

May 7, 2009

To: Members of the 20x2020 Agency Team on Water Conservation

I am a licensed general contractor in California and licensed to install sewage treatment facilities and I have carefully reviewed your draft 20x2020 Plan and find you have gone into great detail on the aspects of water conservation such as those items listed on page 20, as follows

- Efficient clothes washers
- Residential weather-based irrigation controllers
- Grant funding
- Accelerated coverage goals for some BMPs
- Aggressive reduction in non-revenue water beyond BMP 3
- Landscape practices
- New technologies
- Recycled water

While these items are recommended for the initial focus of state action and support based on potential water savings and feasibility of implementation, there is only a small paragraph on **recycling** on page 23 and one line on page 42. It appears that the committee has not given recycling the same emphasis as the State of California.

I am enclosing an article by Dr. Valerie Nelson, Director, Coalition for Alternative Wastewater Treatment, [The Bold Statement](#) which clearly points out the new paradigm for water conservation which she calls "decentralization." It would appear that water conservation as identified in your report relies upon the public commitment to conservation. Whereas, recycling, decentralization can be implemented with little effort by the public agencies and, obviously, would be a 100-fold greater water conservation measure and, no doubt, reach the objective of 20% in a very short period of time.

With the new technologies breakthrough for recycling water there are pre-engineered modular systems that have already been approved by the agencies to meet Title 22 **tertiary** recycled water and R1 water requirements, including metal traces and pharmaceuticals. These engineered packages can produce from 6,000 gallons per day up to 6,000,000 gallons per day and are assembly-line manufactured which greatly reduces the cost. Typical conventional wastewater systems require several levels of engineering; soils, product design, and consulting engineering services with the total cost of engineering often exceeding the cost of the system itself. Pre-packaged design/build **tertiary** level systems only require a consulting engineer which makes the total package much less than a conventional system.

I am also enclosing an article by the WaterReuse Association entitled, Recycled Water Uses Allowed in California, which allows many uses of recycled water.

For example

- Many golf courses use over 100,000,000 gallon water per year which equates to 273,972 gallon per day (which equates to 1000 dwelling units)
- There are many industrial uses of water which could easily be recycled and reused over and over.
- Parks and school yards could be maintained in a “green” status.
- In many areas agriculture uses could be applied.

All of these are huge savings in water usage. No doubt you are aware of AB 1481, introduced by Assembly Member De La Torre, which is entitled “Waste discharge and water reclamation requirements: recycled water: landscape irrigation uses.” The Porter-Cologne Water Quality Control Act also has several sections on the requirement of using recycled water.

In conclusion, as quoted by Dr. Nelson, “Decentralized systems create a host of other benefits for communities – energy savings, improvements in air quality, creation of green spaces, restoration of streams, aquifers, wetlands, and habitat, and stimulating the creation of “green” companies and jobs.”

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**DEPARTMENT OF WATER RESOURCES**

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**NOTICE OF WORKSHOP****Governor's Water Conservation  
Statewide Implementation Plan**

Friday, May 29, 2009 – 10:00 a.m. to no later than 1:00 p.m.  
John Moss Federal Building – 5<sup>th</sup> floor  
CALFED Bay and Delta Rooms  
650 Capitol Mall  
Sacramento, CA 95814

**NOTICE IS HEREBY GIVEN** that the Governor's 20X2020 Agency Team on Water Conservation (20X2020 Agency Team) is holding a workshop to receive public comment on the final draft statewide implementation plan for urban water conservation.

**BACKGROUND**

In February 2008 Governor Schwarzenegger called for a 20 percent reduction in per-capita water use by 2020 and asked state agencies to develop a more aggressive plan of conservation to achieve the goal. A team of state and federal agencies (20X2020 Agency Team) was formed consisting of the Department of Water Resources, the State Water Resources Control Board, the California Energy Commission, the Public Utilities Commission, the Department of Public Health, the Air Resources Board, the CALFED Program, and the U.S. Bureau of Reclamation with technical assistance from the California Urban Water Conservation Council. The 20x2020 Agency Team was formed to develop a statewide implementation plan for achieving this goal.

The 20x2020 Agency Team has prepared a draft of its final report entitled "20x2020 Water Conservation Plan." The draft report includes urban water use data for a selected baseline year, water conservation targets for year 2020, a strategy with multiple actions for achieving those targets, and an implementation plan.

During development of the plan the Agency Team developed research papers (Technical Memoranda). Two public workshops and a conference call were held to receive input based on the Technical Memoranda. Written comments were also received. Refer to Document Availability below to see the Technical Memoranda and public comments received.

**MEETING PURPOSE AND DESCRIPTION**

The purpose of this workshop is to solicit public input on the draft of the final report, entitled "20x2020 Water Conservation Plan." This will be the final workshop to solicit comments on the conservation plan.

**WRITTEN COMMENTS**

All written comments must be received by **5:00 p.m. on May 22, 2009**, and should be sent by email to: [2020comments@waterboards.ca.gov](mailto:2020comments@waterboards.ca.gov)

We strongly suggest that you visit the 20x2020 Agency Team Web site before the workshop to read the public comments in case you may wish to respond to comments by others during the workshop process. Public comments are expected to be posted by May 27, 2009.

## **DOCUMENT AVAILABILITY**

For more information about this workshop and to view or download the agenda, the draft of the final report, and other pertinent information, please visit the 20X2020 Agency Team website at:

[http://www.swrcb.ca.gov/water\\_issues/hot\\_topics/20x2020/index.shtml](http://www.swrcb.ca.gov/water_issues/hot_topics/20x2020/index.shtml)

## **ACCESSIBILITY**

Please allow extra time for parking and federal building security screening procedures. Current photo identification is required for building access.

With prior approval, visitors may bring cameras and cell phones with camera capability into the building. However their use in the building will be subject to federal restrictions.

Please contact Debbie Mininfield, cell (916) 275-0971, office (916) 445-5511, TDD (800) 735-2929 or [debbie.mininfield@calwater.ca.gov](mailto:debbie.mininfield@calwater.ca.gov) for camera guidelines and building access information.

If you need reasonable accommodation due to disability, you should also contact Ms. Mininfield

## **ADDITIONAL INFORMATION**

A live video broadcast of the workshop will be available via the Internet and can be accessed at

<http://cawater.rmxpres.com/webcast/data/dwr05292009/msh.htm>

Interested parties may subscribe to an e-mail list serve for future notices about this and other water conservation activities at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml). Select Water Conservation.

If you have any questions, please contact Rick Breitenbach of the CALFED Program at (916) 445-0144.

# 20x2020

# Water Conservation Plan

## DRAFT

April 30, 2009

### **How to comment on the Draft 20x2020 Plan:**

**Submit written comments via e-mail by May 22, 2009 to:**

[2020comments@waterboards.ca.gov](mailto:2020comments@waterboards.ca.gov)

**Provide oral comments at a public workshop:**

Friday, May 29, 2009

10:00 a.m. to no later than 1:00 p.m.

Sacramento

A live video broadcast of the workshop will be available via the Internet and can be accessed at:

<http://cawater.rmxpres.com/webcast/data/dwr05292009/msh.htm>

For more information on providing comments or attending the workshop, visit the 20x2020 Agency Team website hosted by the State Water Resources Control Board:

[http://www.swrwb.ca.gov/water\\_issues/hot\\_topics/20x2020/index.shtml](http://www.swrwb.ca.gov/water_issues/hot_topics/20x2020/index.shtml)

## THE BOLD STATEMENT

**D**ecentralized water technologies and designs, such as those for water-efficient appliances, rooftop rain gardens, and onsite waste water treatment and reuse, are the keys to enhancing the performance of the nation's aging centralized water and sewer systems and assuring adequate water supplies and healthy ecosystems into the future.

Decentralized systems create a host of other benefits for communities — energy savings, improvements in air quality, creation of green spaces, restoration of streams, aquifers, wetlands, and habitat, and stimulating the creation of “green” companies and jobs. In the long-run, the nutrients in wastewater may be of value, and synergies with distributed energy production and other infrastructure may be found.

The value of using decentralized infrastructure for setting the nation on a path to water sustainability arguably is second only to that of using better farming practices, but the potential is not well-articulated or widely-known. Decentralized technologies remain at the fringe of engineering practice, while construction of big-pipe water, stormwater, and wastewater infrastructure continues. Part of the reason for this is that the advocates, entrepreneurs, and professionals of decentralized technology tend to operate independently in separate technology spheres: water supply, stormwater, and wastewater. They focus on individual technologies or “appliances” rather than working cooperatively on “the big picture.”

This “telescope” approach thwarts the emergence of the major benefits and values of the decentralized system. A dramatic synergy of value-creation will occur only when water's sources, uses, and movements are considered integrally within a watershed and all three of the technology spheres are considered jointly at site or neighborhood scale. When reuse is examined, for example, the advantages of decentralization can be recognized easily—it costs less to use, treat, and reuse water within the local site than to pipe water in, pipe wastewater out, and pipe treated water back for reuse. More peripheral advantages of using decentralized systems are coming to light as the concept receives more scrutiny—creation of green space throughout communities, for example.

Localized and integrated capture, use, treatment, and reuse of water mimics the manner in which nature itself uses water—nature moves water and minerals through large cycles of cloud formations, rivers, and groundwater flows, but also uses, stores, reuses, and cleans water at the local level to support complex and abundant webs of life. Our centralized, bigpipe infrastructure relies instead on an industrial model of specialization and economies of scale. That model has more than adequately protected the public from pathogens and floods, largely by storing and piping clean water long distances into population centers and then transporting wastewater pollutants away. But in the end, that approach is wasteful, environmentally disruptive, and ultimately not sustainable as populations increase and more and more land is developed. Extremes of heavy storms and droughts related to climate changes may place even greater stresses on this centralized natural/man-made water system that we have uncritically built piece by piece.

Transforming the way that professionals, advocates, and the public think about looming ecosystem crises and about the unsustainable practices built into the current water infrastructure is the first and essential step to realizing the potential inherent in decentralized water technologies. Such a shift will be difficult to create when conventional water engineering has always been considered one of society's greatest accomplishments in public health and convenience. Changing the infrastructure from an industrial model to a “biomimicry” model will entail daunting changes in the governance and institutional framework of water manage-

ment. A market wherein a public bureaucracy is closely intertwined with the private sector is more difficult to transform than a wholly private market, where the “creative winds of destruction” can sweep aside outmoded products and practices. A realistic fear is that inertia inherent in the typical public/private water-management framework will forestall a transition to more sustainable technologies and designs.

The workshop following the *Water for All Life* conference was intended to explore the various pressures for and against change in the fundamental paradigm of water management. A series of workshops with experts and advocates was convened to explore the institutional issues involved and to tease out new strategies for jump-starting a transition and steering it to success. Key topics in science and technology development, market restructuring, and public participation were discussed.

Case studies and workshops identified scattered drivers that would be likely to spawn changes in the established watermanagement paradigm: increases in the occurrence or severity of droughts, flooding, wet-weather pollution, and development sprawl; new and creative ways of perceiving and explaining biomimicry and market transformation; and niche successes by community activists and entrepreneurs in building decentralized systems. Some probable impediments to change were identified: bias in government regulation and funding that tends to perpetuate the traditional infrastructure; distorted pricing of water; risk aversion; conventional public attitudes and expectations; water-management outlooks that are oriented around big-pipe infrastructure built in public rights-of-way.

Attempts to leverage the drivers or break down the impediments one at a time will be ineffective; there are too many interlocking pieces in the traditional paradigm that work to lock it in place. The essential strategy, therefore, is the creation and nurturing of “space” wherein multi-faceted paradigm innovation can be carefully planted. An example of this process is development of a favorable water component within the Green Building movement, where new products and new markets already have been successfully created in the parallel fields of energy and construction materials. Another avenue is participating in community demonstration projects where favorable influence can be applied to the structuring of institutional management, financing, and regulation.

These projects, over time, will clarify how the localized and integrated “biomimicry” model works to create multiple community values and engage new partners. Essentially, the triple impacts of decentralized water-efficiency, stormwater retention/reuse, and wastewater treatment/reuse have the potential to reduce dramatically the amount of water taken out of aquifers and streams and to reduce wet-weather runoff and sewer flow into the environment. Two of several other beneficial components of decentralized infrastructure are (1) its support for new plants and trees that “green” cities and towns and (2) the concomitant closed-loop planning, whereby energy and nutrients are captured for reuse.

Mimicking the complex interdependencies of species in nature is the clever and responsible way for society to restructure its decisions and actions with respect to water use. The rewards are magnified with a richer set of alternatives when the private sector, community organizations, professional organizations, and the public participate. Conversations among a diversity of groups typically lead to more creative and productive solutions than those emanating from one specialized group. Furthermore, in nature, individual species survive by opportunistically finding niches in the web of life.

Similarly, participants in a biomimicry infrastructure model would find

**“Decentralized systems create a host of other benefits for communities — energy savings, improvements in air quality, creation of green spaces, restoration of streams, aquifers, wetlands, and habitat, and stimulating the creation of “green” companies and jobs.”**

ways to take value from the model and simultaneously create value for other participants. For example, the private sector can make money from installing decentralized systems or inventing new technologies, while at the same time reducing water use, enhancing green space, etc.

Participants in multi-faceted conversations about sustainable water infrastructure must include academics, entrepreneurs, engineers, activists, bureaucrats, managers, and the public. Researchers need to study the imminent crises in water quantity and quality that the nation will be facing and then link those crises to the differential impacts of centralized, decentralized, and hybrid infrastructure alternatives. Activists need to question their continuing support for the traditional infrastructure and explore with an open mind the benefits that can be achieved through decentralized alternatives. Public bureaucrats and managers need to take a larger, holistic view of water management and begin to collaborate with the private and non-profit sectors in identifying higher-value alternatives.

"Green" building and community demonstration projects are clarifying what works, what does not work, and how new values are created in the decentralized model. The decentralized approach is becoming better understood and better known across a broad range of constituencies. As a result, there is a groundswell of support for serious restructuring of water institutions and policies. The restructuring will include (1) an integration of planning, funding, and regulation across the currently segmented water, stormwater, and wastewater sectors (2) an expanded role for the private sector in technology development, systems management, and finance (3) a closer link between professional practice and community participation (4) careful management and stimulation of continuous innovation and reform. ●

*This article has been contributed by Dr. Valerie Nelson (www.sustainablewaterforum.org), Director, Coalition for Alternative Wastewater Treatment and was reprinted with the permission of the author and NOWRA.*

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### Breaking News from page 1

marks the beginning of the end of a rule-making process that started in January 2002 with a series of stakeholder meetings conducted by the State Water Board staff. The development of the draft regulations went through many iterations and generated considerable controversy and debate along the way. According to State Water Board staff engineer Todd Thompson, who has shepherded the regulations the entire way, the draft regulations are consistent with the March 2007 version that appear on the State Water Board's website. Some changes have been made to the March 2007 version based on input received from several peer reviewers who were retained by the State in 2007 to review the "scientific" portions (21 items) of the proposed regulations.

As presented and discussed at COWA's annual conference in May of this year, the draft regulations continue to include a number of requirements that will impact local regulatory programs, system owners and the onsite industry. Some of the key issues of concern include: (a) mandatory domestic water well testing and reporting requirements; (b) protocol for groundwater level determinations; (c) soil suitability criteria and prohibitions; (d) mandatory use of bottom area only for dispersal system design; (e) supplemental treatment

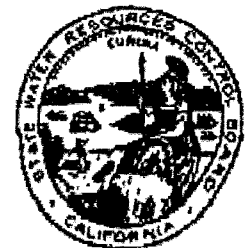
system effluent standards and monitoring; and (f) requirements for systems near impaired water bodies.

To assist our members and the onsite wastewater industry in general, COWA is planning to conduct a series of workshops during the AB 885 review period. The dates and locations will be announced in the coming weeks. Similar to the workshops and meetings previously sponsored by COWA during the initial drafting of the regulations, the purpose of these workshops will be to provide a forum for roundtable discussion of the draft regulations and EIR and to assist in identifying and developing appropriate comments for submission to the State Water Board. ●

*This article was contributed by Norm Hantzsche, PE (nhantzsche@questaec.com) of Questa Engineering Corp.*



**Cal/EPA**



# Recycled Water Uses Allowed<sup>1</sup> in California

This summary is prepared for WaterReuse Association from the December 2, 2000-adopted Title 22 Water Recycling Criteria and supersedes all earlier versions

Use of Recycled Water	Disinfected Tertiary Recycled Water	Treatment Level		
		Disinfected Secondary-2.2 Recycled Water	Disinfected Secondary-23 Recycled Water	Undisinfected Secondary Recycled Water
<b>Irrigation of:</b>				
Food crops where recycled water contacts the edible portion of the crop, including all root crops	Allowed	Not allowed	Not allowed	Not allowed
Parks and playgrounds	Allowed	Not allowed	Not allowed	Not allowed
School yards	Allowed	Not allowed	Not allowed	Not allowed
Residential landscaping	Allowed	Not allowed	Not allowed	Not allowed
Unrestricted-access golf courses	Allowed	Not allowed	Not allowed	Not allowed
Any other irrigation uses not prohibited by other provisions of the California Code of Regulations	Allowed	Not allowed	Not allowed	Not allowed
Food crops, surface-irrigated, above-ground edible portion, and not contacted by recycled water	Allowed	Allowed	Not allowed	Not allowed
Cemeteries	Allowed	Allowed	Allowed	Not allowed
Freeway landscaping	Allowed	Allowed	Allowed	Not allowed
Restricted-access golf courses	Allowed	Allowed	Allowed	Not allowed
Ornamental nursery stock and sod farms with unrestricted public access	Allowed	Allowed	Allowed	Not allowed
Pasture for milk animals for human consumption	Allowed	Allowed	Allowed	Not allowed
Nonedible vegetation with access control to prevent use as a park, playground or school yard	Allowed	Allowed	Allowed	Not allowed
Orchards with no contact between edible portion and recycled water	Allowed	Allowed	Allowed	Allowed
Vineyards with no contact between edible portion and recycled water	Allowed	Allowed	Allowed	Allowed
Non food-bearing trees, including Christmas trees not irrigated less than 14 days before harvest	Allowed	Allowed	Allowed	Allowed
Fodder and fiber crops and pasture for animals not producing milk for human consumption	Allowed	Allowed	Allowed	Allowed
Seed crops not eaten by humans	Allowed	Allowed	Allowed	Allowed
Food crops undergoing commercial pathogen-destroying processing before consumption by humans	Allowed	Allowed	Allowed	Allowed
<b>Supply for impoundment:</b>				
Nonrestricted recreational impoundments, with supplemental monitoring for pathogenic organisms	Allowed <sup>2</sup>	Not allowed	Not allowed	Not allowed
Restricted recreational impoundments and publicly accessible fish hatcheries	Allowed	Allowed	Not allowed	Not allowed
Landscape impoundments without decorative fountains	Allowed	Allowed	Allowed	Not allowed
<b>Supply for cooling or air conditioning:</b>				
Industrial or commercial cooling or air conditioning involving cooling tower, evaporative condenser, or spraying that creates a mist	Allowed <sup>3</sup>	Not allowed	Not allowed	Not allowed
Industrial or commercial cooling or air conditioning not involving cooling tower, evaporative condenser, or spraying that creates a mist	Allowed	Allowed	Allowed	Not allowed



# Recycled Water Uses Allowed<sup>1</sup> in California

This summary is prepared for WaterReuse Association from the December 2, 2000-adopted Title 22 Water Recycling Criteria and supersedes all earlier versions

Use of Recycled Water	Disinfected Tertiary Recycled Water	Treatment Level		
		Disinfected Secondary-2.2 Recycled Water	Disinfected Secondary-23 Recycled Water	Undisinfected Secondary Recycled Water
<b>Other uses:</b>				
Groundwater Recharge	Allowed under special case-by-case permits by RWQCBs <sup>4</sup>			
Flushing toilets and urinals	Allowed	Not allowed	Not allowed	Not allowed
Priming drain traps	Allowed	Not allowed	Not allowed	Not allowed
Industrial process water that may contact workers	Allowed	Not allowed	Not allowed	Not allowed
Structural fire fighting	Allowed	Not allowed	Not allowed	Not allowed
Decorative fountains	Allowed	Not allowed	Not allowed	Not allowed
Commercial laundries	Allowed	Not allowed	Not allowed	Not allowed
Consolidation of backfill material around potable water pipelines	Allowed	Not allowed	Not allowed	Not allowed
Artificial snow making for commercial outdoor uses	Allowed	Not allowed	Not allowed	Not allowed
Commercial car washes, not heating the water, excluding the general public from washing process	Allowed	Not allowed	Not allowed	Not allowed
Industrial process water that will not come into contact with workers	Allowed	Allowed	Allowed	Not allowed
Industrial boiler feed	Allowed	Allowed	Allowed	Not allowed
Nonstructural fire fighting	Allowed	Allowed	Allowed	Not allowed
Backfill consolidation around nonpotable piping	Allowed	Allowed	Allowed	Not allowed
Soil compaction	Allowed	Allowed	Allowed	Not allowed
Mixing concrete	Allowed	Allowed	Allowed	Not allowed
Dust control on roads and streets	Allowed	Allowed	Allowed	Not allowed
Cleaning roads, sidewalks and outdoor work areas	Allowed	Allowed	Allowed	Not allowed
Flushing sanitary sewers	Allowed	Allowed	Allowed	Allowed

<sup>1</sup> Refer to the full text of the December 2, 2000 version of Title 22: California Code of Regulations, Chapter 3 Water Recycling Criteria. This chart is only an informal summary of the uses allowed in this version.

The complete and final 12/02/2000 version of the adopted criteria can be downloaded from:  
[http://www.dhs.ca.gov/ps/ddwem/publications/Regulations/recycleregs\\_index.htm](http://www.dhs.ca.gov/ps/ddwem/publications/Regulations/recycleregs_index.htm)

<sup>2</sup> Allowed with "conventional tertiary treatment." Additional monitoring for two years or more is necessary with direct filtration.

<sup>3</sup> Drift eliminators and/or biocides are required if public or employees can be exposed to mist.

<sup>4</sup> Refer to Groundwater Recharge Guidelines, available from the California Department of Health Services.

Prepared by Bahman Sheikh and edited by EBMUD Office of Water Recycling, who acknowledge this is a summary and not the formal version of the regulations referenced above

BILL NUMBER: AB 1481 CHAPTERED  
BILL TEXT

CHAPTER 535

FILED WITH SECRETARY OF STATE OCTOBER 12, 2007

APPROVED BY GOVERNOR OCTOBER 12, 2007

PASSED THE SENATE SEPTEMBER 11, 2007

PASSED THE ASSEMBLY SEPTEMBER 12, 2007

AMENDED IN SENATE AUGUST 31, 2007

AMENDED IN SENATE JULY 18, 2007

AMENDED IN SENATE JUNE 27, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MARCH 29, 2007

INTRODUCED BY Assembly Member De La Torre  
(Principal coauthor: Assembly Member Krekorian)

FEBRUARY 23, 2007

An act to add Section 13552.5 to the Water Code, relating to water.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1481, De La Torre. Waste discharge and water reclamation requirements: recycled water: landscape irrigation uses.

Under existing law, the State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act (state act). The state act authorizes the state board or a regional board to prescribe general waste discharge requirements if certain requirements are met.

This bill would require the state board, on or before July 31, 2009, to adopt a general permit for landscape irrigation uses of recycled water for which the State Department of Public Health has established uniform statewide recycling criteria. The bill would require the state board to establish a reasonable schedule of fees to reimburse the state board for the costs it incurs in implementing, developing, and administering these provisions. The bill would prescribe the manner in which an applicant may become subject to the general permit. The bill would require the state board to designate an ombudsperson to coordinate and facilitate communication on recycled water, on the issuance of specified water reclamation and waste discharge requirements, and on the promotion of water recycling while ensuring reasonable protection of water quality.

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

SECTION 1. The Legislature finds and declares as follows:

(a) On September 22, 1989, the United States Environmental Protection Agency granted the State of California, through the State Water Resources Control Board and the California regional water quality control boards, the authority to issue national pollutant discharge elimination system (NPDES) permits pursuant to Part 122 (commencing with Section 122.1) and Part 123 (commencing with Section 123.1) of Title 40 of the Code of Federal Regulations.

(b) Section 122.28 of Title 40 of the Code of Federal Regulations provides for the issuance of general permits to regulate a category of point sources of pollution if the sources meet all of the following requirements:

(1) Involve the same or substantially similar types of operations.

(2) Discharge the same type of waste.

(3) Require the same type of effluent limitations or operating conditions.

(4) Require similar monitoring.

(5) Are more appropriately regulated under a general permit instead of individual permits.

(c) General waste discharge requirements expedite the processing of requirements, simplify the application process for dischargers, better utilize limited staff and resources, and avoid the expense and time involved in repetitive public noticing, hearings, and permit adoptions.

(d) The Legislature has declared a policy for the state to undertake all possible steps to encourage the development of water recycling facilities so that recycled water may be made available to help meet the growing requirements of the state.

(e) The Legislature has declared that the use of potable domestic water for nonpotable uses, including, but not limited to, irrigation uses for cemeteries, golf courses, parks, and highway landscaped areas, is a waste and unreasonable use if recycled water is available to meet the conditions needed for the use.

(f) The 2002 Recycled Water Task Force, convened pursuant to Section 13578 of the Water Code, concluded that inconsistent regulation of water recycling by state and local officials leads to confusion and uncertainty with regard to the design and management of water reuse systems. That inconsistent regulation appears to have led to the imposition of overly restrictive water recycling requirements and added costs, thereby creating an obstacle to achieving the full potential for water reuse.

(g) The 2002 Recycled Water Task Force recommended that the state board appoint and empower a key person to act as ombudsperson with regard to the water recycling permits issued by the various regional boards.

(h) Therefore, it is the intent of the Legislature to create a uniform interpretation of state standards to ensure the safe, reliable use of recycled water for landscape irrigation uses consistent with state and federal water quality law.

SEC. 2. Section 13552.5 is added to the Water Code, to read:

13552.5. (a) (1) On or before July 31, 2009, the state board shall adopt a general permit for landscape irrigation uses of recycled water for which the State Department of Public Health has established uniform statewide recycling criteria pursuant to Section 13521.

(2) The state board shall establish criteria to determine eligibility for coverage under the general permit.

(3) For the purpose of developing the general permit and establishing eligibility criteria to carry out paragraph (1), the state board shall hold at least one workshop and shall consult with and consider comments from the regional boards, groundwater management agencies and water replenishment districts with statutory authority to manage groundwater pursuant to their principal act, and any interested party.

(4) The general permit shall include language that provides for the modification of the terms and conditions of the general permit if a regulatory or statutory change occurs that affects the application of the general permit or as necessary to ensure protection of beneficial uses.

(b) The state board shall establish a reasonable schedule of fees to reimburse the state board for the costs it incurs in implementing, developing, and administering this section.

(c) Following the adoption of the general permit pursuant to this section, an applicant may obtain coverage for a landscape irrigation use of recycled water by filing a notice of intent to be covered under the general permit and submitting the appropriate fee established pursuant to subdivision (b) to the state board.

(d) Coverage under the general permit adopted pursuant to this section is effective if all of the following apply:

(1) The applicant has submitted a completed application.

(2) The state board has determined that the applicant meets the eligibility criteria established pursuant to paragraph (2) of subdivision (a).

(3) The state board has made the application available for public review and comment for 30 days.

(4) The state board has consulted with the appropriate regional board.

(5) The executive officer of the state board approves the application.

(e) (1) Except as provided by modification of the general permit, a person eligible for coverage under the general permit pursuant to subdivision (d) is not required to become or remain subject to individual waste discharge requirements or water reclamation requirements.

(2) For a landscape irrigation use of recycled water, a person who

is subject to general or individual waste discharge requirements prescribed pursuant to Section 13263 or 13377, or is subject to individual or master water reclamation requirements prescribed pursuant to Section 13523 or 13523.1, may apply for coverage under the general permit adopted pursuant to this section in lieu of remaining subject to requirements prescribed pursuant to those sections.

(f) (1) The state board shall designate an ombudsperson to coordinate and facilitate communication on recycled water, on the issuance of water reclamation requirements or waste discharge requirements, as applicable, pursuant to Section 13523 or 13523.1 or this section, and on the promotion of water recycling while ensuring reasonable protection of water quality in accordance with applicable provisions of state and federal water quality law.

(2) The person appointed pursuant to paragraph (1) shall facilitate consultations between the state board and the regional boards relating to matters described in that paragraph.

STATE WATER RESOURCES CONTROL BOARD

# PORTER-COLOGNE WATER QUALITY CONTROL ACT

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WITH ADDITIONS AND AMENDMENTS EFFECTIVE JANUARY 1, 2009