

SENATE RULES COMMITTEE

SB 918

Office of Senate Floor Analyses

1020 N Street, Suite 524

(916) 651-1520 Fax: (916) 327-4478

UNFINISHED BUSINESS

Bill No: SB 918
Author: Pavley (D)
Amended: 8/20/10
Vote: 21

SENATE HEALTH COMMITTEE: 6-3, 3/24/10

AYES: Alquist, Cedillo, Leno, Negrete McLeod, Pavley, Romero

NOES: Strickland, Aanestad, Cox

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 6-0, 4/19/10

AYES: Simitian, Runner, Corbett, Lowenthal, Pavley, Strickland

NO VOTE RECORDED: Hancock

SENATE APPROPRIATIONS COMMITTEE: 7-3, 5/27/10

AYES: Kehoe, Alquist, Corbett, Leno, Price, Wolk, Yee

NOES: Denham, Walters, Wyland

NO VOTE RECORDED: Cox

SENATE FLOOR: 24-12, 6/2/10

AYES: Alquist, Calderon, Cedillo, Corbett, Correa, DeSaulnier, Ducheny,

Florez, Hancock, Harman, Kehoe, Leno, Liu, Lowenthal, Negrete

McLeod, Padilla, Pavley, Price, Romero, Simitian, Steinberg, Wolk,

Wright, Yee

NOES: Aanestad, Ashburn, Cogdill, Cox, Denham, Dutton, Hollingsworth,

Huff, Runner, Strickland, Walters, Wyland

NO VOTE RECORDED: Oropeza, Wiggins, Vacancy, Vacancy

ASSEMBLY FLOOR: 54-21, 8/25/10 - See last page for vote

SUBJECT: Water recycling

SOURCE: Planning and Conservation League

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Water Reuse California

DIGEST: This bill requires the Department of Public Health to establish standards for various types of water recycling.

Assembly Amendments require the Department of Public Health (DPH), in consultation with the State Water Resources Control Board, to report to the Legislature from 2011 to 2016, as part of the annual budget process, and require the board to enter into an agreement with the State Department of Public Health for the expenditure of funds from the Waste Discharge Permit Fund for the development of uniform statewide recycled water use criteria.

ANALYSIS:

Existing federal law

1. Under the Safe Drinking Water Act (SDWA), sets public health regulatory standards for drinking water.
2. Under the Clean Water Act (CWA), regulates discharge of pollutants into the waters of the United States and sets quality standards for surface waters.

Existing California law

1. Requires DPH to enforce laws and regulations related to drinking water safety.
2. Requires the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCBs) to enforce water quality laws and regulations for the state's waterways.
3. Requires the assessment of penalties for violations of water quality laws and requires the funds generated by these civil penalties to be deposited into the Waste Discharge Permit Fund, to be expended by SWRCB upon appropriation by the Legislature for the purpose of pollution abatement in the state's waters.
4. Establishes the Water Recycling Act of 1991, creating a statewide goal to recycle a total of 700,000 acre-feet of water per year by 2000 and

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1,000,000 acre-feet of water per year by 2010. Requires each urban water supplier to prepare, and update every five years, an urban water management plan with specified components, including information on recycled water and its potential for use as a water source in the service area of the urban water supplier.

5. Requires DPH to establish uniform statewide recycling criteria for each type of use of recycled water use.

This bill:

1. Requires the DPH to adopt uniform water recycling criteria for indirect potable use for groundwater recharge, by December 31, 2013.
2. Requires the DPH to adopt uniform water recycling criteria for surface water augmentation by December 31, 2016. The criteria for surface water augmentation would be subject to review and approval by an expert panel on uniform water recycling criteria for indirect potable reuse through surface water augmentation convened by the DPH.
 - A. The expert panel made up of members with specified expertise; include at least six members with following experts:
 - Toxicologist
 - Engineer with at least three years of experience in wastewater treatment
 - Engineer with at least three years experience in treatment of drinking water supplies and knowledge of drinking water standards
 - Epidemiologist
 - Microbiologist
 - Chemist
 - B. Authorizes the DPH to convene an advisory group or task force on the development of uniform water recycling criteria for indirect potable reuse through surface water augmentation that must include at least nine representatives of water agencies, local governments, environmental, public health, environmental justice and business. Environmental, environmental justice and non-governmental public health member may be compensated for travel expenses.

- C. Requires that the criteria for indirect potable reuse through surface water augmentation developed by DHS shall consider 10 specified sources of information on water reuse.
3. Requires the DPH to investigate and then report to the Legislature on the feasibility of developing uniform water recycling criteria for direct potable reuse, by December 31, 2016. The investigation and report to the Legislature shall include a consideration of a 10 specific factors related to direct potable reuse.
 4. Requires the DPH, in consultation with the State Water Resources Control Board, to annual report in the budget on progress being made toward adoption of water recycling criteria.
 5. Authorizes the expenditure for the implementation of the bill from the Waste Discharge Permit Fund pursuant to an agreement with the State Water Resources Control Board.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee, this bill will result in a cost of approximately \$500,000 to \$700,000 for DPH planning to be paid from the SWRCB Waste Discharge Permit Fund. The expenditure of these funds by DPH will be subject to an interagency agreement between DHP and the SWRCB.

SUPPORT: (Verified 8/25/10)

Planning & Conservation League (co-source)
 WaterReuse (co-source)
 California Association of Sanitation Agencies
 California Coastkeeper Alliance
 California Municipal Utilities Association
 California Water Association
 City of San José
 County Sanitation Districts of Los Angeles County
 East Bay Municipal Utility District
 Eastern Municipal Water District
 Heal the Bay
 Irvine Ranch Water District
 Las Virgenes Municipal Water District

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Metropolitan Water District of Southern California
San Diego Coastkeeper
San Gabriel Valley Council of Governments

ARGUMENTS IN SUPPORT: According to the author's office, each year, California discharges nearly four million acre feet of wastewater into the ocean, more than the State Water Project delivers to the Bay Area, the Central Valley and Southern California. Much of that water could be recycled. However, because the state has not adopted uniform safety standards, the permitting and design processes for building and operating water recycling facilities are unpredictable, discouraging local communities from tapping into this major water source.

ASSEMBLY FLOOR:

AYES: Ammiano, Anderson, Arambula, Bass, Beall, Block, Blumenfield, Bradford, Brownley, Buchanan, Caballero, Charles Calderon, Carter, Chesbro, Coto, Davis, De La Torre, De Leon, Eng, Evans, Feuer, Fong, Furutani, Galgiani, Gatto, Hall, Harkey, Hayashi, Hernandez, Hill, Huber, Huffman, Jeffries, Jones, Lieu, Bonnie Lowenthal, Ma, Mendoza, Monning, Nava, Niello, V. Manuel Perez, Portantino, Ruskin, Salas, Saldana, Skinner, Solorio, Swanson, Torlakson, Torres, Torrico, Yamada, John A. Perez

NOES: Adams, Bill Berryhill, Tom Berryhill, Conway, Cook, DeVore, Fuller, Gaines, Garrick, Gilmore, Hagman, Knight, Logue, Miller, Nestande, Nielsen, Silva, Smyth, Audra Strickland, Tran, Villines

NO VOTE RECORDED: Fletcher, Fuentes, Norby, Vacancy, Vacancy

CTW:do 8/26/10 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

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