

## LEGISLATIVE DIGEST

[Health Code - Definition of Projects and Responsibilities for Alternate Water Sources]

**Ordinance amending the Health Code to revise the definition of development projects subject to the requirements for an Alternate Water Source system and the definitions of large and small residential projects subject to specific requirements for such a system, and providing authorization for the review and approval of alternative means of compliance; and affirming the Planning Department's determination under the California Environmental Quality Act.**

### Existing Law

Chapter 12C of the Health Code mandates that development projects of a certain size use an Alternate Water Source system for the collection and reuse of available onsite Rainwater, Graywater, and Foundation Drainage.

### Amendments to Current Law

Section 12C.2 of the Health Code is amended to clarify the definitions of large and small development projects that are subject to the requirements. Also, HOPE SF projects and construction of building using no large than a 5/8" water service meter are excluded from the definition of development project. In addition, the initial phases of development projects that have been approved in specified circumstances are excluded from the definition of development project. Section 12C.2 is also amended to provide other clarifying definitions relevant to these amendments. Section 12C.4 is amended to provide that operation and maintenance responsibilities of a completed Alternate Water Source System serving the District Development Project shall be held by the owner of the common areas within the District Development Project, that implementation plans must be provided to the General Manager of the San Francisco Public Utilities Commission, and that alternative systems in District Development Projects that provide for compliance with Article 12C may be approved by the General Manager. Section 12C.10 is amended to remove unnecessary subsections.

### Background Information

The definitions of large development project and small development project in Health Code Article 12C are being amended to implement the Board's intent that Article 12C applies to development projects consisting of interconnected buildings or phased construction of buildings, as well as single building projects, that exceed the threshold limits of the Article. Also, HOPE SF projects, construction of building using no large than a 5/8" water service meter, and the initial phases of development projects that have been approved in specified circumstances are excluded from the definition of development project.

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In addition, the General Manager of the San Francisco Public Utilities Commission may approve alternative non-potable water systems proposed as compliance with this Article 12C, where the proposed alternative complies with the purposes and objectives of this Article. Such alternatives could involve using water from a SFPUC facility in close proximity, synergistic opportunities arising because of the adjacency of two or more development projects, or other circumstances deemed acceptable by the General Manager.

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