



April 1, 2013

Assemblymember Ben Hueso
P.O. Box 942849
Room 5155
State Capitol
Sacramento, CA 94249-0080

Re: AB 803 – Support

Dear Assemblymember Hueso:

SCOTT P. BARTLEY
Mayor

ERIN CARLSTROM
Vice Mayor

JULIE COMBS
ERNESTO OLIVARES
JAKE OURS
ROBIN SWINTH
GARY WYSOCKY

On behalf of the City of Santa Rosa, I am writing to express our support for AB 803 – The Water Recycling Act of 2013. The City of Santa Rosa is the owner and operator of the Santa Rosa Subregional Water Reuse System (Subregional System), one of the largest water recyclers in the State. The Subregional System produces high-quality tertiary treated recycled water for urban and agricultural irrigation, irrigating many schools, parks and businesses, as well as approximately 6,000 acres of farmlands and vineyards. The Subregional System also supplies recycled water to the Geysers Recharge Project, providing, on average, 13 million gallons of recycled water per day to the Geysers steamfields, where it is used to produce “clean” electricity for up to 100,000 households in the North Bay Area. Depending upon the amount of rainfall in any given year, between 90 and 100 percent of the Subregional System’s wastewater is recycled.

The City believes that AB 803 will remove barriers to the increased use of recycled water and ensure protection of public health and safety by:

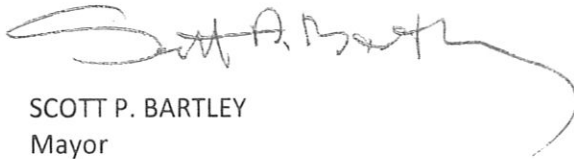
Putting into statute definitions and procedures that change Title 17 and Title 22 of the Department of Public Health’s (DPH) California Code of Regulations regarding recycled water. WaterReuse California has worked with DPH and stakeholders for years to get many of these changes adopted by DPH. The department’s inability to act on updating regulations has led the author to put the changes into statute until such time DPH acts. Examples of the changes include sensible restrictions on non-potable water hose bibbs in cemeteries and updated definitions of water treatment processes.

Aligning existing provisions in law to reduce unnecessary paperwork that results from the reporting of incidental run-off from recycled water projects. The Health and Safety Code requires even minor over-spraying or street flow to be reported. However, the Water Code instead sets a reasonable requirement based on the size of the discharge and the level of treatment the water receives. The bill allows the Water Code reporting threshold for unauthorized discharge of recycled water to be used. The Water Code specifies the reporting threshold for unauthorized discharge of water treated to less than tertiary

standards is 1,000 gallons. The Water Code reporting threshold for unauthorized discharge of higher quality water, treated to tertiary or above, is 50,000 gallons. Clarifying existing Regional Water Quality Control Board (RWQCB) authority to permit Advanced Treated Purified Water (ATPW) projects at the point where the highly treated water exits the treatment plant and enters a conveyance facility. Since existing law still considers ATPW a waste, SWRCB considers a blend of ATPW with other raw waters in a conveyance facility to be a waste and subject to waste discharge requirements prior to discharge to surface water such as a water supply reservoir. The quality of other raw water may render the blended water incapable of meeting expected discharge requirements, although ATPW alone would be expected to meet requirements. This is a barrier for two proposed large potable reuse projects. The Bill will clarify the Regional Board's authority to allow permitting of these drinking water quality recycled water projects at the point of discharge from their treatment plants.

AB 803 is integral to meeting the State's water supply needs. Thank you for your support of water recycling.

Sincerely,



SCOTT P. BARTLEY
Mayor

SPB/sks

c: Dr. David Smith, WaterReuse California
Kathy Millison, City of Santa Rosa
David Guhin, City of Santa Rosa

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ASSEMBLY BILL

No. 803

Introduced by Assembly Member Hueso

February 21, 2013

An act to amend Section 5411.5 of, and to add Article 7.1 (commencing with Section 116600) to Chapter 4 of Part 12 of Division 104 of, the Health and Safety Code, and to add Section 13263.7 to, and to add Article 4.1 (commencing with Section 13529.5) to Chapter 7 of Division 7 of, the Water Code, relating to recycled water.

LEGISLATIVE COUNSEL'S DIGEST

AB 803, as introduced, Hueso. Water Recycling Act of 2013.

(1) Existing law requires the State Department of Public Health to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health. Existing regulations prescribe various requirements and prohibitions relating to recycled water.

This bill, the Water Recycling Act of 2013, would codify some of these regulations to, among other things, (1) define various terms for the purpose of water recycling criteria, (2) require the use of certain quality recycled water for specified uses with prescribed prohibitions, and (3) modify prohibitions and requirements for dual-plumbed recycled water systems.

(2) Existing law, the California Safe Drinking Water Act, provides for the operation of public water systems, and imposes on the department various responsibilities and duties. Existing law authorizes the department to enact regulations and the department has enacted regulations relating to the protection of public water systems from unapproved water, including recycled water.

This bill would codify some of these regulations to, among other things, (1) define various terms, (2) specify plumping requirements, (3) prescribe certain protection to prevent backflow into the public water supply, and (4) specify when a changeover device may be used.

(3) Existing law requires any person who, without regard to intent or negligence, causes or permits any sewage or other waste, or the effluent of treated sewage or other waste to be discharged in or on any waters of the state, or discharged in or on any waters of the state to immediately notify the local health officer or the director of environmental health of the discharge, as prescribed.

This bill would provide that this notification requirement does not apply to an unauthorized discharge of effluent of treated sewage defined as recycled water, as defined.

(4) Existing law establishes the State Water Resources Control Board and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality.

This bill would authorize compliance with effluent limitations and any other permit or waste discharge requirements for the release or discharge of advanced treated purified water, as defined, into a conveyance facility at the point where the advanced treated purified water enters the conveyance facility but prior to commingling with any raw water or other water source.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.