

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 607

Introduced by Senator Walters
(Coauthor: Assembly Member Harkey)

February 17, 2011

An act to ~~add and repeal Section 189 of~~ *add Section 13148.5 to the Water Code, relating to water.*

LEGISLATIVE COUNSEL'S DIGEST

SB 607, as amended, Walters. State Water Resources Control Board: ~~report: water quality: brackish groundwater sources: treatment.~~

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 December 1, 2012, to adopt a statewide policy establishing water quality standards applicable to the discharge of wastewater resulting from the treatment of brackish groundwater for potable use. The bill would require the state board, in establishing those standards, to comply with various requirements related to brackish groundwater treatment, including a requirement to establish waste discharge permit requirements applicable to brackish groundwater treatment projects, as specified.

~~Existing law requires the State Water Resources Control Board to perform various functions relating to water quality in the state. Under existing law, the board is required to create an interagency task force~~

~~to, among other things, identify actions necessary to establish a groundwater quality monitoring program and measures to increase coordination among agencies that collect information regarding groundwater contamination.~~

~~This bill would require the board, on or before July 1, 2012, after consultation and collaboration with the Department of Water Resources, to submit a report to the Legislature on impediments to the development of potable water from local brackish groundwater sources. The bill would repeal the reporting requirement on January 1, 2016, pursuant to a specified provision of existing law.~~

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 13148.5 is added to the Water Code, to
2 read:
3 13148.5. (a) On or before December 1, 2012, the state board,
4 after consultation and collaboration with the department, shall
5 adopt a statewide policy establishing statewide water quality
6 standards applicable to the discharge of wastewater resulting from
7 the treatment of brackish groundwater for potable use. In
8 establishing those standards, the state board shall do all of the
9 following:
10 (1) Consider statewide goals of improving water supplies from
11 local sources.
12 (2) Eliminate impediments to ocean disposal of brine discharges
13 from brackish groundwater treatment systems.
14 (3) Establish waste discharge permit requirements applicable
15 to brackish groundwater treatment projects that recognize
16 site-specific conditions and unique project needs to minimize
17 unduly burdensome costs of the development and use of local water
18 sources.
19 (4) Require that the regional boards act consistently in
20 establishing the technical basis for, and the water quality benefit
21 to be achieved from, water quality requirements applicable to
22 brackish groundwater treatment systems, and to establish that
23 there is a direct connection between the requirement and the
24 benefit.

1 (5) *Establish a procedure to allow operators of brackish*
2 *groundwater treatment facilities to appeal a waste discharge permit*
3 *determination that is inconsistent with statewide water quality*
4 *standards adopted pursuant to this section, to the state board*
5 *within one year after the appeal is filed.*

6 (b) *The policy and standards established pursuant to this section*
7 *shall be consistent with the federal Clean Water Act (33 U.S.C.*
8 *Sec. 1251 et seq.).*

9 SECTION 1. ~~Section 189 is added to the Water Code, to read:~~

10 189. ~~(a) On or before July 1, 2012, the board, after consultation~~
11 ~~and collaboration with the department, shall submit a report to the~~
12 ~~Legislature on impediments to the development of potable water~~
13 ~~from local brackish groundwater sources, including existing trends~~
14 ~~that restrict the ocean disposal of brine from water treatment~~
15 ~~systems. The report shall include both of the following:~~

16 (1) ~~A proposal of effective means to eliminate impediments to~~
17 ~~the use of local water from brackish groundwater sources by~~
18 ~~January 1, 2013, including guidance as to overcoming impediments~~
19 ~~to ocean disposal of brine from brackish groundwater treatment~~
20 ~~systems.~~

21 (2) ~~Recommended solutions that recognize site-specific~~
22 ~~conditions and unique project needs that burden the costs of~~
23 ~~development and the use of local sources of water.~~

24 (b) ~~In developing the report pursuant to subdivision (a), the~~
25 ~~board shall consider state policies, as set forth in statutes and~~
26 ~~regulatory policy statements, supporting the development of local~~
27 ~~water supplies throughout the state.~~

28 (e) (1) ~~A report to be submitted pursuant to subdivision (a)~~
29 ~~shall be submitted in compliance with Section 9795 of the~~
30 ~~Government Code.~~

31 (2) ~~Pursuant to Section 10231.5 of the Government Code, this~~
32 ~~section is repealed on January 1, 2016.~~