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AB-2501 Water quality control plans: donations and grants. (2023-2024)

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Assembly Bill No. 2501

CHAPTER 833

An act to amend Section 13249 of the Water Code, relating to water quality, and making an appropriation therefor.

[Approved by Governor September 28, 2024. Filed with Secretary of State September 28, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2501, Alvarez. Water quality control plans: donations and grants.

Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality. Existing law requires each regional board to formulate and adopt water quality control plans for all areas within the region, as provided. Existing law establishes in the continuously appropriated State Water Quality Control Fund the continuously appropriated State Water Pollution Cleanup and Abatement Account, which is administered by the state board.

Existing law authorizes the State Water Resources Control Board on behalf of itself or a regional board, to accept donations of moneys from a permittee for the purpose of updating a water quality control plan.

This bill would authorize the state board, on behalf of itself or a regional board, to accept moneys from donations, grants, or contributions, or through contractual agreements, from public agencies for the purpose of planning, permitting, or providing technical support for projects of public benefit, as defined, within the state board's or regional board's jurisdiction. The bill would require all funds received to be deposited, and separately accounted for, in the State Water Pollution Cleanup and Abatement Account, for expenditure in accordance with the terms of the donation, grant, contribution, or contractual agreement. The bill would require the state board to provide notice, as specified, before accepting those moneys. Because the funds deposited would be a new source of funds in the continuously appropriated State Water Pollution Cleanup and Abatement Account within the continuously appropriated State Water Quality Control Fund, the bill would make an appropriation.

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

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

SECTION 1. Section 13249 of the Water Code is amended to read:

13249. (a) The state board may, on behalf of itself or a regional board, accept donations of moneys from a permittee for the purpose of updating a water quality control plan as consistent with the designated use of the funds.

(b) The state board may, on behalf of itself or a regional board, accept moneys from donations, grants, or contributions, or through contractual agreements, from public agencies for the purpose of planning, permitting, or providing technical support for projects of public benefit within the state board's or regional board's jurisdiction.

(c) All funds received pursuant to this section shall be deposited, and separately accounted for, in the State Water Pollution Cleanup and Abatement Account, for expenditure in accordance with the terms of the donation, grant, contribution, or contractual agreement.

(d) For the purposes of this section, "projects of public benefit" include, but are not limited to, projects directly related to climate change adaptation, ecosystem protection and restoration, water recycling, stormwater capture, water conservation, emergency preparedness, flood management, ambient water quality monitoring, research, and environmental justice.

(e) Before accepting any moneys pursuant to this section, the state board shall provide notice of its intent to accept those moneys and provide a description of the associated public benefit of those moneys in accordance with the requirements governing the notice of a meeting, as set forth in subdivision (b) of Section 11125 of the Government Code.