

**ASSEMBLY BILL**

**No. 2311**

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**Introduced by Assembly Member Atkins**

February 24, 2012

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An act to amend Section 10562 of the Water Code, relating to stormwater.

LEGISLATIVE COUNSEL'S DIGEST

AB 2311, as introduced, Atkins. Stormwater Resource Planning Act.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater in accordance with the national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act. Existing law, the Stormwater Resource Planning Act, authorizes a city, county, or special district to develop, jointly or individually, a stormwater resource plan that meets certain standards.

This bill would make technical, nonsubstantive changes in these provisions.

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

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

- 1 SECTION 1. Section 10562 of the Water Code is amended to
- 2 read:
- 3 10562. (a) A city, county, or special district, either individually
- 4 or jointly, may develop a stormwater resource plan pursuant to
- 5 this part.

- 1 (b) ~~Stormwater~~ *A stormwater resource plan* shall:
- 2 (1) Be developed on a watershed basis.
- 3 (2) Provide for multiple benefit project design to maximize
- 4 water supply, water quality, and environmental and other
- 5 community benefits.
- 6 (3) Provide for community participation in plan development
- 7 and implementation.
- 8 (4) Be consistent with, and assist in, compliance with total
- 9 maximum daily load (TMDL) implementation plans and applicable
- 10 national pollutant discharge elimination system (NPDES) permits.
- 11 (5) Be consistent with all applicable waste discharge permits.
- 12 (6) Be consistent with any applicable integrated regional water
- 13 management plan.
- 14 (c) The proposed or adopted plan shall meet the standards
- 15 outlined in this section. The plan need not be referred to as a
- 16 “stormwater resource plan.” Existing planning documents may be
- 17 utilized as a functionally equivalent plan, including, but not limited
- 18 to, watershed management plans, integrated resource plans, urban
- 19 water management plans, or similar plans. If a planning document
- 20 does not meet the standards of this section, a collection of local
- 21 and regional plans may constitute a functional equivalent.
- 22 (d) ~~Stormwater~~ *A stormwater resource plan* shall identify
- 23 all of the following:
- 24 (1) Opportunities to augment local water supply through
- 25 groundwater recharge or storage for beneficial reuse of stormwater.
- 26 (2) Opportunities for source control for both pollution and
- 27 stormwater runoff volume, onsite and local infiltration, and reuse
- 28 of stormwater.
- 29 (3) Projects to reestablish natural water drainage treatment and
- 30 infiltration systems, or mimic natural system functions to the
- 31 maximum extent feasible.
- 32 (4) Opportunities to develop or enhance habitat and open space
- 33 through stormwater management, including wetlands, riverside
- 34 habitats, parkways, and parks.
- 35 (5) Design criteria and best management practices to prevent
- 36 stormwater pollution and increase effective stormwater
- 37 management for new and upgraded infrastructure and residential,
- 38 commercial, industrial, and public development. These design
- 39 criteria and best management practices shall accomplish all of the
- 40 following:

1 (A) Reduce effective impermeability within a watershed by  
2 creating permeable surfaces and directing stormwater to permeable  
3 surfaces, retention basins, cisterns, and other storage for beneficial  
4 reuse.

5 (B) Increase water storage for beneficial use through a variety  
6 of on-site storage techniques.

7 (C) Increase groundwater supplies through infiltration, where  
8 appropriate and feasible.

9 (D) Support low-impact development for new and upgraded  
10 infrastructure and development using low-impact techniques.

11 (6) Activities that generate or contribute to the pollution of  
12 stormwater, or that impair the effective beneficial use of  
13 stormwater.

14 (7) Projects and programs to ensure the effective implementation  
15 of the stormwater resource plan pursuant to this part and achieve  
16 multiple benefits.

17 (8) Ordinances or other mechanisms necessary to ensure the  
18 effective implementation of the stormwater resource plan pursuant  
19 to this part.