

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA 93401**

**RESOLUTION NO. R3-2012-0017**

**RESOLUTION IN SUPPORT OF MISSION HILLS COMMUNITY SERVICES DISTRICT  
ORDINANCE TO CONTROL SALINITY INPUTS FROM SELF-REGENERATING  
WATER SOFTENERS**

The California Regional Water Quality Control Board, Central Coast Region (hereinafter Central Coast Water Board), finds that:

1. On February 3, 2009, the State Water Resources Control Board adopted the Recycled Water Policy (Resolution No. 2009-0011). It is the intent of the policy that salts and nutrients from all sources be managed in a manner that ensures attainment of water quality objectives and protection of beneficial uses. The State Water Board found that the appropriate way to address salt and nutrient issues is through the development of regional or sub-regional salt and nutrient management plans rather than through imposing requirements solely on individual recycled water projects.
2. On October 11, 2009, the State of California enacted Water Code Section 13148, relating to water softeners. This new law authorizes any local agency that owns or operates a community sewer system or water recycling facility to take action, by ordinance or resolution, after a public hearing on the matter, to control salinity inputs from self-regenerating water softeners to protect the quality of the waters of the state, if the appropriate regional water board makes a finding that the control of such salinity input will contribute to the achievement of water quality objectives. Water Code Section 13148 allows local agencies more control over salinity by giving local agencies additional authority to regulate residential self-regenerating water softeners, especially in areas of the state with water bodies adversely impacted by salinity and groundwater basins that are hydrogeologically vulnerable to contamination.
3. The Water Quality Control Plan for the Central Coastal Basin (Basin Plan) currently has in place plans and policies; Chapter 5 sections V.C and V.H.8, Salt Discharge and Salinity Management for Central Coast Water Board. These plans and policies emphasize the control of brine disposal into public sewer systems, actively support measures designed to protect and to improve quality of waters imported into areas with unfavorable or poor salt balance, and support actions by municipalities to implement salt source control measures. These plans and policies are based on considerations of the factors specified in Water Code Section 13241 and State Water Board Resolution No. 68-16 (*Statement of Policy with Respect to Maintaining High Quality of Waters in California*, also known as the "Anti-degradation Policy"), as well as the economic implications of them.
4. The Mission Hills Community Services District conducted a salt source determination study in 2011, due to chronic salts violations of its waste discharge requirements. A salt analysis performed through mass balance calculations and estimates regarding human consumption indicate approximately 47% of the salt loading at the wastewater

facility is from self-regenerating water softeners. This source also represents the majority of salt from controllable sources, as the remainder is estimated to be from human waste.

5. Salt loading through the use of self-regenerating water softeners within the Mission Hills Community Services District contributes to effluent discharge violations. The Mission Hills Community Services District proposes to restrict the use of water softeners as a key component of its corrective actions plan. With the enactment of Water Code Section 13148, the Mission Hills Community Services District may move forward with the recommended project solution to reduce salts in its effluent and avoid further enforcement action by the Central Coast Water Board.
6. It is appropriate for Mission Hills Community Services District to enact an ordinance controlling the use of self-regenerating water softeners.
7. The Central Coast Water Board is responsible for ensuring that present and potential beneficial uses applicable to the groundwater basins in the region are protected from the pollution and nuisance that may occur as a result of waste discharges.
8. The previously described study provides for a direct benefit to the Central Coast Water Board's groundwater protection efforts in the Santa Ynez Watershed and underlying groundwater basins, consistent with the vision of Healthy Watersheds and measurable goal of Clean Groundwater.
9. The control of self-regenerating water softener use will contribute to the achievement of the water quality objectives approved in the Basin Plan. This finding is based on evidence in the records of the Central Coast Water Board, as described in this Resolution, demonstrating that salinity input from self-regenerating water softeners is a significant source of controllable salts within the Mission Hills Community Services District. The water softener ordinance would protect beneficial uses and provide maximum benefit to the users of the Santa Ynez Watershed and the Santa Ynez groundwater sub-basin, Lompoc Upland and Lompoc Plain sub-units, and to the State of California. The Health and Safety Code sections 116785 and 116786 also address salt control.
10. The Central Coast Water Board has issued Waste Discharge Requirements Order No. 97-35 to the Mission Hills Community Services District. As authorized by California Water Code section 13148(e), this Resolution amends Waste Discharge Requirements Order No. 97-35, to add a finding as set forth in paragraph 9 of this Resolution.

THEREFORE, BE IT RESOLVED THAT:

1. It is appropriate for Mission Hills Community Services District to control salinity input from self-regenerating water softeners to protect the quality of the waters of the State. Mission Hills Community Services District representatives shall update, as necessary, the district ordinance or other local agency regulatory tools. The ordinance shall give Mission Hills Community Services District the authority to implement and enforce the ordinance regulating self-regenerating water softeners.

2. Waste Discharge Requirements Order No. 97-35 is hereby amended to include the following finding:

“The Central Coast Water Board finds that the control of self-regenerating water softener use will contribute to the achievement of the water quality objectives approved in the Basin Plan. This finding is based on evidence in the records of the Central Coast Water Board, as described in this Resolution, demonstrating that salinity input from self-regenerating water softeners is a significant source of controllable salts within the Mission Hills Community Services District. The water softener ordinance would protect beneficial uses and provide maximum benefit to the users of the Santa Ynez Watershed and the Santa Ynez groundwater sub-basin, Lompoc Upland and Lompoc Plain sub-units, and to the State of California. The Health and Safety Code sections 116785 and 116786 also address salt control.”

3. The Executive Officer is directed to transmit a copy of this Resolution to the State Water Board.

I, Roger W. Briggs, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Central Coast Region on May 3, 2012.

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Executive Officer