

**Introduced by Senator Simitian**

February 19, 2010

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An act to amend Section 116762.60 of the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1450, as introduced, Simitian. Federal capitalization grant funds. Existing law requires the State Department of Public Health, contingent upon specified federal funding, to develop and implement a program to protect sources of drinking water, as specified. Existing law requires the department to submit a report to the Legislature every 2 years on its activities pursuant to the program.

This bill would require the required report to be submitted annually.

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

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

1 SECTION 1. Section 116762.60 of the Health and Safety Code  
2 is amended to read:  
3 116762.60. (a) The department shall, contingent upon receiving  
4 federal capitalization grant funds, develop and implement a  
5 program to protect sources of drinking water. In carrying out this  
6 program, the department shall coordinate with local, state, and  
7 federal agencies that have public health and environmental  
8 management programs to ensure an effective implementation of  
9 the program while avoiding duplication of effort and reducing  
10 program costs. The program shall include the following:

1 (1) A source water assessment program to delineate and assess  
2 the drinking water supplies of public drinking water systems  
3 pursuant to Section 1453 of the federal act.

4 (2) A wellhead protection program to protect drinking water  
5 wells from contamination pursuant to Section 1428 of the federal  
6 act.

7 (3) Pursuant to Section 1452(k) of the federal act, the department  
8 shall set aside federal capitalization grant funds sufficient to carry  
9 out paragraphs (1) and (2) of subdivision (a).

10 (b) The department shall set aside federal capitalization grant  
11 funds to provide assistance to water systems pursuant to Section  
12 1452(k) of the federal act for the following source water protection  
13 activities, to the extent that those activities are proposed:

14 (1) To acquire land or a conservation easement if the purpose  
15 of the acquisition is to protect the source water of the system from  
16 contamination and to ensure compliance with primary drinking  
17 water regulations.

18 (2) To implement local, voluntary source water protection  
19 measures to protect source water in areas delineated pursuant to  
20 Section 1453 of the federal act, in order to facilitate compliance  
21 with primary drinking water regulations applicable to the water  
22 system under Section 1412 of the federal act or otherwise  
23 significantly further the health protection objectives of the federal  
24 and state acts.

25 (3) To carry out a voluntary, incentive-based source water  
26 quality protection partnership pursuant to Section 1454 of the  
27 federal act.

28 (c) The department shall conduct duly noticed public hearings,  
29 public workshops, focus groups, or meetings around the state to  
30 encourage the involvement and active input of public and affected  
31 parties in the development and periodic updating of the source  
32 water protection program adopted pursuant to this article. The  
33 notices shall contain basic information about the program in an  
34 understandable format and shall notify widely representative  
35 groups, including, but not limited to, federal, state, and local  
36 governmental agencies, water utilities, public interest,  
37 environmental, and consumer groups, public health groups, land  
38 conservation groups, health care providers, groups representing  
39 vulnerable populations, groups representing business and  
40 agricultural interests, and members of the general public. In

1 addition, the department shall convene a technical advisory  
2 committee and a citizens' advisory committee made up of those  
3 representative groups to provide advice and direction on program  
4 development and implementation.

5 (d) The department shall submit a report to the Legislature every  
6 ~~two years~~ year on its activities under this section. The report shall  
7 contain a description of each program for which funds have been  
8 set aside under this section, the effectiveness of each program in  
9 carrying out the intent of the federal and state acts, and an  
10 accounting of the amount of set aside funds used.

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