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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2023-

APPROVING THE CROSS-CONNECTION CONTROL POLICY HANDBOOK

WHEREAS:

1. Health and Safety Code section 116270 et seq., (California Safe Drinking Water Act (Act)) requires the State Water Resources Control Board (State Water Board) to administer provisions related to drinking water to protect public health. The Act allows the State Water Board to adopt regulations that include requirements for the control of cross-connections;
2. On October 6, 2017, Assembly Bill 1671 was filed with the Secretary of State, adding section 116407 to the Health and Safety Code;
3. Health and Safety Code section 116407 directs the State Water Board to adopt standards for backflow protection and cross-connection control by January 1, 2020, and allows those standards to be implemented through a policy handbook that is not subject to the requirements of Chapter 3.5 (commencing with section 11340) of Part 1 of Division 3 of Title 2 of the Government Code;
4. The State Water Board is adopting the standards for backflow protection and cross-connection control through a policy handbook titled the Cross- Connection Policy Control Policy Handbook, which is appended to this resolution;
5. Pursuant to Health and Safety Code section 116407, existing cross-connection regulations in Title 17 of the California Code of Regulations will be repealed 90 days after the effective date of any cross-connection control policy handbook, commencing with Article 1 (commencing with section 7583) and Article 2 (commencing with section 7601) of Group 4 of Subchapter 1 of Chapter 5 of Division 1 of Title 17 of the California Code of Regulations;
6. On October 2, 2019, Assembly Bill 1180 was filed with the Secretary of State, amending Health and Safety Code section 116407. The amendment directs the State Water Board to include provisions for the use of a swivel-ell, or changeover devices, under certain circumstances;

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7. Health and Safety Code section 116407 requires the State Water Board to consult with state and local agencies and other persons whom the State Water Board has identified as having expertise in the subject of backflow protection and cross-connection control, to hold at least two public hearings before adopting a policy handbook, and to post the policy handbook on the State Water Board's website. The State Water Board has held two public hearings with accompanying 60- and 37-day written comment periods, and one board workshop with a 15-day written comment period. Oral comments were accepted at each hearing and the workshop. Drafts of the policy handbook were posted on the State Water Board's website prior to each written comment period;
8. The adoption of the Cross-Connection Control Policy Handbook is exempt from the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: (1) Class 1 projects, which consist of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public and private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use ; and (2) Class 2 projects, which consist of replacement or reconstruction of existing structures and facilities. Additionally, because prior to the adoption of the Cross-Connection Control Policy Handbook, public water systems were already subject to cross-connection and backflow prevention requirements, it can be seen with certainty that there is no possibility that the adoption of the Cross-Connection Control Policy Handbook will have a significant effect on the environment;
9. State Water Board staff reviewed and responded to the comments received. The responses are posted on the State Water Board's website at (https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/cccp.htm); and
10. The State Water Board anticipates making future revisions to the Cross-Connection Control Policy Handbook in response to stakeholder input and engagement.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Adopts the Cross-Connection Control Policy Handbook as appended to this resolution with an effective date of July 1, 2024, thereby satisfying the requirements of Health and Safety Code section 116407;

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2. Directs State Water Board staff to file a CEQA Notice of Exemption consistent with paragraph 8, above; and
3. Authorizes the Executive Director or their delegee to make any non-substantive corrections to the Cross-Connection Control Policy Handbook deemed necessary for clarity or consistency, and to effectuate the repeal of existing cross-connection control regulations.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 19, 2023.

Courtney Tyler
Clerk to the Board