



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/29/2021

Agenda Placement: 7B

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee
FROM: REBECCA CRAIG for Minh Tran - County Executive Officer
County Executive Office
REPORT BY: Nelson Cortez, STAFF ASSISTANT II - BOS - 7072991478
SUBJECT: AB 377 (Rivas) Water quality: impaired waters

RECOMMENDATION

County Executive Officer, on behalf of the Director of Planning, Building, and Environmental Services (PBES), seeks discussion and possible action on AB 377 (Rivas) regarding water quality.

EXECUTIVE SUMMARY

AB 1100 (Rivas) would make significant changes to the water quality regulations and permitting processes, which could undermine local and regional control.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Synopsis and Background

AB 377 (Rivas) -

- | This bill would require all California surface waters to attain applicable beneficial uses by January 1, 2050.
- | Require the state board and regional boards, when issuing an NPDES permit, a waste discharge requirement, or a waiver of a waste discharge requirement, to require that the discharge to surface water does not cause or contribute to an exceedance of an applicable water quality standard in receiving waters, and to not authorize the use of a best management practice permit term to authorize a discharge to surface water that causes or contributes to an exceedance of an applicable water quality standard in receiving waters.
- | The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard for a surface water of the state that was adopted as of January 1, 2021, and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard for a surface water of the state that is adopted after January 1, 2021, unless specified conditions are met.
- | The bill would prohibit an NPDES permit, waste discharge requirement, or waiver of a waste discharge requirement to discharge to a surface water of the state from being renewed, reissued, or modified to contain effluent limitations or conditions that, among other things, are less stringent than those in the previous permit, requirement, or waiver, except as specified.
- | Among other requirements.

Status

Assembly Committee on Environmental Safety & Toxic Materials

Support and Opposition**CSAC: Opposed (letter attached)**

RCRC: Pending

NACo: N/A

STAFF COMMENTS

A representative from PBES will be available to discuss potential local impacts and answer questions.

Platform: Yes**Federal:** N/A**State:** Priority 1 - Local control**Recommendation**

The Subcommittee may:

- | Make a recommendation to the Board of Supervisors to consider at a future meeting
- | Direct staff to draft a letter and distribute to interested parties
- | Take no action and direct staff to continue to track the bill

SUPPORTING DOCUMENTS

A . Bill Text

B . CSAC Letter

Recommendation: Approve

Reviewed By: Minh Tran