

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF DECEMBER 1, 2011**

Prepared on September 30, 2011

**ITEM NUMBER: 11**

**SUBJECT: RESOLUTION IN SUPPORT OF SAN BENITO COUNTY LOCAL AGENCY ORDINANCE TO CONTROL SALINITY INPUTS FROM RESIDENTIAL AND INDUSTRIAL SELF-REGENERATING WATER SOFTENERS, SAN BENITO COUNTY, RESOLUTION NO. R3-2011-0215**

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**KEY INFORMATION**

Location: San Benito County

Type of Discharge: Wastewater from Domestic and Industrial Water Softeners

Disposal Method: Discharge to land and surface waters of the U.S.

Local Oversight Agency: San Benito County Water District, City of Hollister, Sunnyslope County Wastewater District, San Benito County Public Works, Water Resource Association of San Benito County, City of San Juan Bautista

**This Action: Adopt Resolution No. R3-2011-0215**

**DISCUSSION**

On October 11, 2009, the State of California enacted Water Code Section 13148, relating to water softeners. This new law authorizes any local agency that owns or operates a community sewer system or water recycling facility to take action, by ordinance or resolution, after a public hearing on the matter, to protect the quality of the waters of the state by controlling salinity inputs from residential self-regenerating water softeners. The appropriate regional board must make a finding that the control of residential salinity input will contribute to the achievement of water quality objectives.

The proposed resolution (Attachment 1) supports San Benito County local agencies in controlling salinity input from residential self-regenerating water softeners through city or county ordinance or other local agency regulatory ordinances. The resolution gives San Benito County local agencies the authority to implement and enforce an ordinance regulating self-regenerating water softeners.

Through this resolution, the Central Coast Water Board finds that the control of residential use of self-regenerating water softeners will contribute to the achievement of the water quality objectives approved in the Basin Plan. This finding is based on evidence in the records of the Central Coast Water Board, as described in this resolution, demonstrating that salinity input from residential use of self-regenerating water softeners is a significant source of controllable salts within the County of San Benito and there are regional economic impacts if residential use of self-regenerating water softeners is not controlled.

The Central Coast Water Board has issued Waste Discharge Requirements Order Nos. R3-2008-0069 to the City of Hollister, R3-04-0065 to Sunnyslope County Water District, R3-87-115 to Cielo Vista Estates CSA No. 22, R3-2004-0153 to Rancho Larios CSA No. 45, and R3-2009-0019 to City of San Juan Bautista. As authorized by California Water Code section 13148(e), this resolution amends Waste Discharge Requirements Order Nos. R3-2008-0069, R3-04-0065, R3-87-115, R3-2004-0153, and R3-2009-0019 to add a finding as set forth in paragraph 13 of the resolution.

## COMMENTS

Water Board staff received comments from the Water Resource Association of San Benito County, Water Conservation Program Manager Mr. Shawn Novack. The comments by Mr. Novack and responses by Water Board staff are summarized below:

Comment No. 1: "Does the CCRWQB expect this ordinance to be enacted before the HUAWWMP is implemented?"

Response No. 1: Water Board staff is familiar with the Hollister Urban Area Water and Wastewater Master Plan (HUAWWMP, November 2008). We applaud the agencies for coming together, creating the HUAWWMP, and working in a proactive manner to protect the water resources of San Benito County. Water Board staff understands that a project of this magnitude will take time. We are familiar with the goals established in the HUAWWMP and timeframes associated with it. This Resolution does not mandate any deadlines for ordinance adoption within the local agencies and is simply a vehicle to assist local agencies in meeting their stated goals in the HUAWWMP.

Comment No. 2: "Besides Santa Clarita do you know of any other community that has implemented a water softener ban that I can review?"

Response No. 2: Several communities have established or are moving forward with ordinances and resolutions managing the use of water softening systems used in commercial, industrial, and residential buildings. Below is a summary of some communities that are proactively reducing the amount of salts entering their wastewater treatment systems:

- The San Miguelito Mutual Water Company, in Avila Beach, California, adopted Resolution No. 2009-002 that prohibits the discharge of wastewater from on-site self-regenerating water softeners and saltwater pools into the San Miguelito Mutual Water company's wastewater conveyance and treatment system. Customers were given 180 days to remove water softener systems from the day the resolution was adopted. Fines were imposed on those that did not remove water softener systems within six months of resolution adoption and water service was terminated to those that did not comply beyond the six-month period.

- The City of Paso Robles adopted a water softener ordinance that discourages the use of onsite self-regenerating water softener systems in Article II Prohibitions and Limits on Discharges 14.10.040 Prohibited Discharge Standards, §19 and prescribes limits for onsite water softening systems when in use.
- The Templeton Community Services District Sewer Code prohibits the use of water softener systems from commercial and industrial users and encourages the use of portable exchange systems over onsite regenerating water softener systems for residential customers. Requirements for specific onsite regenerating systems are stated in the sewer code.
- The Cambria Community Services District's Long Term Water Supply Alternatives discusses the restriction of water softener use within its service area.
- Santa Barbara County is considering recommendations regarding a Laguna County Sanitation District Board Ordinance amending Chapter 29 of the Santa Barbara County Code regarding a water softener control ordinance and water softener exchange program. This item will be heard on November 15, 2011, in Santa Barbara, California.
- Mission Hills Community Services District provides water softener educational material to all their customers at the front counter, via U.S. mail and on their website at <http://www.mhcsd.org/public-outreach/water-softener-educational-materials>.

## RECOMMENDATION

Adopt Resolution No. R3-2011-0215 as proposed.

## ATTACHMENTS

- 1) Proposed Resolution No. R3-2011-0215
- 2) Shawn Novack, Comments via email dated August 31, 2011