

**STATE OF ALASKA
THE LEGISLATURE**

2011

Source
CSHJR 17(CRA)

**Legislative
Resolve No.**
17



Urging the United States Congress to pass legislation concerning regulation of drinking water and wastewater treatment by the United States Environmental Protection Agency.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the Alaska Department of Environmental Conservation has had the primary enforcement responsibility for regulating public drinking water systems since 1978; and

WHEREAS the United States Environmental Protection Agency approved the Department of Environmental Conservation's program for primacy on regulating wastewater discharge and drinking water; and

WHEREAS it is the policy of the state to conserve, improve, and protect its natural resources and environment and to control water, land, and air pollution to enhance the health, safety, and welfare of the people of the state and their overall economic and social well-being; and

WHEREAS, on January 18, 2011, President Barack Obama signed Executive Order 13563 to improve regulation and regulatory review in government, which directs federal agencies to identify the best, most innovative, and least burdensome tools for achieving

regulatory ends while taking into account the benefits and costs; and

WHEREAS, in 33 U.S.C. 1251 - 1387 (Federal Water Pollution Control Act) (Clean Water Act), as amended, the United States Congress declared that it is the policy of the United States Congress to recognize, preserve, and protect the primary responsibilities and rights of states to prevent, reduce, and eliminate pollution and to plan the development and use of land and water resources; and

WHEREAS over-regulating and using unnecessary standards by the United States Environmental Protection Agency in the state will create an increased cost of living for the residents of small communities in the state, where the cost of living is already burdensome; and

WHEREAS the United States Environmental Protection Agency has adopted regulations and established policies relating to the treatment of drinking water and wastewater that will have a major effect on the economies of and jobs in small communities in the state and will limit the ability of small communities to address other priorities; and

WHEREAS federal funding for state village sanitation projects declined by more than \$42,500,000 between 2004 and 2011; and

WHEREAS the President's proposed budget for the federal fiscal year 2012 reduces nationwide funding for the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund by nearly \$950,000,000; and

WHEREAS the Republican caucus in the United States House of Representatives has proposed to cut an additional \$950,000,000 in funding for the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund;

BE IT RESOLVED that the Alaska State Legislature urges the United States Congress to pass legislation that provides reasonable standards for the treatment of drinking water and wastewater treatment for communities in different regions of the country and with different population sizes; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the United States Congress to pass legislation imposing a moratorium that prohibits the United States Environmental Protection Agency from adopting a new policy or adopting new regulations concerning drinking water and wastewater treatment for a period of at least two years except to directly address an imminent health or environmental emergency; and be it

FURTHER RESOLVED that the Alaska State Legislature urges the United States Congress to pass legislation requiring the United States Environmental Protection Agency to identify all regulatory activity concerning drinking water or wastewater treatment that the United States Environmental Protection Agency plans to undertake during the next 10 years and, using multiagency expertise and objective cost-benefit analyses, to describe the cumulative effect that the planned United States Environmental Protection Agency regulation will have on state and local governments.

COPIES of this resolution shall be sent to the Honorable Barack Obama, President of the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of Representatives; the Honorable Lisa P. Jackson, Administrator of the U.S. Environmental Protection Agency; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and the presiding officers of the legislatures of each of the other 49 states.