

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1058

Introduced by Assembly Member Smyth

February 18, 2011

An act to ~~amend Section 13971 of~~ *add Section 13149* to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1058, as amended, Smyth. ~~Clean Water Bond Law of 1970. Water quality: salinity: agricultural use.~~

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control, and requires the regional boards to adopt regional water quality control plans in compliance with the state policies.

This bill would require the state board, on or before July 1, 2013, to adopt a statewide policy establishing a statewide water quality objective and plan of implementation for chloride and other measures of salinity that may affect the suitability of water used for agricultural purposes, in accordance with prescribed requirements.

~~Existing law, the Clean Water Bond Law of 1970, a bond act approved by the voters at the November 3, 1970, statewide general election, authorizes the issuance of bonds in the amount of \$250,000,000, to be used for grants and contracts for specified plans, surveys, research, development, and studies, and water quality projects. The bond act includes legislative findings and declarations relative to water quality.~~

~~This bill would make technical, nonsubstantive changes to those legislative findings and declarations.~~

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

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

- 1 SECTION 1. Section 13149 is added to the Water Code, to
- 2 read:
- 3 13149. (a) On or before July 1, 2013, the state board, in
- 4 cooperation with the regional boards and other interested parties,
- 5 shall adopt a statewide policy establishing a statewide water
- 6 quality objective and plan of implementation for levels of chloride
- 7 and, to the extent that inconsistencies exist among regional water
- 8 quality control plans, other measures of salinity that may affect
- 9 the suitability of water used for agricultural purposes. The
- 10 statewide water quality objective and plan of implementation shall
- 11 apply to water bodies identified as suitable for present or probable
- 12 future direct or indirect use for irrigation of agricultural crops.
- 13 (b) In developing the statewide water quality objective for
- 14 chloride and other measures of salinity, the state board shall do
- 15 all of the following:
- 16 (1) Identify the water bodies to which the water quality objective
- 17 will apply.
- 18 (2) Identify the source of chloride and chloride levels in the
- 19 water supply for communities within the watersheds of the water
- 20 bodies identified pursuant to paragraph (1).
- 21 (3) Identify irrigation and cultivation practices that are available
- 22 to mitigate chloride levels in water used to irrigate agricultural
- 23 crops, and factor those practices into the level at which the water
- 24 quality objective is set.
- 25 (4) Identify plans to develop and use recycled water within the
- 26 watersheds of the water bodies identified pursuant to paragraph
- 27 (1), and set the water quality objective at a level that does not
- 28 impede the expansion of recycled water use within those
- 29 watersheds.
- 30 (5) Identify water bodies in which the water quality objective
- 31 is not currently being attained.

1 (c) *The statewide policy adopted pursuant to this section shall*
2 *be consistent with the federal Clean Water Act (33 U.S.C. Sec.*
3 *1251 et seq.).*

4 SECTION 1. ~~Section 13971 of the Water Code is amended to~~
5 ~~read:~~

6 ~~13971. The Legislature hereby finds and declares all of the~~
7 ~~following:~~

8 (a) ~~Clean water, which fosters the health of the people, the~~
9 ~~beauty of their environment, the expansion of industry and~~
10 ~~agriculture, the enhancement of fish and wildlife, the improvement~~
11 ~~of recreational facilities, and the provision of pure drinking water~~
12 ~~at a reasonable cost, is an essential public need.~~

13 (b) ~~Although the State of California is endowed with abundant~~
14 ~~lakes and ponds, streams and rivers, and hundreds of miles of~~
15 ~~shoreline, as well as large quantities of underground water, these~~
16 ~~vast water resources are threatened by pollution, which, if not~~
17 ~~checked, will impede the state's economic, community, and social~~
18 ~~growth.~~

19 (c) ~~The chief cause of pollution is the discharge of inadequately~~
20 ~~treated waste into the waters of the state. Many public agencies~~
21 ~~have not met the demands for adequate waste treatment or the~~
22 ~~control of water pollution because of inadequate financial resources~~
23 ~~and other responsibilities.~~

24 (d) ~~Increasing population accompanied by accelerating~~
25 ~~urbanization, growing demands for water of high quality, rising~~
26 ~~costs of construction, and technological changes mean that, unless~~
27 ~~the state acts now, the needs may soar beyond the means available~~
28 ~~for public finance. Meeting these needs is a proper purpose of the~~
29 ~~federal, state and local governments.~~

30 (e) ~~Local agencies, by reason of their closeness to the problem,~~
31 ~~should continue to have primary responsibility for construction,~~
32 ~~operation, and maintenance of the facilities necessary to cleanse~~
33 ~~our waters.~~

34 (f) ~~Since water pollution knows no political boundaries and~~
35 ~~since the cost of eliminating the existing backlog of needed~~
36 ~~facilities and of providing additional facilities for future needs will~~
37 ~~be beyond the ability of local agencies to pay, the state, to meet~~
38 ~~its responsibility to protect and promote the health, safety, and~~
39 ~~welfare of the inhabitants of the state, should assist in the financing.~~
40 ~~The federal government is contributing to the cost of control of~~

1 ~~water pollution, and just provision should be made to cooperate~~
2 ~~with the United States of America.~~
3 ~~(g) It is the intent of this chapter to provide necessary funds to~~
4 ~~ensure the full participation by the state under Section 8 of the~~
5 ~~Federal Water Pollution Control Act (33 U.S.C. 466 et (1970))~~
6 ~~and acts amendatory thereof or supplementary thereto.~~