMPs and in particular urban discharges. However, it is possible to select and design them much more rigorously with respect to the physical, chemical and/or biological processes that take place within them, .... Depending on the

pollutants and parameters of concern and BMP choices, it is very likely that treatment trains of structural BMPs will be required in many cases.” The panel also proposed *Action Levels* to identify “bad actor” catchments (e.g., dissolved copper at 100 ug/l). The panel’s report discusses very specific approaches for identifying appropriate BMPs.

For construction sites, the panel said that numeric limits or target levels were technically feasible for common pollutants such as total suspended solids and turbidity, at least for larger projects. The panel also agreed that numeric limits are feasible for some industrial categories. The Board will hold two public meetings later in July and will also accept comments on the report.

Posted: [http://www.waterboards.ca.gov/stormwtr/docs/swpanel\\_final\\_report.pdf](http://www.waterboards.ca.gov/stormwtr/docs/swpanel_final_report.pdf)

### **Stream and Wetlands Policy – SWRCB Developing Statewide Approach –**

(Water Quality News Flash, July 3, 2006) As described in *NewsFlash 06-24* the San Francisco Bay and North Coast Regional Water Quality Control Boards are developing Basin Plan amendments to provide protections to stream and wetlands systems, including riparian areas and floodplains. Regions 4 (LA) and 8 (Santa Ana) also have formal wetland-related planning underway potentially leading to Basin Plan changes.

The State Board is also developing a related policy which will complement the Regional Board efforts. This statewide policy is a follow-up to the Board’s 2003 report to the Legislature, *Regulatory Steps Needed to Protect and Conserve Wetlands Not Subject to the Clean Water Act*. The state effort was triggered when some wetlands dropped out of the jurisdiction of the Clean Water Act because of the U.S. Supreme Court’s SWANCC decision (see *NewsFlash 04-41*). The State Board informal draft policy will be issued shortly. Public listening sessions regarding the draft policy are tentatively scheduled for August. The State Board’s report and associated workplan are posted:

[http://www.swrcb.ca.gov/cwa401/docs/wrkplan\\_filing\\_gaps\\_wet\\_prot\\_9\\_24\\_04.pdf](http://www.swrcb.ca.gov/cwa401/docs/wrkplan_filing_gaps_wet_prot_9_24_04.pdf) and

[http://www.swrcb.ca.gov/legislative/docs/2003/wetlands\\_02supprpt.pdf](http://www.swrcb.ca.gov/legislative/docs/2003/wetlands_02supprpt.pdf)

California’s Porter-Cologne Act delegates complementary authorities to the State and Regional Water Boards. Statewide plans provide a “floor” for water quality protection, below which Regions may not fall. Generally, Regions may amplify and strengthen the statewide approach for Regional use, as long as they do not reduce the level of water quality protection provided. One of the functions of statewide plans is to achieve reasonable consistency in regulatory practice across the state, especially in difficult and potentially contentious regulatory areas. Regulation of dredge and fill discharges, especially in the context of wetland protection, is one such area. More information on State Board wetlands program:

<http://www.swrcb.ca.gov/cwa401/> SF Bay and North Coast RB-developed policies:

<http://www.waterboards.ca.gov/sanfranciscobay/streamandwetlands.htm> and

<http://www.waterboards.ca.gov/northcoast/programs/basinplan/swspp.html>

## **SWRCB Posts Revised Proposal for Chlorine**

(SWRCB, July 6, 2006) The State Water Board has posted for comment the revised proposed Total Residual Chlorine and Chlorine-Produced Oxidants Policy of California (Policy) and accompanying revised Substitute Environmental Document (SED) at <http://www.waterboards.ca.gov/iswp/chlorine.html>. The response to comments received on the prior draft Policy and SED can be found at <http://www.waterboards.ca.gov/iswp/chlorine.html>. In addition late comment letters are available for review and comment at [http://www.waterboards.ca.gov/iswp/comments\\_chlorine.html](http://www.waterboards.ca.gov/iswp/comments_chlorine.html).

## **Desalination Still Years Away for West**

(Las Vegas Sun, 6/29) "[The Pacific Ocean promises an endless supply of what the arid Southwest needs. Turning that salty bounty into fresh water, however, may be tougher than some people hope.](#)"

## **Desalination a Dud?**

(Sacramento Bee, 7/1) **EDITORIAL.** "[Desalination of seawater flirts somewhere near the fringe of realistic water possibilities for California, particularly in communities near this seemingly endless source. The problem is electricity, not water. It takes a huge amount of electricity to convert the salty water into a tasty, drinkable supply.](#)"

## **Desalination Projects are Quickly Gaining Steam**

(Contra Costa Times, 6/28) "[A trickle of desalinated water is making its way into the Bay Area, a precursor to a predicted statewide flood of projects in coming years.](#)"

## **Report: Desalination Plants Too Costly**

(Monterey Herald, 6/28) "[California's water needs may have to be met using desalination plants in the future, but building and operating them now would be costly and would adversely impact the environment, said a report released by an independent research organization.](#)"

## **Water Officials Seek Joint Management Plan**

(NC Times, 7/1) "[Saying it started out as a drive for cash but turned into an enlightened collaboration to protect scarce water resources, officials Friday called for input on an integrated plan that would safeguard how much water the region has, how clean it is, and how to set aside environmental habitat.](#)"

## **SOUTHERN CALIFORNIA**

### **Santa Monica Baykeeper Launches CWA Program**

(Santa Monica Baykeeper, 7/6) **NEWS RELEASE.** "[In an effort to empower citizens to take a stand for clean water, Santa](#)

[Monica Baykeeper is launching a new Clean Water Act: Empower the People Program. Beginning July 19, Baykeeper will conduct a series of workshops, each one focusing on a particular water quality issue in Los Angeles County and how ordinary citizens can use the Clean Water Act to help clean up LA's waters.](#)"

### **Santa Ana Basin Plan – Triennial Review May Consider Modifying REC Standards**

(Water Quality News Flash, July 3, 2006) The Santa Ana Regional Water Quality Control Board held a stakeholder meeting June 6 to consider revisions to the Basin Plan as part of the Triennial Review mandated by the Clean Water Act. Several of the potential topics include revision to the Basin Plan's designated beneficial uses and associated water quality objectives. In particular, the Triennial Review may consider whether the REC-1 (body contact recreation) beneficial use should be modified by adopting a limited REC-1 designation for certain waters, adoption of a high flow suspension of REC-1 standards, and de-designation of certain water from REC-1. Storm water agencies have questioned the appropriateness of trying to attain the restrictive REC-1 bacteria standards during storm conditions. Unfortunately, when a use is proposed for de-designation, i.e., removal or replacement with a subcategory requiring less stringent standards, a use attainability analysis (UAA) is necessary. UAAs are expensive and historically have had difficulty being approved by both the Water Boards and U.S. EPA. More on Santa Ana Triennial Review: [http://www.waterboards.ca.gov/santaana/html/basin\\_plan\\_review.html](http://www.waterboards.ca.gov/santaana/html/basin_plan_review.html)

### **Escondido Water Quality Settlement Proposed**

(NC Times, 6/30) "[The city of Escondido will pay about 60 percent of \\$1.15 million in water quality fines arising from a breakdown of the city's sewer treatment plant in 2004, according to a proposed settlement, the terms of which were released Thursday.](#)"

### **Fall Ballot is a \$46-billion Question**

(LA Times, 6/29) "[Already cranky about tax increases and big-ticket bonds, California voters now face a November ballot that would break records in government spending. Never before has so much taxpayer money been at stake in a California election: a total of \\$46 billion in five bond measures and four tax increases.](#)"

### **State Board Delays Decision on Permit**

(CalCoast News, June 26, 2008) SAN DIEGO – State water-quality regulators Wednesday postponed a decision on a discharge permit for a proposed desalination plant in Carlsbad that would convert seawater into drinking water.

<http://www.calcoast.org/news/waterq.htm>

## Los Angeles River Restoration Set to Begin

(LA Times, 6/24) ["Taking an important step toward a long-sought dream of restoring the concrete-lined Los Angeles River, city officials today will announce the five sites where they intend to build a series of parks, pathways and pedestrian bridges to lure residents to the forsaken waterway."](#)

## Water Experts to Hold "Summit" Friday

(NC Times, 6/26) ["Friday's six-hour meeting will feature leaders from the state's Department of Water Resources, the San Diego County Water Authority, the San Diego Regional Water Quality Control Board, the County of San Diego, the city of San Diego, and representatives from watershed, environmental and other groups."](#)

## Two Companies Vie to Build Carlsbad Desal Plant

(The Log, 6/29) ["Poseidon Resources Inc. and the San Diego County Water Authority \(SDCWA\) are in different stages of placing a desalination plant on the same land adjacent to the Encina Power Station on the Carlsbad coast."](#)

## Pechanga Band, District Step Closer to Accord

(Riverside P/E, 7/1) ["A precedent-setting aquifer-sharing pact has cleared a key hurdle, possibly paving the way for the Pechanga Indian tribe to jump-start its stalled resort-expansion plans."](#)

## Coastkeeper, Surfrider Reach Second Sewage Settlement with City of San Diego

(San Diego CoastKeeper News, July 5, 2006) On June 12, the San Diego City Council approved a second interim settlement that obligates the City to invest \$82 million to further upgrade San Diego's sewage collection system and enhance inspection and maintenance programs. After filing suit in 2001, Coastkeeper, The Surfrider Foundation and U.S. EPA reached an interim settlement with the City in 2005 that required a \$187 million investment in replacing degrading sewer lines and implementing a comprehensive pipeline cleaning program, resulting in an **84% decrease in spills over the past five years**. This second interim settlement obligates the City to continue its successful sewage spill reduction program. Once the City is on more solid financial footing, Coastkeeper expects to enter into a long-term agreement that will require the City to invest more than \$1 billion in its sewer system through 2013.

## ANNOUNCEMENTS

### ASBS Scoping Meetings

The Division of Water Quality (DWQ), State Water Resources Control Board (State Water Board) will hold public scoping meetings at three locations for the proposed ASBS Special Protections to address storm water and nonpoint source

discharges. These meetings will be held from 9 a.m. - 12 p.m. at the following locations/dates:

- Tuesday - August 1, 2006  
North Coast Regional Water Quality Control Board  
5550 Skylane Blvd., Suite A  
Santa Rosa, CA 95403
  
- Tuesday - August 8, 2006  
Los Angeles Regional Water Quality Control Board  
320 West 4th Street, Suite 200  
Los Angeles, CA 90013
  
- Tuesday - August 15, 2006  
Monterey Conference Center  
Steinbeck Forum Theater  
One Portola Plaza  
Monterey, CA 93940

Deadline for Comment Letters is August 15, 2006 (5:00 p.m)

For more information, including the notices for the public scoping meetings, see

<http://www.waterboards.ca.gov/plnspols/asbs.html>

Please be aware that stakeholder meetings on a staff proposal for Model Ocean Discharge Monitoring amendments to the California Ocean Plan (to address permitted non-storm water, storm water point sources, and agricultural nonpoint sources) will be held in the afternoon on the same dates and locations.

## **Implementing Pervious Concrete Pavements**

[Download Brochure](#)

[More Information](#)

[Register Now](#)

Coming to Denver, Sacramento, and Los Angeles in July!

[Register now](#) for a day packed full of critical information about the practical application of pervious concrete, including techniques and concepts. July workshops are being held on the following dates and locations:

- Mon., July 10 **Denver, CO**
- Wed., July 12 **Sacramento, CA**
- Thur., July 13 **LA (Downey), CA**

This seminar provides detailed instruction on pervious concrete pavement as a solution to reducing stormwater runoff from building sites and other paved areas. Attendees will learn the details of pervious concrete pavement systems, engineering properties and construction techniques. Topics covered include hydrological and environmental design, structural and site design, specifications, mix design and test methods, construction techniques, durability and maintenance, and applications and case studies.

Bruce K. Ferguson, director of the School of Environmental Design at the University of Georgia, along with local experts will instruct attendees. Architects and engineers will earn six Professional Development Hours. This seminar is registered with the American Institute of Architects Continuing Education Systems. The registration fee is \$195 (lunch provided) before July 1 and \$245 after July 1.

Register on-line at [www.ldbreakthroughs.com/workshops](http://www.ldbreakthroughs.com/workshops), [download a registration form](#), or contact Futurus Communications toll-free at 888-FUTURUS (388-8787).

### **What's an ASBS?**

San Diego Coastkeeper, Scripps Institution of Oceanography & the City of San Diego are hosting the 'ABC's of ASBS' workshop to inform and engage the public in efforts to protect Areas of Special Biological Significance (ASBS) off La Jolla Shores. ASBS are specially designated areas that represent the richest ecosystems along the coast. Despite special protections for these areas, pollution threatens these sensitive coastal resources.

Coastkeeper, Scripps & the City are jointly developing The La Jolla Shores Coastal Watershed Management Plan that will be the blueprint for protecting and improving water quality in our local ASBS. At this workshop, Coastkeeper, Scripps, and the City will review the history and importance of the ASBS, discuss the Watershed Management Plan and public outreach efforts aimed at preventing pollution from entering into the ASBS, answer your questions and seek your feedback on preserving our most precious coastal resources.

**When:** July 20, 2006

**Time:** 6:00-7:30pm

**Where:** Sumner Auditorium

University of California, San Diego

Scripps Institution of Oceanography

[View Map](#)

Refreshments will be served at the workshop. Admission is free. Please RSVP to [kate@sdcoastkeeper.org](mailto:kate@sdcoastkeeper.org). For more information, please call 619-758-7743 or email [kate@sdcoastkeeper.org](mailto:kate@sdcoastkeeper.org)

### **Coastal Cleanup Day Is Coming**

**When:** Saturday, September 16, 9-11 am

On Saturday, September 16th Coastkeeper will partner with I Love A Clean San Diego and California Coastal Commission to host the 22nd Annual California Coastal Cleanup Day (CCD), presented by the County of San Diego. Last year, 4,685 volunteers participated in the cleanup at nearly 60 coastal and inland sites, removing 209,789 pounds of trash and recyclables from San Diego County and Baja California beaches. Please join us at CCD 2006. If you are interested in becoming a Site Captain for this event or learning more about CCD sponsorship opportunities, please contact Danielle Miller at 619-758-7743 or [danielle@sdcoastkeeper.org](mailto:danielle@sdcoastkeeper.org). To learn more about CCD please visit [www.cleanupday.org](http://www.cleanupday.org).

### **Mark Your Calendars for Ocean Gala 2006**

**When:** Saturday, October 7, 7-10 pm

**Where:** Hotel Del Coronado

San Diego Coastkeeper's 12th annual Ocean Gala will take place on Saturday, October 7, 2006 from 7-10 pm at the Historic Hotel Del Coronado. This year's focus will be on ocean conservation. In keeping with this year's theme, we are planning a "Coastkeeper Cruise" to celebrate and enjoy the beauty of the ocean and focus on issues affecting our local Coastline. For event details please visit [www.sdcoastkeeper.org](http://www.sdcoastkeeper.org) or call 619-758-7743.

### **Stormwater Webcast**

Financing a Municipal Stormwater Program - July 12, 2006, 1- 3 p.m. EST. Andy Reese, AMEC Earth and Environmental, Inc., Instructor. Guest Speakers: Jeb Blackwell, City of Charlotte, North Carolina and Nikos Singelis, U.S. EPA Stormwater Program.

Municipal stormwater program managers have many options to choose from in financing their programs, from general funds to dedicated sources such as stormwater utilities. Each municipality must carefully assess each potential funding method to ensure it meets their stormwater program needs. The National Association of Flood and Stormwater Management Agencies (NAFSMA) has developed Guidance for Municipal Stormwater Funding, a document to help municipalities address the procedural, legal, and financial considerations in selecting and developing stormwater financing approaches.

This webcast will be taught by Andy Reese, who is a national expert on municipal stormwater management and has taught numerous stormwater funding and stormwater utility development workshops across the country. Mr. Reese, a co-author of the NAFSMA Guidance, will describe stormwater funding methods and the advantages of developing a stormwater utility. Jeb

Blackwell will also describe how the City of Charlotte, North Carolina, finances its stormwater program.

Sign up for this webcast at [www.epa.gov/npdes/training](http://www.epa.gov/npdes/training)

## HEARINGS

### CA SB 1070

**Author:** Kehoe (D)

**Title:** Water Quality Information

**Introduced:** 02/22/2005

**Last Amend:** 06/19/2006

**File:** 41

**Location:** Assembly Third Reading File

**Summary:** Requires the Water Resources Control Board to implement a public information program involving water quality and to maintain information on water quality research and other pertinent matters. Requires the board to place on its Web site information on water quality research, standards, regulations, enforcement and pertinent matters. Requires the board to prepare an inventory of water quality monitoring activities within coastal watersheds, bays and estuaries. Relates to a Water Quality Monitoring Council.

**Status:** In ASSEMBLY. Read third time and amended. To third reading.

### CA AB 1899

**Author:** Wolk (D)

**Title:** Land Use: Flood Protection

**Introduced:** 01/25/2006

**Last Amend:** 05/26/2006

**Location:** Senate Second Reading File

**Summary:** Requires a city or county that determines a project will require a certain environmental document under the Environmental Quality Act and meets certain conditions, to identify all relevant flood management agencies and to require those agencies to submit a flood protection analysis. Provides the agency is not subject to civil liability in connection with the preparation of the analysis under certain circumstances Requires the filing of a flood hazard zone maps for the Sacramento and San Joaquin rivers.

**Status:** From SENATE Committee on LOCAL GOVERNMENT: Do pass as amended to Committee on JUDICIARY.

## CA SB 729

**Author:** Simitian (D)

**Title:** Water Quality

**Introduced:** 02/22/2005

**Last Amend:** 06/22/2006

**Committee:** Assembly Environmental Safety and Toxic Materials Committee

**Hearing:** 06/27/2006 1:30 pm

**Summary:** Authorizes the State Water Resources Control Board to carry out the authority over water quality matters if, after consulting with the appropriate regional water quality control board, the state board determines that it will not duplicate the efforts of the regional board. Requires each regional board to coordinate with the state board and other state agencies with respect to water quality matters. Requires the state board and each regional to post on the Internet certain water quality enforcement data.

**Status:** 06/22/2006 From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.

06/22/2006 In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

## CA SB 775

**Author:** Cox (R)

**Title:** Watermasters: Court Appointments

**Introduced:** 02/22/2005

**Last Amend:** 06/22/2006

**Committee:** Assembly Water, Parks and Wildlife Committee

**Hearing:** 06/27/2006 9:00 am

**Summary:** Specifies that, upon a petition, made to a court in which a relevant judicial decree has been entered, by the owners or governing bodies of at least 15% of the conduits lawfully entitled to directly divert water in a service area subject to that decree, may appoint a public agency as a watermaster to replace the watermaster. Provides that a watermaster appointed

pursuant to this provision would have the powers and duties prescribed by the court pursuant to the exercise of its judicial authority.

**Status:** 06/22/2006 From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.  
06/22/2006 In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.

### CA AB 966

**Author:** Saldana (D)

**Title:** Water Quality: California-Beja Border Region

**Introduced:** 02/18/2005

**Last Amend:** 06/12/2006

**Location:** Senate Appropriations Committee

**Summary:** Requires the Water Resources Control Board, the San Diego Regional Water Quality Control Board, and the Colorado River Basin Regional Water Quality Control Board, to take all necessary action under the federal Clean Water Act to establish effective water quality and public health management programs for the California-Beja California border region and to establish cooperative water quality monitoring, inspection, and technical assistance programs to protect the environment and public health of the region.

**STATUS:** 06/26/2006 From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.

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