

Introduced by Senator Margett

February 22, 2008

An act to amend Section 13550 of the Water Code, relating to recycled water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1653, as introduced, Margett. Recycled water.

Existing law declares that the use of potable domestic water for nonpotable uses is a waste or an unreasonable use of the water if recycled water is available and other requirements are met.

This bill would make technical, nonsubstantive changes in that provision.

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

The people of the State of California do enact as follows:

1 SECTION 1. Section 13550 of the Water Code is amended to
2 read:
3 13550. (a) The Legislature hereby finds and declares that the
4 use of potable domestic water for nonpotable uses, including, but
5 not limited to, cemeteries, golf courses, parks, highway landscaped
6 areas, and industrial and irrigation uses, is a waste or an
7 unreasonable use of the water within the meaning of Section 2 of
8 Article X of the California Constitution if recycled water is
9 available ~~which~~ *that* meets all of the following conditions, as
10 determined by the state board, after notice to any person or entity
11 who may be ordered to use recycled water or to cease using potable
12 water and a hearing held pursuant to Article 2 (commencing with

1 Section 648) of Chapter 1.5 of Division 3 of Title 23 of the
2 California Code of Regulations:

3 (1) The source of recycled water is of adequate quality for these
4 uses and is available for these uses. In determining adequate
5 quality, the state board shall consider all relevant factors, including,
6 but not limited to, food and employee safety, and level and types
7 of specific constituents in the recycled water affecting these uses,
8 on a user-by-user basis. In addition, the state board shall consider
9 the effect of the use of recycled water in lieu of potable water on
10 the generation of hazardous waste and on the quality of wastewater
11 discharges subject to regional, state, or federal permits.

12 (2) The recycled water may be furnished for these uses at a
13 reasonable cost to the user. In determining reasonable cost, the
14 state board shall consider all relevant factors, including, but not
15 limited to, the present and projected costs of supplying, delivering,
16 and treating potable domestic water for these uses and the present
17 and projected costs of supplying and delivering recycled water for
18 these uses, and shall find that the cost of supplying the treated
19 recycled water is comparable to, or less than, the cost of supplying
20 potable domestic water.

21 (3) After concurrence with the State Department of ~~Health~~
22 *Services Public Health*, the use of recycled water from the proposed
23 source will not be detrimental to public health.

24 (4) The use of recycled water for these uses will not adversely
25 affect downstream water rights, will not degrade water quality,
26 and is determined not to be injurious to plantlife, fish, and wildlife.

27 (b) In making the determination pursuant to subdivision (a), the
28 state board shall consider the impact of the cost and quality of the
29 nonpotable water on each individual user.

30 (c) The state board may require a public agency or person
31 subject to this article to furnish information which the state board
32 determines to be relevant to making the determination required in
33 subdivision (a).