

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

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**ORDER R2-2026-00XX
TERMINATION OF WATER RECLAMATION REQUIREMENTS FOR
CITY AND COUNTY OF SAN FRANCISCO AND CITY AND COUNTY OF SAN
FRANCISCO'S NON-POTABLE WATER PROGRAM
SAN FRANCISCO, SAN FRANCISCO COUNTY**

WHEREAS the California Regional Water Quality Control Board, San Francisco Bay Region (Regional Water Board) finds that:

- 1. Order Purpose:** The purpose of this Order is to terminate Order R2-2017-0036.
- 2. Background:** On September 13, 2017, the Regional Water Board adopted Water Reclamation Requirements Order R2-2017-0036 for the City and County of San Francisco's Non-potable Water Program (Discharger), which authorized the collection, treatment, reuse, and discharge to land of Alternate Water Sources (defined in Finding 3), including rainwater, stormwater, graywater, foundation drainage, and treated blackwater, through the Discharger's Non-potable Water Program. The purpose of the Water Reclamation Requirements Order R2-2017-0036 was to ensure that the expansion of discharges of Alternate Water Sources to land by entities enrolled in the Discharger's Non-Potable Water Program (now called the Onsite Water Reuse Program) do not cause impacts to beneficial uses or threats to human health or the environment and acknowledged and supported the Discharger's innovative approach to water reuse efficiency.
- 3.** In November 2016, a new local ordinance in the City and County of San Francisco mandated that all new buildings of 250,000 square feet or more of gross floor area install onsite non-potable water systems to treat and reuse available Alternate Water Sources for toilet and urinal flushing and irrigation. In October 2021, the ordinance was amended to require new development projects of 100,000 square feet or more of gross floor area to install and operate an onsite water reuse system.
- 4.** The Discharger's Onsite Water Reuse Program was established to provide a permitting process for new commercial, multi-family, and mixed-use developments in San Francisco to collect, treat, and reuse water for toilet flushing, irrigation, and other non-potable uses. Prior to the establishment of the Onsite Water Reuse Program, developers and designers were interested in implementing onsite non-potable water systems into their projects, but the process of navigating which agencies had authority over such systems and what the regulations were for implementing non-potable water reuse was a challenge. As one example, the California Plumbing Code includes water quality standards for graywater and

rainwater reuse but does not include regulations pertaining to ongoing monitoring and oversight. The Discharger developed a streamlined local regulatory pathway to permit onsite non-potable water systems and provide standards for ongoing monitoring and reporting to protect both public health and the public water system. The Onsite Water Reuse Program outlines the oversight and review process throughout the permitting process and throughout the life of a building's onsite wastewater treatment system.

5. An "Alternate Water Source" is a source of non-potable water that includes graywater, rainwater, stormwater, foundation drainage, blackwater, and/or any other source approved by the Director of the San Francisco Department of Public Health in accordance with the City and County Health Code section 12C. An Alternate Water Source System is also referred to as an "onsite non-potable water system" and consists of a system of facilities necessary for providing non-potable water, including, but not limited to, all collection, treatment, storage, and distribution facilities.
6. In September 2018, California Senate Bill 966 (SB 966) was enacted, adding sections 13558 and 13558.1 to the Water Code. SB 966 requires that the State Board adopt regulations for the onsite treatment and reuse of nonpotable water on or before December 1, 2022. SB 966 also requires the State Board to consult with the California Building Standards Commission (CBSC) and the Department of Housing and Community Development (HCD) in the regulation adoption process. SB 966 requires that HCD, in consultation with the State Board, develop and propose for adoption any necessary corresponding building standards on or before December 1, 2023. The adoption of the proposed regulations by the State Board would establish risk-based water quality standards for the onsite treatment and reuse of nonpotable water (onsite wastewater, graywater, stormwater, and roof runoff) for indoor and outdoor nonpotable end uses (toilet flushing, urinal flushing, drain trap priming, clothes washing, decorative fountains, landscape irrigation, ornamental plant irrigation, dust suppression, and car washing) in multifamily residential, commercial, and mixed-use buildings.
7. On April 22, 2026, the State Water Resources Control Board's **Regulations for Onsite Treatment and Reuse of Nonpotable Water** (Regulations) became effective. The Regulations establish statewide, risk-based water quality standards and operational requirements for onsite treatment and reuse of non-potable water in multifamily residential, commercial, and mixed-use buildings.
8. The statewide Regulations establish a comprehensive regulatory framework for onsite non-potable water systems that supersede the need for the site-specific Water Reclamation Requirements established by Order R2-2017-0036.
9. **Basis for Termination:** The City and County of San Francisco has informed the Regional Water Board that it is updating its Onsite Water Reuse Program to

conform to the statewide Regulations, including revisions to the San Francisco Department of Public Health's Rules and Regulations Regarding the Operation of Alternate Water Source Systems, updates to application and reporting templates, revisions to technical guidance documents, and implementation of compliance schedules for existing onsite non-potable water systems.

10. The Regional Water Board finds that termination of Order R2-2017-0036 is appropriate because the statewide Regulations now provide the applicable regulatory framework governing onsite treatment and reuse of non-potable water, and the Discharger's program will continue under that framework.
11. **CEQA:** The termination of Order R2-2017-0036 is exempt from the California Environmental Quality Act (CEQA) because it is not a project as defined under CEQA. The termination will not result in a direct or reasonably foreseeable indirect physical change in the environment. (Pub. Resources Code, § 21065; Cal. Code Regs., tit. 14, §§ 15378, 15061(b)(3).)
12. **Notification:** The Regional Water Board notified the Discharger and other interested agencies and persons of its intent to terminate Order R2-2017-0036 and provided an opportunity to submit written comments and recommendations. The public had access to the agenda and any changes in dates and locations through the [Regional Water Board's website](http://waterboards.ca.gov/sanfranciscobay) (waterboards.ca.gov/sanfranciscobay).
13. **Public Hearing:** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the termination of Order R2-2017-0036.

THEREFORE, IT IS HEREBY ORDERED pursuant to Water Code division 7 that, as of the date of this Order's adoption, Order R2-2017-0036, is terminated, except for enforcement purposes.

This Order was adopted on:

December 9, 2026

I hereby certify that this Order is a full, true, and correct copy of the Order adopted by the Regional Water Board on the date indicated above.

Eileen M. White, P.E.
Executive Officer