

## **RESOLUTION NO. R21-15**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, EXPRESSING OPPOSITION TO PROPOSED AB 377 –WATER QUALITY: IMPAIRED WATERS (RIVAS) AND EXPRESSING SUPPORT FOR ACTINGS TO FURHTER STRENGTHEN LOCAL DEMOCRACY, AUTHORITY AND CONTROL**

**WHEREAS**, the legislature of the State of California, has proposed legislation that would fundamentally detrimentally alter the State's existing water quality programs without providing any solutions that will result in the attainment of water quality objectives;

**WHEREAS**, the legislature has proposed a large number of bills that usurp the authority of local jurisdictions to determine for themselves how best to address the needs of their own communities;

**WHEREAS**, for example, the ability of jurisdictions to determine for themselves what plans and programs are suitable and practical for each community rather than having these decisions imposed upon cities without regard to the circumstances of each individual city is a matter of great importance to the City of Palos Verdes Estates; and

**WHEREAS**, AB 377 specifically circumvents the local regulatory authority of the Regional Water Boards, and instead legislates the rewriting of existing permitting policies, without regard to local conditions, existing agreements, or other priorities of the State; and

**WHEREAS** the proposed legislation is foundationally flawed in that it is based on the notion that existing State and regional National Pollutant Discharge Elimination System (NPDES), Waste Discharge Requirements (WDR) and Municipal Separate Storm Sewer System (MS4) permitting programs are so problematic and ineffective that they need to be completely overhauled and replaced; and

**WHEREAS**, the proposed legislation proposes a new prescriptive enforcement program with statutorily defined time limits that eliminates State and Regional Water Board discretionary authority for permitting and enforcement of water quality objectives; and

**WHEREAS**, the proposed legislation sets forth prescriptive permitting terms and compliance requirements for every single discharge permit throughout the state, representing a significant policy departure with severe adverse consequences and contrary to the goals of the State and City of Palos Verdes Estates with regard to clean water programs; and

**WHEREAS**, the proposed legislation usurps the role of regional boards, in cooperation with permitted entities such as cities, to consider a multitude of dynamic local factors for meeting water quality objectives through very detailed and rigorous processes;

WHEREAS, the proposed legislation mandates municipalities to fix all urban runoff pollution issues, including legacy and ongoing aerial deposition pollutant issues by 2050, without funding or consideration of the California requirement to obtain voter approval of the massive resources needed for compliance;

WHEREAS, the City Council of the City of Palos Verdes Estates feels strongly that our local government is best able to assess the needs of our community and objects to the proliferation of State legislation that deprives us of that ability;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PALOS VERDES ESTATES, CALIFORNIA, DOES HERBY RESOLVE AND DECLARE:**

**SECTION 1.** Its strong opposition to the following piece of State legislation that usurps local control and imposes unfunded mandates: AB 377 (Rivas) Water Quality: Impaired Waters;

**SECTION 2.** Its equally strong opposition to the current practice of the State legislature of proposing and passing multitudes of bills that directly impact and interfere with the ability of Cities to determine for themselves how to meet their legal responsibilities, and create unfunded mandates; and

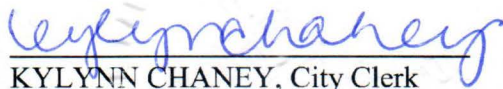
**SECTION 3.** That, should the State continue to pass legislation that attacks local municipal authority, control and revenue, the City of Palos Verdes Estates will support actions such as a ballot measure that would limit the State's ability to control local activities and strengthen local democracy and authority.

**PASSED, APPROVED AND ADOPTED** by the City of Palos Verdes Estates at its regular meeting on this 23rd day of March, 2021



MICHAEL KEMPS, Mayor

ATTEST:



KYLYNN CHANEY, City Clerk

APPROVED AS TO FORM:

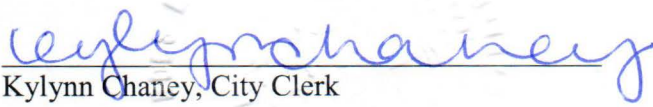
  
JOHN COTTI, City Attorney

**CERTIFICATION**

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS:  
CITY OF PALOS VERDES ESTATES )

I, Kylynn Chaney, City Clerk for the City of Palos Verdes Estates, California, do hereby certify that the foregoing Resolution **R21-15** was duly and regularly approved and adopted by the City Council of the City of Palos Verdes Estates at its regular meeting of the City Council on the 23rd day of March, 2021, by the following vote:

AYES: COUNCILMEMBERS: Murdock, Roos, McGowan, Lozzi, Kemps  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

  
Kylynn Chaney, City Clerk