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AB-2594 Stormwater resources: use of captured water. (2015-2016)

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Assembly Bill No. 2594

CHAPTER 526

An act to add Section 10561.7 to the Water Code, relating to stormwater.

[Approved by Governor September 23, 2016. Filed with Secretary of State September 23, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2594, Gordon. Stormwater resources: use of captured water.

Existing law, the Stormwater Resource Planning Act, authorizes one or more public agencies to develop a stormwater resource plan that meets specified standards to address the capture of stormwater, as defined, and dry weather runoff, as defined.

This bill would authorize a public entity that captures stormwater from urban areas, in accordance with a stormwater resource plan, before the water reaches a natural channel to use the captured water under certain circumstances.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 10561.7 is added to the Water Code, to read:

10561.7. (a) A public entity that captures stormwater from urban areas, in accordance with a stormwater resource plan, before the water reaches a natural channel shall be entitled to use the captured water to the extent that the water augments existing water supplies.

(b) Nothing in this section shall be construed to do any of the following:

- (1) Alter or impair any existing rights.
- (2) Change existing water rights law.
- (3) Interfere with, amend, or supersede any existing water rights adjudication or other legally mandated water management plan.
- (4) Create a groundwater pumping right where a pumping right does not already exist.