WateReuse California
Los Angeles Chapter Meeting

April 12, 2016
Legislation & Regulation Update

Raymond Jay
Metropolitan Water District of Southern California
(213) 217-5777 or rjay@mwdh2o.com
2016 Legislative Dates

- Apr. 22  Last day for policy committee to hear & report fiscal bills introduced in their house
- May 13  Last day for policy committees until June 6th
- May 27  Last day for fiscal committees until June 6th
- June 3   Last day for bills to pass house of origin
- June 15  Budget bill must be passed
- Aug. 31  Last day for any bill to be passed
- Sept. 30 Last day for Governor to sign or veto bills
- Nov. 30  Adjournment

See: [http://assembly.ca.gov/legislativedeadlines](http://assembly.ca.gov/legislativedeadlines)
2016 Recycled Water Legislation

- SB 163 – WWTP: Recycled Water
- AB 1463 – Onsite Recycled Water
- AB 1738 – Building Standards: dark graywater
- AB 1749 – CEQA Exemption for Recycled Water Pipelines
- AB 2022 – Advanced Purified Demonstration Water
- AB 2076 – Water Recycling: beer and wine
- AB 2438 – CEQA Exemption for Recycled Water Pipelines
- AB 2601 – Building Standards: residential graywater
- AB 2890 – Drinking & Wastewater Operator Certification
SB 163: Wastewater Treatment: Recycled Water (Hertzberg)

- Declares ocean wastewater discharge a “waste and unreasonable use”
- Requires ocean dischargers to reuse ≥50% by 2026 & prohibits ocean dischargers after 2036.
- Concerns include: mandatory prohibition, timeline, cost, uncertain regulatory requirements, equity among WWTP dischargers, seasonal RW demand, and public acceptance
- Propose Task Force to develop action plan to meet RW goals and report progress to legislature.
- WRCA position: oppose
- Last Action: CASA/ACWA/WRCA Coalition letter - 3/14/16
AB 1463: Onsite Treated Water (Gatto)

- Establish WQ standards, distribution, monitoring, & reporting requirements for *onsite* treated water systems (OSTW)
- OSTW is defined to mean water including graywater, rainwater, and other water captured or recycled onsite, that has been sourced, treated, and used onsite in a building in a manner that is protective of public health, safety and the environment. Does not include blackwater.
- Concerns: clear distinction between graywater or OSTW and municipal recycled water and distribution requirements.
- Sierra Club and BIA among supporters; no known opposition
- WRCA position: amend
- Last Action: 4/7/16 – Meeting for interested parties
Defines “dark graywater” as wastewater that comes from kitchen sinks and dishwashers and not contaminated.

Require State to develop building standards at next triennial review for construction, installation, and alteration of dark graywater systems for indoor and outdoor uses.

Convene stakeholder group to ensure protection of water quality, existing research, use for irrigation, etc.

Consult with SWRCB when developing standards

WRCA position: amend; sent letter requesting local control

Last Action: 03/30/16 – Refer to Com. On Appropriations
Existing law exempts recycled water pipelines from CEQA during declared drought or until January 1, 2017.

RW pipeline and related infrastructure construction or expansion projects within existing right-of-way, directly related to groundwater replenishment, where project avoids wetlands or sensitive habitat, and construction impacts are fully mitigated.

This bill extends sunset provision for 2 years (until 2019).

No reimbursement by state or local agencies or schools.

WRCA position: watch

Last Action: 04/04/16 – Hearing in Com. On Nat. Resources
AB 2022: Advanced Purified Demonstration Water (Gordon)

- Authorize operator of advance purified demonstration water to bottle and distribute samples for educational purposes.
- Must meet all water bottling and drinking water standards.
- APDW is water treated by MF or UF, RO, AO and meet T22.
- May bottle up to 1,000 gallons a year; \( \leq 8 \text{ oz. per bottle} \).
- Require bottle collection and recycling program.
- Can not sell water.
- Sponsored by OCWA, OCSD, & WRCA.
- Last Action: 04/04/16 – Re-referred to on Appropriations.
AB 2076: Water Recycling; beer and wine (Garcia and Eggman)

- Require SWRCB to adopt uniform water recycling criteria for use of recycle water in the manufacture of beer and wine
- Staff comments: Need to define manufacture; WQ would exceed DWS; estimate 7 gallons of water for 1 gallon of beer; San Francisco hosted taste test using RW beer; Oregon has approved use of RW in beer for specific events; not for sale to public yet.
- WRCA position: watch
- Last Action: 04/05/16 – Gut & Amend to Brewery Water/Energy Efficiency Certification
Exempts recycled water pipelines up to 8 miles in length for construction, installation, repair, replacement, etc.

Must be within a public street, highway, or right-of-way

Does not apply if adjacent to another pipeline exemption or located in a resource area such as park or open space

File a NOE & hold public hearing for traffic mitigation

Similar to AB 2417 in 2014 with Jan. 2020 sunset

Concerns: hearing, open space limits, trench size, etc.

Last Action: 04/04/16 – Hearing cancelled by author
AB 2601: Building Standards: residential property: graywater (Eggman)

- Require HCD, on or after Jan 2017, to adopt & submit amendments to BSC
- Require all new single family and duplex residential dwelling units to include specific components to allow separate discharge of graywater for direct irrigation
- Require segregated building drains for lavatories, showers, and bathtubs to allow for future installation of distributed graywater system.
- WRCA position: discuss
- Last Action: 03/10/16 – Referred to Com on H. & C.D.
AB 2890: Drinking Water and Wastewater Operator Certification

- Overhaul drinking water and wastewater operator certification programs
- Establish advisory committee to assist SWRCB
- Adopt emergency regulations and schedule of fees
- Issue a operator and distribution certificate by reciprocity
- Renew certificates every 3 years instead of 2 years
- Establish civil liability & penalty provisions
- Conduct board hearing prior to suspension or revocation of a valid operator certificate

Sponsored by SWRCB  WRCA position: discuss

Last Action: 3/28/16 – Referred to Com. On E.S. & T. M.
Federal Legislation – 114\textsuperscript{th} Congress

- HR 2993 - Water Recycling Acceleration Act of 2015
- HR 3045 - California Water Recycling and Drought Relief Act
- HR 3143 - Smart Energy and Water Efficiency Act of 2015
- HR 4610 - Reclamation Wastewater and Groundwater Study and Facilities Act
- S 2776 - Amend the Safe Drinking Water Act
- S 2533 - California Emergency Drought Relief Act of 2016
- S 2673 - Water Technology Acceleration Act of 2016
Authorize $1.6 B over 10 years

Authorize $150 M for Title XVI Grants
  - Require feasibility study to request funding
  - Remove Congressional authorization requirement
  - Includes Metropolitan on list of potential projects

Reauthorize Desalination Act and authorize $100M

Authorize additional $150M for WaterSMART
Important Regulatory Dates

- Recycled water general permit Hearing 4/19/16
- Surface Water Augmentation regs. by 12/31/16
- DPR feasibility study to legislature by 12/31/16
- Evaluate Recycled water use for animals by 12/31/16
- Develop RW Building Standards -> 2016 adoption cycle
- Title 17 and 22 changes -> TBD
- Operator certification requirements -> TBD
- Drinking water permit fees -> TBD
Recycled Water General Permit

- Use for all non-potable uses except GW recharge
- Limited use of permit since introduction in June 2014
- Concerns over monitoring above existing permits

Proposed changes to address:
- Reporting of agronomic rates for landscape irrigation
- Reduce quarterly reporting
- Monitoring & reporting of priority pollutants
- 4-year testing of cross-connections
- Required consultation for adding new users

SWRCB hearing in April 18, 2016
Expect revisions and 2nd hearing in May
Surface Water Augmentation

Defined as the planned placement of RW into surface reservoir used as source of domestic drinking water supply

SWRCB must adopt uniform water recycling criteria for SWA by 12/31/16

Recycling Criteria means the levels of constituents of RW and assurance or reliability which is safe for public health

Recycling criteria limits the use of RW for any purpose which RWC have been established or a RWCQD determines that no requirements are necessary

SWRCB must submit proposed criteria to expert panel

SWRCB shall not adopt SWA criteria unless expert panel finds that criteria protects public health
Questions?

If you have any questions, please contact:

Raymond Jay, President

c/o Metropolitan Water District of Southern California
700 N Alameda Street
Los Angeles, CA 90054
(213) 217-5777
rjay@mwd.h2o.com