

HOUSE JOINT RESOLUTION NO. 17

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Introduced: 3/7/11

Referred: Community and Regional Affairs, Resources

A RESOLUTION

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

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

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

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

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

14 **WHEREAS**, on January 18, 2011, President Barack Obama signed Executive Order
15 13563 to improve regulation and regulatory review in government, which directs federal
16 agencies to identify the best, most innovative, and least burdensome tools for achieving

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

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

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

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

15 **WHEREAS** federal funding for state village sanitation projects declined by more than
16 \$49,000,000 between 2004 and 2011; and

17 **WHEREAS** the President's proposed budget for the federal fiscal year starting
18 October 1, 2011, reduces nationwide funding for the Clean Water State Revolving Fund and
19 the Drinking Water State Revolving Fund by nearly \$950,000,000; and

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

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

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

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

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