

**Introduced by Senator Pavley**February 27, 2009

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An act to add Part 5.5 (commencing with Section 12567) to Division 6 of the Water Code, relating to water recycling.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 565, as introduced, Pavley. Water recycling.

Existing law establishes the State Water Resources Control Board (state board) and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality. Existing law requires specified persons who discharge waste, as defined, in a manner that could affect the quality of the waters of the state, to pay an annual fee to the state board according to a fee schedule established by the state board.

This bill would require the state board to develop a plan to ensure that at least 50% of wastewater that is annually discharged into the ocean, as of the year 2009, is recycled and put to beneficial use by the year 2030. The bill would prescribe various requirements with respect to that plan. The bill would require the state board to impose a fee on each person discharging wastewater into the ocean and would require that fee to be deposited into the Ocean Discharge Recycling Fund, which the bill would establish. The bill would authorize the state board to expend the moneys in that fund, upon appropriation by the Legislature, for the purposes of carrying out the wastewater recycling plan.

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. Part 5.5 (commencing with Section 12567) is  
2 added to Division 6 of the Water Code, to read:

3  
4 PART 5.5. OCEAN DISCHARGE RECYCLING PLAN

5  
6 CHAPTER 1. GENERAL PROVISIONS

7  
8 12567. For the purposes of this part, the following terms have  
9 the following meanings:

10 (a) "Fee" means the annual fee imposed pursuant to subdivision  
11 (a) of Section 12568.

12 (a) "Fund" means the Ocean Discharge Recycling Fund  
13 established pursuant to subdivision (a) of Section 12568.4.

14 (b) "Plan" means the statewide plan adopted pursuant to Section  
15 12567.2.

16 12567.2. (a) The state board shall adopt a statewide plan to  
17 ensure that at least 50 percent of the wastewater annually  
18 discharged directly into the ocean, as of the year 2009, is recycled  
19 and put to beneficial use by the year 2030.

20 (b) The state board shall adopt measures that are necessary to  
21 implement the plan.

22  
23 CHAPTER 2. FINANCING

24  
25 12568. (a) The state board shall impose an annual fee on  
26 discharges of wastewater into the ocean, subject to the following  
27 requirements:

28 (1) The fee shall be imposed on each person that discharges  
29 wastewater directly into the ocean, as determined by the state  
30 board.

31 (2) The fee shall be in addition to any fees imposed pursuant to  
32 Section 13260.

33 (3) The fee shall be in an amount that is necessary to reimburse  
34 the state board's costs of developing the plan and any measures  
35 implementing the plan pursuant to Section 12567.2.

36 (4) The state board shall adopt a fee schedule and a timetable  
37 for purposes of collecting the fee.

- 1 (5) The fee shall be collected in the same manner as set forth  
2 in Section 13260.
- 3 (b) The state board shall adopt regulations to implement the fee  
4 collection procedures in this section.
- 5 12568.2. Each person that is subject to the fee shall pay an  
6 annual fee to the state board in accordance with Section 12568.
- 7 12568.4. (a) All fees collected pursuant to this chapter shall  
8 be deposited in the Ocean Discharge Recycling Fund, which is  
9 hereby established in the State Treasury.
- 10 (b) The moneys in the fund shall be available for expenditure  
11 by the state board, upon appropriation by the Legislature, for the  
12 purposes of carrying out this part.