

ASSEMBLY BILL

No. 134

Introduced by Assembly Member Dickinson
(Principal coauthor: Senator Steinberg)

January 12, 2011

An act to add Section 1486 to the Water Code, relating to water resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 134, as introduced, Dickinson. Appropriation of water: Sacramento Regional County Sanitation District.

Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the state board grants permits and licenses to appropriate water.

Existing law requires the owner of a wastewater treatment plant to obtain the approval of the state board prior to making any changes in the point of discharge, place of use, or purpose of use of treated wastewater, and requires the state board to review the proposed changes in accordance with prescribed procedures.

This bill would authorize the Sacramento Regional County Sanitation District to file an application for a permit to appropriate a specified amount of water that is based on the volume of treated wastewater that the district discharges into the Sacramento River and recovers for reuse. The bill would require the state board to grant a permit to appropriate that treated wastewater upon terms and conditions determined by the state board. The bill would exempt from the above-described approval and review requirements, the appropriation of water, and any change in the point of discharge, place of use, or purpose of use of treated

wastewater, in accordance with a permit granted pursuant to the bill's provisions.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Sacramento Regional County Sanitation District.

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. The Legislature finds and declares all of the
2 following:

3 (a) The conservation of all available water resources requires
4 the maximum reuse of recycled water in satisfying the requirements
5 for beneficial uses of water.

6 (b) Encouraging water conservation and water recycling are
7 commonsense methods to make more efficient use of existing
8 water supplies.

9 (c) The people of the State of California have a primary interest
10 in the development of facilities to recycle wastewater to supplement
11 existing surface water and groundwater supplies and to assist in
12 meeting the future water requirements of the state.

13 (d) Providing a more reliable water supply for the state includes
14 the implementation of wastewater reclamation projects.

15 (e) The Legislature has established statewide goals to recycle
16 a total of seven hundred thousand acre-feet of water per year by
17 the year 2000 and one million acre-feet of water per year by the
18 year 2010.

19 (f) It is the intent of the Legislature that the state expeditiously
20 undertake all possible steps to continue to encourage the
21 development of water recycling facilities so that recycled water
22 may be made available to meet the growing water requirements
23 of the state.

24 (g) It is the policy of the state that each region that depends on
25 water from the Sacramento-San Joaquin Delta watershed should
26 improve its regional self-reliance for water through investment in
27 water recycling, and local and regional water supply projects.

28 (h) It is in the best interest of the people of the State of
29 California, in enacting this act, to provide an additional means for
30 the Sacramento Regional County Sanitation District to realize the

1 benefit of its production and discharge of high-quality recycled
2 water, and to provide a potential revenue stream to offset the high
3 costs associated with upgrades to the sanitation district's
4 wastewater treatment plant, to meet new wastewater treatment
5 requirements under the national pollutant discharge elimination
6 system permit issued by the California Regional Water Quality
7 Control Board, Central Valley.

8 SEC. 2. Section 1486 is added to the Water Code, to read:

9 1486. (a) The Sacramento Regional County Sanitation District,
10 and any successor thereto, with respect to treated wastewater
11 produced by the sanitation district that meets the requirements of
12 the appropriate regional board, and that is discharged into the
13 Sacramento River, may file an application for a permit to
14 appropriate an amount of water that is equal to either of the
15 following:

16 (1) Up to the amount of treated wastewater that is discharged
17 into the Sacramento River, if the treated wastewater is delivered
18 directly for reuse prior to discharge.

19 (2) Up to the amount of treated wastewater that is discharged
20 into the Sacramento River, less diminution by seepage, evaporation,
21 transportation, or other natural causes between the point of
22 discharge from the wastewater treatment plant and the point of
23 recovery for reuse.

24 (b) Upon application for a permit to appropriate water pursuant
25 to subdivision (a), the board shall grant the permit subject to the
26 terms and conditions as in the board's judgment are necessary for
27 the protection of the rights of others.

28 (c) The appropriation of water, or any change in the point of
29 discharge, place of use, or purpose of use of treated wastewater,
30 in accordance with this section, shall not be subject to Section
31 1211.

32 (d) Water appropriated in accordance with this section may be
33 sold or utilized for any beneficial purpose.

34 (e) The right to the use of water granted by this section shall
35 not include water flowing in underground streams.

36 SEC. 3. The Legislature finds and declares that a special law
37 is necessary and that a general law cannot be made applicable
38 within the meaning of Section 16 of Article IV of the California
39 Constitution because of the unique problems applicable to the full
40 utilization of the waters of the Sacramento River and the

- 1 Sacramento-San Joaquin Delta, into which treated wastewater
- 2 discharged by the Sacramento Regional County Sanitation District
- 3 flows.

O