



September 12, 2025

The Honorable Gavin Newsom
Governor, State of California
1021 O Street
Sacramento, CA 95814

RE: SB 31 (McNerney): Water Quality: Recycled Water- SUPPORT

Dear Governor Newsom,

SB 31 Support

We are writing to express our strong support for SB 31 (McNerney) regarding recycled water and urge your signature. The measure would require updates to Title 22 of the California Code of Regulations to better align regulations with best management practices for recycled water use.

Recycled water is widely supported as a drought-proof water supply that helps reduce dependence on imported water or can recharge and offset groundwater. SB 31 focuses on non-potable uses of recycled water, not direct potable reuse. Maximizing the use of recycled water in place of potable water is a critical tool for local communities to reduce demand on drinking water supplies while following all regulations that protect the health and safety of Californians.

SB 31 will advance the use of recycled water by (1) allowing tertiary treated recycled water to be used in parks that contain outdoor eating areas as long as irrigation complies with state regulations (Model Water Landscape Ordinance); (2) allowing food handling and processing facilities to use tertiary treated recycled water for toilet & urinal flushing and outdoor landscape irrigation; (3) clarifying the definition of recycled water for the purposes of what is considered an “unauthorized discharge” of wastewater (4) allowing recycled water to be used to fill decorative bodies of water and (5) clarifying that outdoor irrigation of common space with recycled water is allowable as landscape irrigation.

Regulatory Need

Title 22 hasn't been updated in twenty years, during which time advancements in treatment and technology have made the use of recycled water more widely available. Your Water Supply Strategy correctly identifies that water recycling can help drought-proof communities and sets a goal of recycling at least 800,000 acre-feet of water per year by 2030 and 1.8 million acre-feet per year by 2040. Aligning regulations with best available practice is critical to helping meet these important recycled water goals.

SB 31 takes a measured approach to addressing some of the updates needed in Title 22. While there are more updates that could match the regulations with the advancing technology, SB 31 only addresses a few that are common sense measures to allow for increased use of recycled water in California.

The current state budget situation does not leave any extra funds for a complete regulatory package to update Title 22. Therefore SB 31, which can take advantage of Section 100 of the Code of Regulations to update regulations if specific updates are required by statute, to make incremental updates until funds are available for a larger regulatory package.

State Water Resources Control Board staff were consulted well before the legislation was introduced and WaterReuse CA and Senator McNerney's staff reached out multiple times for feedback or changes to the measure. No amendments were ever provided by Water Board staff.

Fiscal Impact

The fiscal estimate for SB 31 assumes a significant number of new permits that would require staff time from the state and regional boards. While there is some disagreement in the numbers

provided to the Department of Finance, it should be noted that the positions recommended are all fee-based positions, so there is no general fund cost associated with SB 31. Additionally, in FY 24-25, xx NEW positions were approved for recycled water permits. We would argue that the existing new staff can absorb the workload that *might* be associated with SB 31 implementation.

Conclusion

Advancing the use of recycled water is a common goal of state regulators and policy makers alike. If the state is going to survive the next drought, recycled water must become more widely used for non-potable uses. Ensuring regulations keep pace with technological advancements in water treatment is critical to maximize every drop of non-potable water. Passage and implementation of SB 31 will take important steps to allow the expanded use of recycled water in an efficient and safe manner. We urge your strong support of SB 31.

If you have any questions, please contact WaterReuse CA advocate, Beth Olhasso at bolhasso@westcoastadvisors.com or 916-799-2503.

Sincerely,

Brenley McKenna, Managing Director, **WaterReuse California**
Shannon Cotulla, Public Works Director/Town Engineer, **Town of Windsor**
Joe Mouawad, P.E., General Manager, **Eastern Municipal Water District**
Greg Thomas, General Manager, **Elsinore Valley Municipal Water District**
Shivaji Deshmukh, P.E. General Manager, **Inland Empire Utilities Agency**
Norman Huff, General Manager, **Camarosa Water District**
Chris Hogan, Director U.S. Public Affairs, **Grundfos**
Robert C. Ferrante, Chief Engineer & General Manager, **Los Angeles County Sanitation Districts**
Krista Bernasconi, Mayor, **City of Roseville**
Charles Wilson, Executive Director/CEO, **Southern CA Water Coalition**
Kyle Swanson, CEO/General Manager, **Padre Dam Municipal Water District**
Dave Pedersen, P.E., General Manager, **Las Virgenes Municipal Water District**
Paul Scuito, General Manager, **Monterey One Water**
Julia Hall, State Legislative Director, **Association of CA Water Agencies**
Jessica Gauger, Director of Legislative Advocacy, **CA Assn. of Sanitation Agencies**
Roger S. Bailey, General Manager, **Central Contra Costa Sanitary District**
Jason A. Martin, General Manager, **Rancho CA Water District**
Paul Cook, General Manager, **Irvine Ranch Water District**
Matt Stone, General Manager, **Santa Clarita Valley Water District**
Andrea Abergel, Director for Water, **CA Municipal Utilities Association**
Melissa Sparks-Kranz, Legislative Advocate, **League of CA Cities**
Craig D. Miller, P.E., General Manager, **Western Municipal Water District**
Melanie-Mow Shumacher, General Manager, **Soquel Creek Water District**
Kristopher Anderson, **California Chamber of Commerce**
Marcus Detwiler, Legislative Representative, **CA Special Districts Association**
Deven Upadhyay, General Manager, **Metropolitan Water District of Southern California**

SB 31 Support

E.J. Caldwell, General Manager, **West Basin Municipal Water District**
Jim Abercrombie, General Manager, **El Dorado Irrigation District**
Steve Johnson, General Manager, **Desert Water Agency**
Stephan Tucker, General Manager, **Water Replenishment District**
Robert Grantham, General Manager, **Santa Margarita Water District**
Thomas Love, General Manager, **Upper San Gabriel Valley Municipal Water District**
Randy Schoellerman, President, **California Groundwater Coalition**
Eric Will, Policy Advocate, **Rural County Representatives of California (RCRC)**
Melanie Richardson, **Interim CEO, Valley Water**
Jofil Borja, Manager of Legislative and Regulatory Affairs, **Sacramento Area Sewer District**

cc: Senator Jerry McNerney
Christine Aurre, Office of the Governor
Brady Borcharding, Office of the Governor