

Memorandum

Date: FEB 11 2011

To: California Water Commission

From: Department of Water Resources

Subject: Submittal of Industrial Process Water Regulation as Required by the Water Conservation Act of 2009 (SB X7-7)

The Department of Water Resources (DWR) intends to file an Industrial Process Water Regulation (Regulation) with the Office of Administrative Law (OAL). Attached for your review and adoption are the text of the Regulation (Attachment 1) and the accompanying rule making documents (Attachments 2 through 7). The California Water Commission's (CWC) adoption of the Regulation is required before we can forward it to the OAL for their review and approval. Process water is water used in the manufacturing or research and development of a product as specified in SB X7-7. SB X7-7 allows urban water suppliers to exclude process water from the calculation of gross water use if industrial water is a substantial part of the supplier's total water use to avoid a disproportionate burden on another water use sector.

DWR has prepared a Regulation pursuant to the Water Conservation Act of 2009 (Act), Senate Bill X7-7 (SB X7-7, Steinberg, Statutes of 2009) (SB X7-7). Since the emergency Regulation has been approved by OAL, DWR is submitting the Draft Permanent Regulation on Industrial Process Water to the CWC for adoption and then to the OAL. This draft includes "Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use for Consistent Implementation of the Water Conservation Act of 2009" and the "Method 4 for Determining Water Use Targets", hereby incorporated by reference. DWR will hold at least two public hearings and one 45-day public comment period before preparing the final Permanent Regulation. DWR proposes to adopt the Permanent Industrial Process Water Regulation no later than July, 2011.

DWR requests that the CWC approve the rule making package and adopt a resolution to that effect and forward the signed resolution to Director Cowin.

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If you have any questions or would like additional information, please contact me at (916) 653-7007, or your staff may contact Manucher Alemi, Chief of DWR's Water Use and Efficiency Branch, at (916) 651-9662 or malemi@water.ca.gov.



Mark W. Cowin
Director

Attachments

California Water Commission Members

Commissioner Andrew Ball
Commissioner Joseph Byrne
Commissioner Dave Cogdill
Commissioner Daniel Curtin
Commissioner Joe Del Bosque
Commissioner Kimberly Delfino
Commissioner Luther Hintz
Commissioner Paul Kelley, Vice-Chair
Commissioner Anthony Saracino, Chairperson
Commissioner Sue Sims, Interim Executive Officer