

Introduced by Senator Pavley

February 27, 2009

An act to add Part 5.5 (commencing with Section 12567) to Division 6 of the Water Code, relating to water recycling.

LEGISLATIVE COUNSEL'S DIGEST

SB 565, as introduced, Pavley. Water recycling.

Existing law establishes the State Water Resources Control Board (state board) and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality. Existing law requires specified persons who discharge waste, as defined, in a manner that could affect the quality of the waters of the state, to pay an annual fee to the state board according to a fee schedule established by the state board.

This bill would require the state board to develop a plan to ensure that at least 50% of wastewater that is annually discharged into the ocean, as of the year 2009, is recycled and put to beneficial use by the year 2030. The bill would prescribe various requirements with respect to that plan. The bill would require the state board to impose a fee on each person discharging wastewater into the ocean and would require that fee to be deposited into the Ocean Discharge Recycling Fund, which the bill would establish. The bill would authorize the state board to expend the moneys in that fund, upon appropriation by the Legislature, for the purposes of carrying out the wastewater recycling plan.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Part 5.5 (commencing with Section 12567) is added to Division 6 of the Water Code, to read:

PART 5.5. OCEAN DISCHARGE RECYCLING PLAN

CHAPTER 1. GENERAL PROVISIONS

12567. For the purposes of this part, the following terms have the following meanings:

(a) "Fee" means the annual fee imposed pursuant to subdivision (a) of Section 12568.

(a) "Fund" means the Ocean Discharge Recycling Fund established pursuant to subdivision (a) of Section 12568.4.

(b) "Plan" means the statewide plan adopted pursuant to Section 12567.2.

12567.2. (a) The state board shall adopt a statewide plan to ensure that at least 50 percent of the wastewater annually discharged directly into the ocean, as of the year 2009, is recycled and put to beneficial use by the year 2030.

(b) The state board shall adopt measures that are necessary to implement the plan.

CHAPTER 2. FINANCING

12568. (a) The state board shall impose an annual fee on discharges of wastewater into the ocean, subject to the following requirements:

(1) The fee shall be imposed on each person that discharges wastewater directly into the ocean, as determined by the state board.

(2) The fee shall be in addition to any fees imposed pursuant to Section 13260.

(3) The fee shall be in an amount that is necessary to reimburse the state board's costs of developing the plan and any measures implementing the plan pursuant to Section 12567.2.

(4) The state board shall adopt a fee schedule and a timetable for purposes of collecting the fee.

1 (5) The fee shall be collected in the same manner as set forth
2 in Section 13260.

3 (b) The state board shall adopt regulations to implement the fee
4 collection procedures in this section.

5 12568.2. Each person that is subject to the fee shall pay an
6 annual fee to the state board in accordance with Section 12568.

7 12568.4. (a) All fees collected pursuant to this chapter shall
8 be deposited in the Ocean Discharge Recycling Fund, which is
9 hereby established in the State Treasury.

10 (b) The moneys in the fund shall be available for expenditure
11 by the state board, upon appropriation by the Legislature, for the
12 purposes of carrying out this part.