

Assembly Bill No. 538

CHAPTER 488

An act to add Section 13178 to the Water Code, relating to water.

[Approved by Governor September 27, 1999. Filed
with Secretary of State September 27, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 538, Wayne. Public beaches: bacteriological standards.

Existing law sets forth duties and responsibilities of the State Water Resources Control Board.

This bill, in addition, would require the state board, on or before September 30, 2000, in conjunction with the State Department of Health Services and a panel of experts established by the state board, to develop source investigation protocols for use in conducting source investigations of storm drains that produce exceedences of specified bacteriological standards.

The bill also would require the state board, on or before March 31, 2001, in conjunction with the State Department of Health Services, to report to the Legislature on the methods by which it intends to conduct sources investigations of storm drains that produce exceedences of bacteriological standards established, as specified.

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

SECTION 1. Section 13178 is added to the Water Code, to read:

13178. (a) (1) On or before September 30, 2000, the state board, in conjunction with the State Department of Health Services and a panel of experts established by the state board, shall develop source investigation protocols for use in conducting source investigations of storm drains that produce exceedences of bacteriological standards established pursuant to subdivision (c) of Section 115880 of the Health and Safety Code. The protocols shall be based upon the experiences drawn from previous source investigations performed by the state board, regional boards, or other agencies, and other available data. The protocols shall include methods for identifying the location and biological origins of sources of bacteriological contamination, and, at a minimum, shall require source investigations if bacteriological standards are exceeded in any three weeks of a four-week period, or, for areas where testing is done more than once a week, 75 percent of testing days that produce an exceedence of those standards.

(2) The development of source investigation protocols pursuant to paragraph (1) is not subject to Chapter 3.5 (commencing with



Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) Notwithstanding Section 7550.5 of the Government Code, on or before March 31, 2001, the state board, in conjunction with the State Department of Health Services, shall report to the Legislature on the methods by which it intends to conduct source investigations of storm drains that produce exceedences of bacteriological standards established pursuant to subdivision (c) of Section 115880 of the Health and Safety Code. Factors to be addressed in the report shall include the approximate number of public beaches expected to be affected by the exceedence of bacteriological standards established pursuant to subdivision (c) of Section 115880 of the Health and Safety Code, as well as the costs expected for source investigation of the storm drains affecting those public beaches. The report shall include a timeline for completion of source investigations.

