

ASSEMBLY BILL

No. 2409

Introduced by Assembly Member Wagner

February 19, 2016

An act to add Section 13170.6 to the Water Code, relating to the State Water Resources Control Board.

LEGISLATIVE COUNSEL'S DIGEST

AB 2409, as introduced, Wagner. Water quality standards: trash: single-use carryout bags.

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are the principal state agencies with regulatory authority over water quality. Under the Federal Water Pollution Control Act, each state is required to identify those waters for which prescribed effluent limitations are not stringent enough to implement applicable water quality standards and to establish, with regard to those waters, total maximum daily loads, subject to the approval of the United States Environmental Protection Agency, for certain pollutants at a level necessary to implement those water quality standards.

Existing law, inoperative due to a pending referendum election, would prohibit certain stores from providing a single-use carryout bag to a customer and prohibit those stores from selling or distributing a recycled paper bag to a customer at the point of sale unless the store makes that bag available for purchase, as specified.

This bill would suspend the operation of certain amendments to water quality control plans relating to the total maximum daily load for trash unless the provisions inoperative due to a pending referendum election become effective. This bill would require the state board to revisit and

revise water quality control plans to address impaired water quality due to trash if the law pending referendum is defeated at the November 8, 2016, statewide general election.

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 13170.6 is added to the Water Code, to
2 read:
3 13170.6. (a) The amendments to the Water Quality Control
4 Plan for the Ocean Waters of California to Control Trash and Part
5 1 Trash Provisions of the Water Quality Control Plan for Inland
6 Surface Waters, Enclosed Bays, and Estuaries of California,
7 adopted by the state board on April 7, 2014, are inoperative unless
8 Chapter 850 of the Statutes of 2014 becomes effective.
9 (b) If Chapter 850 of the Statutes of 2014 is defeated at the
10 November 8, 2016, statewide general election, the state board shall
11 revisit and revise water quality control plans to address impaired
12 water quality due to trash.