

Stormwater Initiative

April, 2016 Status

On December 14, 2015, the California State Association of Counties (CSAC), the League of California Cities (the League) and the Association of California Water Agencies (ACWA) filed a proposed Constitutional amendment with the Attorney General (AG), titled “The California Water Conservation, Flood Control and Stormwater Management Act of 2016”. The proposed ballot measure would have amended Article X of the California Constitution to create a new, optional funding method that local agencies could use to fund local stormwater services and flood control projects, and establish conservation-based water rates or lifeline rates to assist low-income customers. The proposal ensured that any local agency that utilized the optional funding method would be required to adhere to strict accountability, transparency and ratepayer protections.

The Title and Summary, issued by the AG on February 18, 2016, can be found on the AG website as Initiative 15-116. This is the language that would be printed on the ballot for a statewide election. While the wording is very close to what was filed with the AG, the first sentence was viewed as potentially detrimental to passing the ballot measure. It describes the optional funding procedure as one that allows local government to impose fees “without voter approval.” The League, CSAC, and ACWA conducted follow-up polling on the Title and Summary to obtain a more thorough picture of voter sentiment. The polling results showed the Title and Summary would fail to get majority support and opposition exceeded support. In addition, while strong support was expressed for rate payer protections and conservation pricing provisions, the phrase “without voter approval” overshadowed these positively viewed elements. The polling results also demonstrated that any funded opposition would have a strong influence on voters’ reaction to the ballot measure.

On a more positive note, the polling results showed that voters believe local governments need additional funds to address stormwater and water-related issues. Voter support was also expressed for many of the ballot measure’s objectives – to protect water quality, upgrade aging infrastructure, increase conservation and implement lifeline pricing.

The polling consultant concluded that passing the current ballot measure would be exceedingly difficult even with a superior funding advantage. As a result, CSAC, the League, and ACWA decided to not move forward with the proposed ballot measure in 2016. However, everyone agrees there is a great need for the ballot measure, as the need for sustainable funding for stormwater services and the need for conservation is going to continue to grow. Between now and the next opportunity to place the ballot measure on a ballot, we all must do what we can to inform the public and elected officials why this is important.

CSAC, the League, and ACWA will continue the dialogue with each other, the larger coalition that had been working on the ballot measure, and their respective members regarding other viable options and strategies that build on positive elements of the polling and prepare ourselves for the next opportunity to pass the ballot measure.

For more information please contact Karen Keene, California State Association of Counties at 916-327-7500 (ext. 511), or Mitch Avalon, County Engineers Association of California at 925-313-2203, or go to the project website at www.cccounty.us/stormwaterinitiative.