

AB 2282 Recycled Water Steering Committee

CHARTER – **DRAFT**

May 27, 2016

This Charter provides information on the objectives and expectations of the AB 2282 Recycled Water Steering Committee (Committee). The Committee is being established to discuss and consider proposals for the development of recycled water infrastructure building standards for specified new residential and nonresidential construction.

AUTHORITY AND PURPOSE STATEMENT

[AB 2282 \(Gatto, Chapter 606, Statutes of 2014\)](#) which added Sections 17921.5 and 18940.6 to the Health and Safety Code, requires the Department of Housing and Community Development (HCD) and the Building Standards Commission (BSC), in consultation with the State Water Resources Control Board and other interested parties, to conduct research to assist in the development of mandatory green building standards, for recycled water systems for newly constructed residential, commercial, and public buildings and building site landscaped areas. Such building standards must be adopted during the 2016 Intervening Code Adoption Cycle.

BSC and HCD, and other state agencies will be convening the AB 2282 Recycled Water Steering Committee in 2016 to develop the recycled water infrastructure building standards mandated in statute. An outline of the regulations proposed by HCD and BSC will serve as the beginning of the Committee's conversation. The research, input, and recommendations of the Committee members will assist HCD and BSC with the development of these regulations. Initial submittals of proposed building standards are due to BSC in December 2016.

OBJECTIVES

The Steering Committee will assist HCD and BSC in achieving their following objectives:

- Conduct research in consultation with the State Water Resources Control Board and other stakeholders identified in the legislation.
- Research potential outdoor applications for recycled water, consistent with specified recycled water use criteria in Title 22, CCR.
- Research potential indoor applications for recycled water, consistent with specified recycled water use criteria in Title 22, CCR.
- Consider whether to adopt or recommend measures in addition to the current standards adopted in the California Plumbing Code, including (but not limited to) requiring purple pipe or special markings on recycled water piping/systems.
- Identify key areas of concern.
- Seek input from stakeholders with subject matter expertise in the design, development, and enforcement of recycled water programs.

- Form a steering committee (and possible subcommittees) to coordinate the development of draft building standard regulations pursuant to AB 2282.
- Develop draft regulations amending the 2016 California Plumbing and Green Building Standards Codes applicable to newly constructed residential and nonresidential construction, including building site landscape areas.
- Determine the economic and fiscal impact of the draft regulations. Include all applicable costs, including (but not limited to) cost of recycled water systems, piping, trenching. Also factor in water savings.
- Consider who may purchase materials and install specified systems.
- Determine the technical feasibility of the draft regulations.
- Determine the enforceability of the draft regulations.
- Ensure recycled water use in Part 5 of the California Building Standards Code, Title 24, California Code of Regulations (otherwise known as the California Plumbing Code) is consistent with recycled water use criteria in Chapter 3 (commencing with Section 60301.00) of Division 4 of Title 22, CCR.
- Clarify the application of specific standards for piping/fixtures within walls.
- Limit the scope of these regulations to areas within jurisdictions that have access to municipal recycled water (i.e., from a purveyor) or will soon have access to municipal recycled water based on recent urban water management plans. This mandate excludes areas where only recycled water use is for potable purposes, or in which net nonpotable deliveries are anticipated to remain level or decrease as a result of the potable reuse project.
- Provide and update a project timeline and schedule to help manage assignment deadlines.
- Following stakeholder input, prepare initial submittals prior to December 2016 due date (for the 2016 Intervening Code Cycle).

DESIRED OUTCOMES

- Obtain broad array of stakeholder comments on topics for proposed regulations.
- Obtain accurate economic and fiscal impact and cost of compliance of draft regulations from affected members of the regulated community.
- Obtain appropriate information that will support appropriate building standard rulemaking documents, including (but not limited to) the initial statement of reasons (statement of specific purpose, problem, rationale, and benefits; technical, theoretical, and empirical study, report, similar documents; consideration of reasonable alternatives, etc.)

STEERING COMMITTEE MEMBERSHIP

- Department of Housing and Community Development (HCD)
- California Building Standards Commission (BSC)

- State Water Resources Control Board (SWRCB)
- Department of Water Resources (DWR)
- Public water systems
- Recycled water producers
- Product manufacturers
- Local building officials
- Apartment and other rental property owners
- California-licensed contractors
- Building industry
- Design Professionals
- Other state agencies, stakeholders, and subject matter experts

GUIDING PRINCIPLES

The goals of the Committee will best be achieved by relationships among members characterized by mutual trust, responsiveness, flexibility, and open communication. It is the responsibility of all participants in the project to work toward the common goals of the Committee, BSC, and HCD's desired outcomes.

To that end, Committee members will:

- Commit to expending the time, energy and organizational resources necessary to sustain a collaborative process;
- Be prepared to listen intently to the concerns of others and identify the interests represented;
- Ask questions and seek clarification to ensure understanding of the interests, concerns and comments of stakeholders;
- Regard disagreements as possible problems to be solved rather than battles to be won;
- Be prepared to "think outside the box" and develop creative solutions to address the many interests that will be raised throughout deliberations.
- Those who offer problems should also offer solutions.

PROPOSED MEETING SCHEDULE

BSC and HCD anticipate holding 3-4 stakeholder meetings between June and September, 2016. The first meeting will be held on June 14, 2016 at the Victim Compensation and Government Claims Board (400 R Street, First Floor Hearing Room, California Victim Compensation and Government Claims Board, Sacramento, CA 95811, agenda forthcoming). In-person participation is strongly encouraged.

FORMAT

The meeting will be open to subject matter experts accepting BSC and HCD's invitation to participate. Meetings will be facilitated by BSC and HCD staff, which will develop agendas, supply briefing materials, provide technical assistance, record committee actions and recommendations and participate in committee discussion. Committee members are invited to discuss the issues and make recommendations as to whether an issue does or does not warrant change and what actions should result in policy/regulations proposals.

The Committee will be primarily supported by BSC and HCD staff and may be assisted by other partnering agencies or departments. Staff will provide the Committee briefings on issues and recommendations, summarize meeting discussions and recommendations, and make information available to interested persons.

RULES OF ENGAGEMENT

Participants agree to:

- Listen and openly discuss issues with others who hold diverse views.
- View disagreements as problems to be solved rather than battles to be won.
- Not engage in stereotyping on other participants.
- Not ascribe motives or intentions of other participants.
- Respect the integrity and values of other participants. Keep commitments made.
- Members are encouraged to attend all meetings; consistency of involvement will assist the productivity of the discussions and avoid revisiting past discussions.

CONSENSUS SEEKING PROCEDURE

The Committee will strive to seek consensus on all key issues. No voting is anticipated. Rather, every effort will be made to address the concerns of all participants. The clearest and strongest power of this group exists when consensus can be achieved. However, there is a range and different degrees to which participants can agree. Articulating the degree of support for a decision will be important for members, as this will allow the process to move forward, even when complete consensus cannot be reached.

This charter describes the work of the AB 2282 Recycled Water Steering Committee. Changes may be made to the charter at the concurrence of the committee members