

AMENDED IN SENATE APRIL 9, 2007

SENATE BILL

No. 455

Introduced by Senator Denham
(Principal coauthor: Assembly Member Caballero)

February 21, 2007

An act relating to water, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 455, as amended, Denham. ~~City of Soledad: wastewater treatment plant.~~ *Water: Salinas Valley State Prison wastewater treatment plant.*

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements for publicly owned treatment works and other dischargers in accordance with the federal Clean Water Act and the Porter-Cologne Water Quality Control Act.

~~This bill would declare legislative intent to enact legislation to provide funds to enable the City of Soledad to continue to treat and dispose of wastewater that is generated by the Salinas Valley State Prison and the city.~~

Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the Director of General Services to sell, lease, convey, or exchange at fair market value specified real property at the Salinas Valley State Prison containing the prison's wastewater treatment facility to the City of Soledad upon those terms and conditions and subject to those reservations and exceptions as the Director of General Services determines are in the best interests of the state. The

bill would exempt the lease or transfer of the Soledad property from specified provisions of the California Environmental Quality Act.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: no.

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

1 *SECTION 1. The Legislature finds and declares the following:*

2 *(a) Due to documented hydrogeologic conditions, the City of*
3 *Soledad's existing wastewater treatment facilities as designed and*
4 *constructed are inadequate to continue to treat and dispose of, in*
5 *accordance with Regional Water Quality Control Board*
6 *requirements, the volume of wastewater now being generated by*
7 *the Salinas Valley State Prison and the City of Soledad.*

8 *(b) The expansion of the prison and growth within the city have*
9 *caused pending wastewater overflow that will have disastrous*
10 *effects on the prison and the city.*

11 *SEC. 2. It is the intent of the Legislature to authorize the sale*
12 *or transfer, as specified in Section 3 of this act, of the wastewater*
13 *treatment facilities located in the Salinas Valley State Prison, to*
14 *the City of Soledad.*

15 *SEC. 3. (a) Notwithstanding any other provision of law, the*
16 *Director of General Services may sell, lease, convey, or exchange*
17 *at fair market value to the City of Soledad, upon those terms and*
18 *conditions and subject to those reservations and exceptions as the*
19 *Director of General Services determines are in the best interests*
20 *of the state, all or any part of the following real property:*

21 *Approximately 33.5 acres of the facility known as the California*
22 *Department of Corrections and Rehabilitation Correctional*
23 *Training Facility, Soledad, Monterey County Assessor Parcel*
24 *Numbers 257-041-020 and 257-041-021.*

25 *(b) Notwithstanding any provision of law, the sale, lease, or*
26 *transfer of a parcel pursuant to subdivision (a) is exempt from*
27 *Chapter 3 (commencing with Section 21100) to Chapter 6*
28 *(commencing with Section 21165), inclusive, of Division 13 of the*
29 *Public Resources Code.*

30 *SEC. 4. This act is an urgency statute necessary for the*
31 *immediate preservation of the public peace, health, or safety within*

1 *the meaning of Article IV of the Constitution and shall go into*
2 *immediate effect. The facts constituting the necessity are:*

3 *In order to assure proper wastewater treatment and water quality*
4 *for treated wastewater from the City of Soledad and the Salinas*
5 *Valley State Prison, it is necessary for this act to take effect*
6 *immediately.*

7 ~~SECTION 1. It is the intent of the Legislature to enact~~
8 ~~legislation to provide adequate funds to address the waste discharge~~
9 ~~requirements that apply to the wastewater treatment plant operated~~
10 ~~by the City of Soledad. It is the intent of the Legislature to enact~~
11 ~~legislation to provide these funds to enable the city to continue to~~
12 ~~treat and dispose of the wastewater that is generated by the Salinas~~
13 ~~Valley State Prison and the city.~~