Emergency Regulations to Increase Urban Water Conservation: Description and Context

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Background

- March 1 Emergency Drought Legislation
- April 25 Executive Order
- May 23 Drought Response Survey
- Jun 17 Update to Board
Current Drought Conditions and Future Projections

- 80 percent of state experiencing exceptional drought conditions
- El Niño forecast uncertain
- Reservoirs extremely low
- Nearly 50 communities at risk
Drought Response at the Local Level

• Near-term Actions
  – Outreach & messaging
  – Use restrictions & enforcement
  – Leak detection & repair
  – Conservation financing & incentives
  – Community partnerships
Drought Response at the Local Level

• Longer-term Actions
  – Rate design
  – Water & energy efficiency
  – Stormwater capture & reuse
  – Installation of meters & use of technology
  – Large-scale recycled water development
Classification of Water Suppliers

- > 3000 connections: 440 urban water suppliers
- < 3000 connections: 2674 water systems

- 16% of Californians are served by investor-owned water utilities regulated by the California Public Utilities Commission
Survey Response Update

- 276 responses received
- Many data gaps corrected
- Proposed baseline change
- Results measure conservation through May
Updated Survey Results

Projected Savings in Water Produced May 2011-2013 vs. May 2014

- Statewide: -1%
- South Coast: -8%
- San Francisco Bay: 5%
- Sacramento River: 13%
- Tulare Lake: 0%
- South Lahontan: 9%
- Colorado River: 5%
- San Joaquin River: 10%
- Central Coast: 10%
- North Coast: 12%
- North Lahontan: -5%
Proposed Emergency Regulations

Temporary Prohibitions:

• Application of water to hard surfaces for washing
• Watering of outdoor landscapes that cause runoff
• Using a hose without a shut-off nozzle to wash a car
• Using potable water in a fountain or decorative water feature, unless the water is recirculated.

Health, safety and permit exceptions apply
Proposed Emergency Regulations

Urban Water Supplier Actions

• Implement stage of Water Shortage Contingency Plan that mandates restrictions on outdoor water use
• If no/inadequate Water Shortage Contingency Plan
  – Limit outdoor irrigation to no more than two days per week

  or

  – Implement other mandatory conservation measure to achieve a comparable reduction in water consumption relative to the amount consumed in 2013.
Proposed Emergency Regulations

Smaller Water Systems

• Implement mandatory outdoor irrigation restrictions
  – Limit outdoor irrigation to no more than two days per week

  or

  – Implement other mandatory conservation measure to achieve a comparable reduction in water consumption relative to the amount consumed in 2013.
Proposed Emergency Regulations

Enforcement Tools

• Individual Prohibitions
  – Violation is infraction, punishable by a fine of up to $500/day

• Water Supplier Actions
  – Violation can be infraction punishable by a fine of up to $500/day
  – Board may impose civil liability of up to $500/day
  – Board may issue Cease and Desist Order, violation of which triggers liability of up to $10,000 per day
  – Attorney General shall seek an injunction at Board’s direction
Proposed Emergency Regulations

Keeping Track of Urban Water Use

• Urban water suppliers (required)
  – Amount of potable water produced
  – Estimate of gallons of water per person per day
Implementation Considerations

- **Health and Safety Needs**
  - Street washing
  - Power washing

- **Activation of Water Shortage Contingency Plans**
  - CPUC-regulated water suppliers need CPUC approval to activate their plans at the mandatory level
  - Some suppliers will go to rationing or penalty rates even though their voluntary conservation efforts have been successful
  - Water suppliers will need to hold timely meetings in order to comply with an August 1, 2014 implementation date
Implementation Considerations

- Exclusion of water used for agriculture
  - Suppliers with both urban and agricultural customers
- Credit for suppliers whose pricing and incentive programs have led to significant reductions in outdoor use
- Others raised in comments
Board Action

• Clarifying changes to regulation
  – Washing solar panels
  – Implementation of Water Shortage Contingency Plan outdoor water use restrictions for retail water suppliers only
  – 2013 & 2014 data comparison

• Proposed Resolution
  – Actions related to regulation
  – Additional actions needed for effective drought response