

AMENDED IN ASSEMBLY MARCH 23, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 134

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

January 12, 2011

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

LEGISLATIVE COUNSEL'S DIGEST

AB 134, as amended, 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, *as specified*. The bill would ~~require~~ *authorize* 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 (e)
10 (a) The people of the State of California have a primary interest
11 in the development of facilities to ~~recycle wastewater~~ *produce*
12 *recycled water* to supplement existing surface water and
13 groundwater supplies and to assist in meeting the future water
14 requirements of the state.

15 ~~(d) Providing a more reliable water supply for the state includes~~
16 ~~the implementation of wastewater reclamation projects.~~

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

21 (f)
22 (b) It is the intent of the Legislature that the state expeditiously
23 undertake all possible steps ~~to continue~~ to encourage the
24 development of water recycling facilities so that recycled water
25 may be made available to meet the growing water ~~requirements~~
26 *supply needs* of the state.

27 ~~(g) It is the policy of the state that each region that depends on~~
28 ~~water from the Sacramento-San Joaquin Delta watershed should~~

1 ~~improve its regional self-reliance for water through investment in~~
2 ~~water recycling, and local and regional water supply projects.~~

3 ~~(h)~~

4 (c) It is in the best interest of the people of the State of
5 California, in enacting this act, to provide an additional means for
6 the Sacramento Regional County Sanitation District to realize the
7 benefit of its production and discharge of high-quality recycled
8 water, and to provide a potential revenue stream to offset the high
9 costs associated with upgrades to the sanitation district's
10 wastewater treatment plant, to meet new wastewater treatment
11 requirements under the national pollutant discharge elimination
12 system permit issued by the California Regional Water Quality
13 Control Board, Central Valley.

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

15 1486. (a) The Sacramento Regional County Sanitation District,
16 and any successor thereto, with respect to treated wastewater
17 produced by the sanitation district that meets the requirements of
18 ~~the appropriate regional board~~ *California Regional Water Quality*
19 *Control Board, Central Valley*, and that is discharged into the
20 Sacramento River, may file an application for a permit to
21 ~~appropriate an amount of water that is equal to either of the~~
22 ~~following:~~

23 ~~(1) Up to the amount of treated wastewater that is discharged~~
24 ~~into the Sacramento River, if the treated wastewater is delivered~~
25 ~~directly for reuse prior to discharge.~~

26 ~~(2) Up appropriate up~~ to the amount of treated wastewater that
27 is discharged into the Sacramento River, less diminution by
28 seepage, evaporation, transportation, or other natural causes
29 between the point of discharge from the wastewater treatment plant
30 and the point of ~~recovery for reuse~~ *diversion out of the Sacramento*
31 *River or the Sacramento-San Joaquin Delta.*

32 (b) Upon application for a permit to appropriate water pursuant
33 to subdivision (a), the board ~~shall~~ *may* grant the permit subject to
34 the terms and conditions as in the board's judgment are necessary
35 for the protection of the rights of ~~others~~ *any legal user of the water.*

36 ~~(e) The appropriation of water, or any change in the point of~~
37 ~~discharge, place of use, or purpose of use of treated wastewater,~~
38 ~~in accordance with this section, shall not be subject to Section~~
39 ~~1211.~~

40 ~~(d)~~

1 (c) Water appropriated in accordance with this section may be
2 sold or utilized for any beneficial purpose.

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

5 SEC. 3. The Legislature finds and declares that a special law
6 is necessary and that a general law cannot be made applicable
7 within the meaning of Section 16 of Article IV of the California
8 Constitution because of the unique problems applicable to the full
9 utilization of the waters of the Sacramento River and the
10 Sacramento-San Joaquin Delta, into which treated wastewater
11 discharged by the Sacramento Regional County Sanitation District
12 flows.

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14 _____

15 CORRECTIONS:

16 Text—Page 3.
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