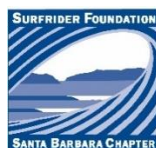




Heal the Bay



LISA KAAS BOYLE



April 1, 2021

The Honorable Bill Quirk, Chair
California Assembly Committee on Environmental Safety & Toxic Materials
Legislative Office Building, 1020 N Street, Room 171
Sacramento, CA 95814

RE: AB 377 – California Clean Water Act – SUPPORT

Dear Chair Quirk and Members of the Environmental Safety & Toxic Materials Committee,

The undersigned organizations advocate for the protection of environmental and public health, water quality, and a resilient water future. On behalf of the undersigned organizations, we write in support of the Assembly Bill 377, the California Clean Water Act to put California back on track to restore all of its waterways by 2050.

Congress first enacted the federal Clean Water Act in 1972 with the overarching purpose of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The federal Act prohibits “the discharge of any pollutant by any person”¹ into the waters of the United States without a National Pollutant Discharge Elimination System (NPDES) permit, and critically, set the national goal that all discharges of pollutants be eliminated by 1985.² Fifty years later, too many permits issued in California fail to ensure that water quality standards are actually met – leaving California’s waters unsafe to drink, swim, or fish.

California has long been a leader in environmental protection, yet 95% of all assessed rivers, lakes, bays, and wetlands are plagued by a wide range of pollutants including pesticides, metals, pathogens, trash, sediment, or are otherwise impaired by excess diversions and modifications of our waterways.³ California’s communities are left to feel the brunt and shoulder the cost of this ongoing pollution with water that is unsafe to recreate in and expensive to treat.

The California Clean Water Act (AB 377) will help put California on track to eliminate impairments statewide and make all California waters drinkable, swimmable, and fishable by 2050. The three-pronged approach established by the California Clean Water Act will provide the State Water Resources Control Board and the nine Regional Water Boards with the tools they need to ensure that water quality permits actually meet the overarching goal of the federal Clean Water Act to eliminate water quality impairments. Specifically, this bill will require the Water Boards to close permit loopholes, disallow safe-harbors and other alternative compliance pathways that allow for the continued degradation of California’s waters, ensure all discharges demonstrate compliance with water quality standards, and direct a larger portion of existing funding to clean up impaired waterways – helping California direct needed resources to underserved communities and communities of color that disproportionately face ongoing pollution.

Our state cannot ensure a resilient climate future without clean rivers, streams, and a healthy coast. Action is needed to protect California’s foundational ecosystems, help prevent the undue and preventable loss of native and endemic species, and prevent families from getting sick from toxic chemicals and bacteria when they visit California’s rivers, lakes, and beaches. The California Clean Water Act also builds off the

¹ 33 U.S.C. § 1311(a); 33 U.S.C. § 1342.

² 33 U.S.C. § 1251(a).

³ State Water Resources Control Board, 2018 California Integrated Report, Appendix A (303(d) List of Impaired Waters).

Governor's plan to restore 30% of our lands and waters by 2030. We cannot protect 30% of our biodiversity while 95% of our waterways are impaired.

Californians have waited fifty years for the state to fulfill its mandate to restore our waters – thirty-six years past the original deadline imposed by the federal Clean Water Act. The time is now for California to act. AB 377 will help California realize its water quality objectives and prevent our clean water laws and regulations from being mere words on a page. For these reasons, we urge your 'aye' vote on AB 377 to protect the health of communities and environment now, and for future generations.

Sincerely,



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