



Policy 9.05

EFFECTIVE 22 SEP 15

SUPERSEDES 26 MAR 13

NON-POTABLE WATER

IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Require that customers of the East Bay Municipal Utility District (“EBMUD”) use non-potable water, including recycled water, for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health and not injurious to plant life, fish and wildlife. When non-potable water satisfying these conditions is made available to the customer, the use of potable water for non-domestic purposes may constitute a waste and unreasonable use of water within the meaning of Section 2 of Article X of the California Constitution and is prohibited.

Findings Related To Use Of Non-potable Water The Board of Directors of EBMUD has determined that existing water supplies will not adequately accommodate existing and future demand within the EBMUD’s Ultimate Service Boundary. Non-potable water resources, including treated wastewater discharged to the San Francisco Bay from EBMUD and other Bay Area treatment plants, and other alternative water sources that could provide a safe and effective alternative water supply for certain non-potable purposes, increase the availability of the limited water supplies of EBMUD, assure non-potable water customers of a more reliable water supply during periods of drought, reduce wastewater discharges to the Bay, and provide EBMUD with greater flexibility to meet instream needs in the Mokelumne River. The State Legislature has determined that the use of potable domestic water for certain non-potable uses may constitute a waste or unreasonable use of water if recycled water is available which meets specified conditions. (Water Code Section 13550 et seq.)

Definitions

Non-potable Water - All reclaimed, recycled, reused, untreated, or alternative water supplies that meet the conditions set forth in the California Water Code, Section 13550, and are determined by EBMUD to be suitable for non-domestic purposes and feasible for the particular intended use.

Non-domestic Uses - For purposes of this policy, “non-domestic uses” shall mean all applications except drinking, culinary purposes and the processing of products intended for direct human consumption.

Mandated Uses Of Non-potable Water Customers may be required to use non-potable water consistent with non-potable water service regulations and non-potable/recycled water rate schedule for their non-domestic uses which may include, but are not limited to, the following:

- Irrigation of cemeteries, golf courses, playing fields, parks, and residential and nonresidential landscaped areas;
- Commercial and industrial process uses; and
- Toilet and urinal flushing in nonresidential buildings.

Determination Of Feasibility Of Non-potable Water

In determining whether non-potable water is feasible for a particular non-domestic use, EBMUD shall consider the following factors:

- Whether the non-potable water may be furnished for the intended use at a reasonable cost to the customer and EBMUD.
 - Whether the non-potable water is adequate quality for the intended use and does not require significant additional on-site treatment by the customer beyond that required for potable water.
 - Whether the use of non-potable water is consistent with all applicable federal, state, and local laws and regulations.
 - Whether the use of non-potable water will not be detrimental to the public health and will not adversely affect plant life, fish and wildlife.
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Regulations Governing Non-potable Service

The regulations and rates governing non-potable water service, including recycled water, shall be determined by the Board of Directors and published in the Regulations Governing Water Service and Schedule of Rates and Charges for Customers of East Bay Municipal Utility District.

Water Reuse Zones

EBMUD designates Water Reuse Zones within EBMUD's service area where non-potable water service has been determined to be reasonably available.

Non-potable Water Service Agreements

Where implementation of this Policy requires agreements, such agreements shall, wherever possible, have a term of 20 or more years and shall include applicable provisions governing responsibilities for planning, design and construction, and facilities operation and maintenance. Upon termination or expiration of an agreement, customers receiving non-potable water service, including recycled water, pursuant to that agreement shall be governed by the non-potable water service regulations and non-potable/recycled water rate schedule, unless a new agreement is entered into.

Authority

Resolution No. 32981-96, April 9, 1996
As amended by Resolution No. 33443-04, September 28, 2004
As amended by Resolution No. 33564-06, November 14, 2006
As amended by Resolution No. 33919-13, March 26, 2013
As amended by Resolution No. 34052-15, September 22, 2015

References

Regulations Governing Water Service and Schedule of Rates and Charges for Customers of East Bay Municipal Utility District
Policy 7.05 – Sustainability
