



Pete Conaty

Is the Battle Over?

Assembly Bill (AB) 1366 passed California's legislature in October. WQP Managing Editor Rebecca Wilhelm spoke with David Loveday, director of government affairs and communications for the Water Quality Association (WQA), and Pete Conaty, California legislative advocate for the WQA and Pacific Water Quality Association, to see what this means for the future of the water treatment industry in California and across the nation.

Rebecca Wilhelm: Please tell us what is the AB 1366.

Pete Conaty: Basically, it is a bill to allow local agencies more control over the discharge caused by self-regenerating home water softeners.

David Loveday: Last year, there was AB 2270, which was a much stronger bill than this one, but the governor vetoed it. This bill and last year's bill passed both chambers with overwhelming numbers, so there was widespread support within the legislature. AB 2270 was statewide, but the governor felt strongly that it should only be in the areas with the most need to control salinity. They picked five regional boards.

Wilhelm: What regions are affected?

Conaty: Affected areas include the coastal areas from San Jose south, all the way to San Diego, and the central valley for the most part, south of Sacramento, down through Bakersfield.

Wilhelm: Could you describe the timeline of this bill's progress?

Conaty: It started in January and went until the end of the legislative session in September. Along the way, we were able to obtain quite a few favorable amendments. It is not statewide; also, they have to give us ample notification before they go to the step of either banning or removing softeners. It's a two-step process: Regional boards have to make a finding and local agencies have to have

public hearings that are noticed, and cannot take action for at least 60 days.

Loveday: The battle has gone from Sacramento back down to the local level. In the bill, there are many things they can do. They can put a salinity management plan in place, and that was not in the bill before. Before they ban they have to go down to the local level, where they are much more in touch with their constituents. When they are going to take an action like this that is going to affect someone whose business is down the road and is a small businessman in the community, they will certainly take another look.

Wilhelm: What kind of reaction have you seen from the industry to this bill?

Loveday: Many people understand that you cannot keep fighting every year. I do not think we will see any more legislation.

Now that it is over, we have had preliminary conversations with the state boards and regional boards, and they are willing to sit down and work with us. That is a very positive step, in the sense that the battle is over now; they want this bill to work. Hopefully they don't see us as enemies; they see us as a partner who can help with their salinity issues.

Conaty: I think the industry's reaction is "wait and see." There are a couple areas where they might move a little quicker to exercise their rights under this bill, which won't take effect until Jan. 1, 2010. But they will have to go through a regional water board first before a local agency can

do anything, so we will get a heads up if any regional water board takes an action.

Loveday: We stress to our members that they need to get involved in their communities. That might mean joining the Lions Club, the Kiwanis, maybe the Chamber of Commerce, and going to luncheons and sitting down with those people. You may have someone from the water board there, and certainly an elected official. Get to know them; let them get to know you and your industry and educate them. We will be monitoring regional boards and authorities. If an agency is going to look at the problem, we are going to notify dealers and prepare packages for them. We are developing those kits right now. We will be meeting with members to walk them through the plan. We will invite our members and PWQA members and say, "Here is how the bill works. Here is what it means to you, and you have to be our eyes and ears on the ground."

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