

AMENDED IN SENATE APRIL 27, 2011

AMENDED IN SENATE MARCH 24, 2011

**SENATE BILL**

**No. 607**

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**Introduced by Senator Walters**  
(Coauthor: Assembly Member Harkey)

February 17, 2011

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An act to add Section ~~13148.5~~ 13170.3 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 607, as amended, Walters. State Water Resources Control Board: water quality: brackish groundwater treatment.

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the 9 California regional water quality control boards are the principal state agencies with responsibility for the coordination and control of water quality in the state. The act requires the state board to formulate and adopt state policies for water quality control, ~~and requires the regional boards to adopt regional water quality control plans in compliance with the state policies. and to formulate and adopt, and review at least every 3 years, a water quality control plan for the ocean waters of the state known as the California Ocean Plan.~~

*This bill would require the state board, on or before January 1, 2013, to either amend the California Ocean Plan, or adopt separate standards, to address water quality objectives and effluent limitations that are specifically appropriate for brackish groundwater treatment system facilities that produce municipal water supplies for local use.*

~~This bill would require the state board, on or before December 1, 2012, to adopt a statewide policy establishing water quality standards~~

applicable to the discharge of wastewater resulting from the treatment of brackish groundwater for potable use. The bill would require the state board, in establishing those standards, to comply with various requirements related to brackish groundwater treatment, including a requirement to establish waste discharge permit requirements applicable to brackish groundwater treatment projects, as specified.

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 13170.3 is added to the Water Code, to  
2 read:

3 13170.3. On or before January 1, 2013, the state board shall  
4 either amend the California Ocean Plan, or adopt separate  
5 standards, to address water quality objectives and effluent  
6 limitations that are specifically appropriate to brackish  
7 groundwater treatment system facilities that produce municipal  
8 water supplies for local use.

9 SECTION 1. Section 13148.5 is added to the Water Code, to  
10 read:

11 13148.5. (a) On or before December 1, 2012, the state board,  
12 after consultation and collaboration with the department, shall  
13 adopt a statewide policy establishing statewide water quality  
14 standards applicable to the discharge of wastewater resulting from  
15 the treatment of brackish groundwater for potable use. In  
16 establishing those standards, the state board shall do all of the  
17 following:

18 (1) Consider statewide goals of improving water supplies from  
19 local sources.

20 (2) Eliminate impediments to ocean disposal of brine discharges  
21 from brackish groundwater treatment systems.

22 (3) Establish waste discharge permit requirements applicable  
23 to brackish groundwater treatment projects that recognize  
24 site-specific conditions and unique project needs to minimize  
25 unduly burdensome costs of the development and use of local  
26 water sources.

27 (4) Require that the regional boards act consistently in  
28 establishing the technical basis for, and the water quality benefit  
29 to be achieved from, water quality requirements applicable to

1 brackish groundwater treatment systems, and to establish that there  
2 is a direct connection between the requirement and the benefit.

3 ~~(5) Establish a procedure to allow operators of brackish~~  
4 ~~groundwater treatment facilities to appeal a waste discharge permit~~  
5 ~~determination that is inconsistent with statewide water quality~~  
6 ~~standards adopted pursuant to this section, to the state board within~~  
7 ~~one year after the appeal is filed.~~

8 ~~(b) The policy and standards established pursuant to this section~~  
9 ~~shall be consistent with the federal Clean Water Act (33 U.S.C.~~  
10 ~~Sec. 1251 et seq.).~~

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