

AMENDED IN ASSEMBLY MAY 26, 2000

AMENDED IN ASSEMBLY MAY 3, 2000

AMENDED IN ASSEMBLY APRIL 4, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1835

Introduced by Assembly Members Baugh and Bates
(Principal coauthor: Senator Johnson)

February 3, 2000

An act to add Sections 13179 and 13180 to the Water Code, relating to water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1835, as amended, Baugh. Storm water discharges.

Under existing law, storm water discharges are regulated by the State Water Resources Control Board as pointsource discharges in accordance with the national pollutant discharge elimination system permit program.

This bill would require the state board to provide grants to public local agencies to pay for capital costs and specified other costs associated with diverting dry weather flows from storm water discharges to sewage treatment facilities that would otherwise be discharged to a public beach that meets prescribed requirements, and specify the priority for awarding the grants. The bill would require a public local agency, in connection with the preparation of a grant application, to consult with the sewage treatment facility that will receive the diverted flows. The bill would require a public

local agency to apply for funds pursuant to a specified law prior to applying for funds made available under the bill's provisions, as prescribed. The bill would require the state board, in consultation with the California Storm Water Quality Task Force, to adopt regulations to carry out the grant program not later than July 1, 2001.

The bill would require the state board, in consultation with that task force, to complete a study not later than January 1, 2003, for the purpose of identifying measures that will reduce or eliminate violations of minimum sanitation standards applicable to public beaches, as prescribed.

The bill would appropriate ~~an unspecified amount of money~~ \$2,000,000 from the General Fund to the state board to carry out the grant program.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 13179 is added to the Water
2 Code, to read:

3 13179. (a) The state board shall carry out a grant
4 program pursuant to which it shall provide grants to
5 public local agencies to pay for capital costs associated
6 with diverting dry weather flows from storm water
7 discharges to sewage treatment facilities that would
8 otherwise be discharged to a public beach, as defined in
9 subdivision (g) of Section 115880 of the Health and Safety
10 Code, if that beach is visited by more than 50,000 people
11 annually and is located in an area that is adjacent to a
12 storm drain that flows in the summer. Those costs shall
13 include, but not be limited to, all of the following costs:

14 (1) Design, engineering, and feasibility studies
15 associated with the construction of a storm water
16 discharge system that is determined by the state board to
17 be cost effective, and sufficiently secure to prevent a
18 sewage overflow into that system during wet weather
19 flows.



1 (2) Costs associated with connection charges for the
2 purposes of diverting storm water discharges to a sewage
3 treatment facility.

4 (3) Capital costs for the construction of the diversion
5 systems.

6 (4) Capital costs for the expansion of sewage
7 treatment plants to accommodate increased flows during
8 dry weather.

9 (5) (A) Capital costs associated with other measures
10 determined by the state board to be equally effective and
11 cost effective with regard to reducing or eliminating
12 violations of the minimum sanitation standards
13 applicable to public beaches established by the State
14 Department of Health Services pursuant to subdivision
15 (a) of Section 115880 of the Health and Safety Code.

16 (B) For the purposes of this paragraph, “other
17 measures” includes, but is not limited to, the disinfection
18 of storm water systems, source reduction programs, the
19 creation of marshes or wetlands for the purposes of
20 filtration, and reducing infiltration and inflow into storm
21 water collection systems.

22 (b) A public local agency, in connection with the
23 preparation of an application for a grant pursuant to this
24 section, shall consult with the sewage treatment facility
25 that will receive the diverted flows.

26 (c) For the purposes of carrying out this section, the
27 state board shall evaluate grant applications for
28 feasibility, effectiveness, and cost effectiveness. Priority
29 for awarding the grants shall be based on data received
30 by the state board pursuant to subdivision (a) of Section
31 115910 of the Health and Safety Code. Priority shall be
32 given to applications that address those storm water
33 discharges that most frequently violate the minimum
34 standards established pursuant to subdivision (a) of
35 Section 115880 of the Health and Safety Code.

36 (d) The state board, in consultation with the California
37 Storm Water Quality Task Force, shall adopt regulations
38 to carry out the grant program not later than July 1, 2001.

39 (e) The administrative costs incurred by the state
40 board in connection with carrying out this section shall



1 not exceed 5 percent of the total amount appropriated to
2 the board to carrying out the grant program.

3 (f) No public local agency may receive a grant under
4 this section unless that agency demonstrates to the state
5 board that the agency will provide 50 percent of the funds
6 required for the eligible project.

7 (g) To be eligible for funding for a diversion project
8 under this section, a public local agency shall first apply
9 for funds under the Costa-Machado Water Act of 2000
10 (Division 26 (commencing with Section 79000)). If the
11 public local agency is denied funding for a diversion
12 project under the Costa-Machado Water Act of 2000, the
13 public local agency may apply under this section for
14 funding. If the public local agency receives funds for a
15 diversion project under the Costa-Machado Water Act of
16 2000, but determines that that funding is insufficient to
17 carry out the diversion project, the public local agency
18 may apply under this section for additional funds.

19 SEC. 2. Section 13180 is added to the Water Code, to
20 read:

21 13180. (a) The state board, in consultation with the
22 California Storm Water Quality Task Force, shall
23 complete a study not later than January 1, 2003, for the
24 purpose of identifying effective and cost-effective
25 measures that will reduce or eliminate violations of the
26 minimum sanitation standards applicable to public
27 beaches established pursuant to subdivision (a) of Section
28 115880 of the Health and Safety Code.

29 (b) For the purpose of carrying out the study, the state
30 board shall consider, at a minimum, the effectiveness and
31 cost effectiveness of all of the following measures:

32 (1) The diversion of dry weather, urban runoff flows
33 from storm water drainage systems to sewage treatment
34 facilities.

35 (2) The disinfection of storm water systems.

36 (3) Source reduction programs.

37 (4) The creation of marshes or wetlands for the
38 purposes of filtration.

39 (5) The reduction of infiltration and inflows into storm
40 water collection systems.



1 (c) For the purposes of carrying out the study, the
2 state board shall also consider all of the following:

3 (1) Jurisdictional issues resulting from service delivery
4 by multiple jurisdictions.

5 (2) The environmental and permitting consequences
6 associated with the measures under consideration.

7 (3) The cost implications and the need to distribute
8 the costs equitably among users.

9 ~~SEC. 3. _____ dollars (\$_____)~~ is hereby

10 *SEC. 3. The sum of two million dollars (\$2,000,000) is*
11 *hereby* appropriated from the General Fund to the State
12 Water Resources Control Board to carry out Section 13179
13 of the Water Code.

