

**BILL ANALYSIS**

RESOURCES AGENCY

DEPARTMENT <b>Coastal Commission</b>	AUTHOR <b>Nakano</b>	BILL NUMBER <b>AB 541</b>
SPONSORED BY	RELATED BILLS	DATE LAST AMENDED <b>02/18/99</b>

SUBJECT  
**Storm Water Abatement**

SUMMARY: AB 541 would guarantee a per-project minimum of 5 percent and a maximum of 20 percent of federal Transportation Equity Act for the 21st Century (T21) funds for the construction, resurfacing or rehabilitation of transportation facilities, be used to reduce or mitigate the effects of polluted runoff.

BACKGROUND: AB 541 was introduced in February, 1999. It is currently in the Assembly Transportation Committee, and the author expects to amend the bill before hearing.

EXISTING LAW: Existing law limits expenditure of the funds in the State Highway Account in the State Transportation Fund to specified purposes relating to highways and public mass transit guideways. Pollution abatement and environmental degradation are among the specified purposes. Currently the law only identifies a cap for such expenditures. It does not require a minimum expenditure.

DISCUSSION: T21 funds are appropriated by Congress and passed on to states for local transportation enhancement projects. The Streets and Highways Code currently provides that "environmental restoration or pollution abatement" may not exceed 20 percent of the total cost of the roadway project. AB 541 would create a statutory minimum requirement for funding dedicated to storm water abatement. Because public road projects contribute significantly to polluted runoff, it is reasonable to require that a percentage of the mitigation funds be spent addressing the impacts of nonpoint source pollution. The author is working with staff to determine how best to structure

STAFF RECOMMENDATION

Staff recommends that the Commission SUPPORT AB 541.

DEPARTMENTS THAT MAY BE AFFECTED

STATE MANDATE

GOVERNOR'S APPOINTMENT

DEPARTMENT DIRECTOR POSITION <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> SA <input type="checkbox"/> OUA <input type="checkbox"/> N <input type="checkbox"/> NP <input type="checkbox"/> NA <input type="checkbox"/> NAR <input type="checkbox"/> DEFER TO _____	AGENCY SECRETARY POSITION <input type="checkbox"/> S <input type="checkbox"/> O <input type="checkbox"/> SA <input type="checkbox"/> OUA <input type="checkbox"/> N <input type="checkbox"/> NP <input type="checkbox"/> NA <input type="checkbox"/> NAR <input type="checkbox"/> DEFER TO _____	<b>GOVERNOR'S OFFICE USE</b> Position approved ..... <input type="checkbox"/> Position disapproved..... <input type="checkbox"/> Position Noted ..... <input type="checkbox"/>  _____ BY _____ DATE _____
DEPARTMENT DIRECTOR	AGENCY SECRETARY\	