

AMENDED IN SENATE AUGUST 1, 2016  
AMENDED IN ASSEMBLY MAY 19, 2016  
AMENDED IN ASSEMBLY MARCH 17, 2016  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2594**

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**Introduced by Assembly Member Gordon**  
*(Coauthor: Senator Pavley)*

February 19, 2016

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An act to add Section 10561.7 to the Water Code, relating to stormwater.

LEGISLATIVE COUNSEL'S DIGEST

AB 2594, as amended, Gordon. Stormwater resources: use of captured water.

Existing law, the Stormwater Resource Planning Act, authorizes one or more public agencies to develop a stormwater resource plan that meets specified standards to address the capture of stormwater, as defined, and dry weather runoff, as defined.

This bill would authorize a public entity that captures stormwater, in accordance with a stormwater resource ~~plan and consistent with a municipal separate storm sewer system permit,~~ *plan*, before the water reaches a natural channel to use the captured ~~water.~~ *water under certain circumstances.*

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 10561.7 is added to the Water Code, to  
2 read:

3 10561.7. (a) A public entity that captures stormwater, in  
4 accordance with a stormwater resource ~~plan and consistent with~~  
5 ~~a municipal separate storm sewer system permit, plan,~~ before the  
6 water reaches a natural ~~channel, as that term is used in Section~~  
7 ~~1201, channel~~ shall be entitled to use the captured ~~water.~~ *water to*  
8 *the extent that the water augments water supplies supporting*  
9 *existing water rights.*

10 (b) *Nothing in this section shall be construed to do any of the*  
11 *following:*

12 (1) *Alter or impair any existing rights.*

13 (2) *Change existing water rights.*

14 (3) *Interfere with, amend, or supersede any existing water rights*  
15 *adjudication or other legally mandated water management plan.*

16 (4) *Create a groundwater pumping right where a pumping right*  
17 *does not already exist.*