

AMENDED IN SENATE JUNE 29, 2004

AMENDED IN SENATE JUNE 16, 2004

AMENDED IN ASSEMBLY MAY 20, 2004

AMENDED IN ASSEMBLY APRIL 22, 2004

AMENDED IN ASSEMBLY MARCH 31, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2529

**Introduced by Assembly Member Kehoe
(Coauthor: Assembly Member Koretz)**

February 20, 2004

An act to amend Section 30906 of, and to add Chapter 3.5 (commencing with Section 30920) to Division 20.4 of, the Public Resources Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2529, as amended, Kehoe. Water quality: marine managed areas.

Existing law, the Marine Managed Areas Improvement Act, establishes a program pursuant to which various geographic areas are classified as marine managed areas for the purposes of regulating activities within, and otherwise protecting, those areas.

This bill would establish a program for marine managed areas pursuant to which the State Water Resources Control Board would award grants, upon the appropriation of funds for that purpose, to local public agencies and nonprofit organizations to restore and protect the

water quality and environment of marine managed areas. The bill would require the state board to appoint a marine managed areas water quality task force for the purpose of recommending projects to fund in connection with that program.

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 30906 of the Public Resources Code is
2 amended to read:

3 30906. It is the intent of the Legislature to invest in clean
4 water projects that will do all of the following:

5 (a) Assist small local communities in meeting water pollution
6 control requirements.

7 (b) Improve agricultural water quality and reduce pollutants in
8 agricultural drainage water.

9 (c) Implement urban stormwater treatment programs and
10 reduce nonpoint sources of pollution.

11 (d) Provide comprehensive capability to monitor and analyze
12 water quality in groundwater basins throughout the state.

13 (e) Improve water quality in coastal and marine waters,
14 particularly those waters that affect marine protected areas and
15 marine managed areas.

16 SEC. 2. Chapter 3.5 (commencing with Section 30920) is
17 added to Division 20.4 of the Public Resources Code, to read:

18

19 CHAPTER 3.5. MARINE MANAGED AREAS PROGRAM

20

21 30920. (a) The purpose of this chapter is to provide
22 authorization for projects that restore and protect the water quality
23 and environment of marine managed areas, as defined in
24 subdivision (d) of Section 36602, including areas of special
25 biological significance, as defined in the California Ocean Plan
26 adopted pursuant to Section 13170.2 of the Water Code.

27 (b) The board shall give priority to projects that treat or
28 otherwise remove existing waste discharges, or prevent probable
29 waste discharges, into areas of special biological significance.

30 30921. (a) Upon appropriation by the Legislature for that
31 purpose, funds may be expended by the board, in consultation with



1 the State Coastal Conservancy, the California Coastal
2 Commission, and, as appropriate, the Department of Fish and
3 Game, to award grants, not to exceed ~~_____ million dollars (\$_____)~~
4 *one million dollars (\$1,000,000)* per project, to local public
5 agencies and nonprofit organizations for the purposes of this
6 chapter.

7 (b) The projects funded to carry out this chapter shall
8 demonstrate the capability of contributing to sustained, long-term
9 water quality or environmental restoration or protection benefits
10 for a period of 20 years, address the causes of degradation rather
11 than the symptoms, and be consistent with water quality control
12 plans and resource protection plans prepared, implemented, or
13 adopted by the board, the applicable regional board, the
14 Department of Fish and Game, and the State Coastal Conservancy.

15 (c) An applicant for funds to carry out this chapter shall be
16 required to submit to the board a monitoring and reporting plan
17 that does all of the following:

18 (1) Identifies the sources of pollution to be prevented or
19 reduced by the project.

20 (2) Describes the baseline water quality or environmental
21 quality to be addressed.

22 (3) Describes the manner in which the project will be effective
23 in preventing or reducing pollution and in demonstrating the
24 desired environmental results.

25 (4) Describes the monitoring program, including, but not
26 limited to, the methodology, frequency, and duration of
27 monitoring.

28 (d) Upon completion of the project, a recipient of funds to carry
29 out this chapter shall submit a report to the board that summarizes
30 the completed activities and indicates whether the purposes of the
31 project have been met. The report shall include information
32 collected by the recipient in accordance with the project
33 monitoring and reporting plan, including a determination of the
34 effectiveness of the project in preventing or reducing pollution,
35 and the results of the monitoring program. The board shall make
36 the report available to the public, watershed groups, and federal,
37 state, and local agencies.

38 (e) The board may not award more than 25 percent of a grant
39 to carry out this chapter in advance of the expenditure of funds by
40 a grantee.



- 1 (f) An applicant for funds to carry out this chapter shall inform
2 the board of any necessary public agency approvals, entitlements,
3 and permits that may be necessary to implement the project. The
4 applicant shall certify to the board, at the appropriate time, that
5 those approvals, entitlements, and permits have been granted.
- 6 (g) Where recovery plans for coho salmon, steelhead trout, or
7 other threatened or endangered coastal and marine aquatic species
8 exist, projects funded to carry out this chapter shall be consistent
9 with those plans and, to the extent feasible, shall seek to implement
10 actions specified in those plans.
- 11 (h) The board, in consultation with the California Coastal
12 Commission, shall appoint a marine managed areas water quality
13 task force comprised of individuals representing the breadth and
14 diversity of coastal communities, interested nonprofit groups, and
15 marine resource users. All proposals for grant funding to carry out
16 this chapter shall be reviewed by the task force. The task force may
17 recommend projects to the board for funding consideration.
- 18 (i) The board shall provide opportunity for public review and
19 comment in awarding funds to carry out this chapter.

