

AMENDED IN ASSEMBLY MAY 28, 2010  
AMENDED IN ASSEMBLY MARCH 24, 2010  
AMENDED IN ASSEMBLY MARCH 16, 2010  
CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1774**

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**Introduced by Assembly Member Saldana**

February 9, 2010

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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 a state agency whose property is located within the jurisdiction of the public agency

to use recycled water for landscape irrigation of the property of that 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:*

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

3 13552.2. (a) The Legislature hereby finds and declares that  
4 the use of potable domestic water for the irrigation of landscaping  
5 is a waste or an unreasonable use of water within the meaning of  
6 Section 2 of Article X of the California Constitution if recycled  
7 water, for this use, is available to the user and meets the  
8 requirements set forth in Section 13550, as determined by the state  
9 board after notice and a hearing.

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

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

15 13552.3. A public agency, including a state agency, city,  
16 county, city and county, district, or any other political subdivision  
17 of the state may require a state agency whose property is located  
18 within the jurisdiction of the public agency to use recycled water  
19 for landscape irrigation of the property of that state agency, if all  
20 of the following requirements are met:

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

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

25 (c) The irrigation systems are constructed in accordance with  
26 Chapter 3 (commencing with Section 60301) of Division 4 of Title  
27 22 of the California Code of Regulations.

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

1 use and the present and projected costs of supplying and delivering  
2 recycled water for the proposed use, and shall find that the cost of  
3 supplying the recycled water is ~~comparable~~ *equal* to, or less than,  
4 the cost of supplying, delivering, and treating the potable domestic  
5 water. For existing irrigation systems, the cost analysis shall  
6 include the amount necessary for the state agency to reasonably  
7 retrofit the irrigation system to meet applicable permitting  
8 requirements.

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