

AMENDED IN ASSEMBLY MARCH 16, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1774

Introduced by Assembly Member Saldana

February 9, 2010

An act to amend Section 13552.2 of, and to add Section 13552.3 to, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1774, as amended, Saldana. Recycled water: state agency landscape irrigation.

Existing law sets forth legislative findings and declarations stating that the use of potable domestic water for the irrigation of residential landscaping is a waste or unreasonable use of water if recycled water is available for that use, as determined by the State Water Resources Control Board. Existing law authorizes a public agency to require the use of recycled water for the irrigation of residential landscaping if recycled water is available for that use, as determined by the board, and other requirements are met.

This bill would state legislative findings and declarations that the use of potable domestic water for the irrigation of landscaping generally is a waste or an unreasonable use of water if recycled water is available for that use, as determined by the board. The bill would authorize a public agency, including local public agencies, to require the use of recycled water for irrigation of landscaping by a state agency if certain requirements are met.

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

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

SECTION 1. Section 13552.2 of the Water Code is amended to read:

13552.2. (a) The Legislature hereby finds and declares that the use of potable domestic water for the irrigation of landscaping is a waste or an unreasonable use of water within the meaning of Section 2 of Article X of the California Constitution if recycled water, for this use, is available to the user and meets the requirements set forth in Section 13550, as determined by the state board after notice and a hearing.

(b) The state board may require a public agency or person subject to this section to submit information that the state board determines may be relevant in making the determination required in subdivision (a).

SEC. 2. Section 13552.3 is added to the Water Code, to read:

13552.3. A public agency, including a state agency, city, county, city and county, district, or any other political subdivision of the state may require the use of recycled water for irrigation of landscaping by a state agency, if all of the following requirements are met:

(a) Recycled water is available to the user and the source of recycled water is of adequate quality for the proposed use.

(b) The use of recycled water does not cause any loss or diminution of any existing water right.

(c) The irrigation systems are constructed in accordance with Chapter 3 (commencing with Section 60301) of Division 4 of Title 22 of the California Code of Regulations.

~~(d) For existing irrigation systems, the state agency can reasonably retrofit the irrigation system to meet applicable permitting requirements.~~

(d) The recycled water can be furnished at a reasonable cost to the state agency user. In determining reasonable cost to the state agency user, the public agency requiring the use of recycled water by the state agency shall consider all relevant factors, including, but not limited to, the present and projected costs of supplying, delivering, and treating potable domestic water for the proposed use and the present and projected costs of supplying and delivering and delivering recycled water for the proposed use, and shall find that the cost of supplying the recycled water is

1 *comparable to, or less than, the cost of supplying, delivering, and*
2 *treating the potable domestic water. For existing irrigation systems,*
3 *the cost analysis shall include the amount necessary for the state*
4 *agency to reasonably retrofit the irrigation system to meet*
5 *applicable permitting requirements.*

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