



## Protecting Recycled Water Interests in Development of the Conservation Regulations

On Friday, August 18 the California State Water Resources Control Board (State Board) released the highly anticipated [Making Conservation a California Way of Life \(conservation\) regulations](#). The draft conservation regulations have many components, and many agencies remain concerned about compliance. However, after *four years* of working on the reuse components of the regulations, it appears that WRCA was generally successful in protecting the interests of the recycled water community. WRCA has reviewed the language.

Below are some observations:

**Recycled Water Landscape Irrigation (Special Landscape Areas):** The draft regulations include the California Department of Water Resources' (DWR) recycled water landscape irrigation recommendation that the ET factor for special landscape areas, including landscapes irrigated with recycled water, should be up to 1.0. *"Section 968 (4) The standard for efficient residential outdoor use for residential special landscape areas shall be a landscape efficiency factor of 1.0."* There is additional language that agencies will have to ask each year to get the 1.0 for sites using recycled water so we will be advocating for this to be permanent rather than annual.

**Potable Reuse Bonus Incentive:** The potable reuse bonus incentive is included in the calculation. The calculation is based on the proportion of potable reuse from residential and potable dedicated irrigation water use included in a supplier's Water Use Objective. This increase is added to a retail agency's final Water Use Objective and cannot exceed either 10 percent or 15 percent of the supplier's Water Use Objective.

**Variance for Recycled Water Landscapes with High Total Dissolved Solids:** The draft regulations allow for a variance for recycled water with high Total Dissolved Solids (TDS).

**Recycled Water Irrigated Non-Functional Turf:** An earlier State Board draft proposed that non-functional turf irrigated with recycled water should be allowed the same amount of water for irrigation as regular potable water. WRCA requested this be deleted. This has been removed.

With the recent release of the regulation, the 60-day comment period [ending on October 17] and the Administrative Procedures Act process has formally begun. The State Board is planning to conduct a [Board Workshop](#) on the regulations on Wednesday, October 4. The State Board has one year to complete this process. For context on the draft regulation, the State Board staff posted an [Initial Statement of Reason](#), known as the ISOR, provides background on the regulation. Additionally, the State Board has posted their [Fact Sheet](#).

### **SB 1157 Indoor Standard**

Additionally, we look forward to continuing to work on a recycled water variance provision with State Board staff as noted in [Governor Newsom's Senate Bill 1157 \(2022, Hertzberg\) signing message](#). State Board staff provided placeholder language in the draft regulation for ongoing conversations on this provision.

#### **Page 10 of the draft regulations reads:**

*(d) An urban retail water supplier may request a temporary provision to respond to negative impacts to wastewater collection, treatment, and reuse systems, if the supplier shows to the satisfaction of the Board that meeting the objective pursuant to section 966 would require adhering to the applicable residential indoor standard identified in Water Code section 10609.4 and that meeting the budget for efficient residential indoor use is causing challenges within wastewater collection, treatment, and reuse systems.*

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