
State Water Resources Control Board

NOTICE OF PUBLIC WORKSHOP

Urban Water Conservation

Wednesday January 18, 2017
(will not begin before 10:00 a.m.)

Joe Serna Jr. - CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board or Board) will hold a public workshop to receive input on extension and potential modification of the current Emergency Regulation for Statewide Urban Water Conservation. This will be an informational workshop only and the State Water Board will take no formal action.

BACKGROUND

On April 1, 2015, Governor Brown issued the fourth in a series of executive orders on actions necessary to address California's severe drought conditions. On May 5, 2015, the State Water Board adopted an Emergency Regulation to address specific provisions of the April 1 Executive Order, including the mandatory 25 percent statewide reduction in potable urban water use between June 2015 and February 2016. On November 13, 2015, Governor Brown issued [Executive Order B-36-15](#), which directed the State Water Board to extend the May 2015 Emergency Regulation, if drought conditions persisted. Drought conditions continued and the emergency regulation was extended in February 2016 for another 270 days.

The State Water Board adjusted the Emergency Regulation in May 2016, in response to improved hydrologic conditions through April 2016. The May 2016 Emergency Regulation allowed urban water suppliers to self-certify information upon which a new, supply reliability-based conservation standard was imposed, based on the amount of potable water that would be available following three additional years of drought. Suppliers whose supply analysis showed a supply shortfall at the end of three additional years of drought were issued a mandatory conservation standard equal to that supply shortfall. The self-certification was voluntary; some suppliers chose to retain their mandatory conservation standard from the February 2016 emergency regulation. The Office of Administrative Law approved the extended Emergency Regulation on May 31, 2016. The Emergency Regulation is scheduled to expire on February 28, 2017 if the Board does not act to extend it. A copy of the adopted and approved regulation is located on the [Water Conservation Portal - Emergency Conservation Regulation](#) webpage.

Additionally, on May 9, 2016, Governor Brown issued [Executive Order B-37-16](#). The Executive Order notes that while California has suffered through a severe multi-year drought, and that Californians have responded to the drought by conserving at unprecedented levels, severe drought conditions persist in many areas of the state. Issues of limited drinking water supplies, diminished water for agricultural production and environmental habitat, and severely-depleted groundwater basins have persisted, despite better precipitation during the 2015-16 water year. The Executive Order calls out four directives to help the state transition to permanent, long-term improvements in water use, including: using water more wisely, eliminating water waste, strengthening local drought resilience, and improving agricultural water use efficiency and drought planning.

Executive Order B-37-16 called on the State Water Board to adjust emergency water conservation regulations through the end of January 2017 in recognition of differing water supply conditions across the state. The State Water Board responded to this directive by updating the Emergency Regulation in May 2016 to include the self-certification process described above that recognizes supplier-specific supply conditions and drought levels.

Executive Order B-37-16 also calls on the State Water Board to develop, by January 2017, a proposal to achieve a mandatory reduction in potable urban water usage that builds off of the mandatory 25% reduction called for in earlier executive orders and lessons learned through 2016. The workshop will provide an opportunity to receive stakeholder input regarding extension and potential modification of the Emergency Regulation.

From June 2015 through November 2016, customers of the state's 411 urban water suppliers have saved 2.35 million acre-feet of water, which equates to a 18-month cumulative savings of 22.6 percent relative to the 2013 baseline. Compliance and water savings with the May 2016 Emergency Regulation remains positive. The supply reliability-based regulation that went into effect in June 2016 resulted in many suppliers having a zero percent conservation mandate, and nearly all of those suppliers are in compliance by having water production levels below 2013 levels (the baseline year for the emergency regulation). Thirty eight percent of suppliers reporting in October 2016 achieved water savings between 10 and 20 percent compared to the same month in 2013; these suppliers serve almost 18 million people. Fifty percent of suppliers, serving more than 14 million Californians, reported water savings of 20 percent or more.

WORKSHOP OVERVIEW

With California still experiencing severe drought in large portions of the state, the State Water Board is proposing to extend the May 2016 Emergency Regulation. Although precipitation levels from October through December have been promising in Northern California, southern California has remained dry. Severe drought conditions over multiple years have decreased water levels in many of California's reservoirs and groundwater basins, and reduced flows in the state's rivers. Rains in parts of California this water year are encouraging so far and above normal for this date. In some regions, however, the drought continues to present challenges including water shortages, over-drafted groundwater basins and land subsidence, dying trees and increased wildfire activity, diminished water for agricultural production, degraded habitat for many fish and wildlife species, and an increased threat of saltwater intrusion. Hydrologic conditions for the water year are not yet known, making it prudent to prepare for continued drought conditions and consider adjustments when hydrologic conditions are better known.

A readopted Emergency Regulation would extend through October 2017. The State Water Board is interested specifically in public comment on the following questions at this workshop:

1. What elements of the existing May 2016 Emergency Regulation, if any, should be modified? Should the State Water Board wait until the hydrology for the current water year is known (April or later) before proposing adjustments to the current method for calculating conservation standards? And, should the State Water Board allow suppliers to update or modify their conservation standard calculations (and if so, how)?
2. Should the State Water Board account for regional differences in snowpack, precipitation, and lingering drought impacts differently than under the current emergency regulation, and if so, how?
3. Executive Order B-37-16 requires the Board to develop a proposal to achieve a mandatory reduction in potable water use that builds off the mandatory 25 percent reduction in previous Executive Orders and lessons learned through 2016. The Board, however, is not required to act on this proposal. Should the Board act now, or later if conditions warrant, to a conservation standard structure like the one the Board adopted in February 2016 to achieve a mandatory reduction in water use? Should the Board set a conservation floor, individually or cumulatively?

If the Board extends the Emergency Regulation essentially unchanged, each urban water supplier (serving more than 3,000 connections or more than 3,000 acre-feet of water annually) would continue to either 1) be assigned a conservation standard between 8 percent and 36 percent, based on their residential gallons per capita per day (R-GPCD) for the months of July through September 2014, with some adjustment factors, or; 2) self-certify a conservation standard based on the supplier's water supply reliability assessment that demonstrates the degree sufficient supplies are available to meet demand should drought conditions persist through 2019. Additional information on the Emergency Regulation and conservation standards is available at the Water Conservation Portal referenced above

The purpose of this workshop is to solicit input on potential adjustments to the May 2016 Emergency Regulation in response to precipitation levels and other drought indicators across the state since May 2016, for consideration and possible action by the State Water Board in February 2017. The workshop will include a staff presentation and information on water supply conditions followed by public comments and Board Member discussion.

PROCEDURAL MATTERS

The workshop will be informational only. While a quorum of the State Water Board may be present, the Board will not take formal action at the workshop. There will be no sworn testimony or cross-examination of participants, but the State Water Board and its staff may ask clarifying questions. The workshop is an opportunity for interested persons to provide input to the State Water Board. To ensure a productive and efficient workshop, oral comments may be limited to three (3) minutes or otherwise limited at the discretion of the Board Chair or any Board member present. So that all commenters have an opportunity to participate, presentations and questions may be time-limited.

SUBMISSION OF WRITTEN COMMENTS

Interested persons must submit written comments by **12 noon on Thursday, January 12, 2017.**

Written comment letters must be submitted to the attention of:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th floor
Sacramento, CA 95814

Comment letters may be submitted to the Clerk of the Board via email at: commentletters@waterboards.ca.gov (15 megabytes, or less, in size) or by fax at (916) 341-5620.

ADDITIONAL INFORMATION

Please indicate in the subject line “**Comment Letter – Urban Water Conservation Workshop.**”

Comments may also be hand delivered. Couriers delivering comment letters must check in with lobby security personnel on the first floor of the CalEPA Building at the above address. Questions on comment submittals may be directed to Ms. Townsend, at (916) 341-5600.

More information on the State Water Board's Emergency Water Conservation Regulation can be found here:

http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/emergency_regulation.shtml

For directions to CalEPA, visit: <http://www.calepa.ca.gov/EPABldg/location.htm>


Notices and submittals are available electronically at:

http://www.waterboards.ca.gov/board_info/calendar/index.shtml

All visitors must check-in upon arrival to CalEPA and then proceed to the meeting room. Individuals who require special accommodations are requested to contact the Clerk to the Board at (916) 341-5600.

Please direct other questions about this notice to Kathy Frevert at (916) 322-5274 or kathy.frevert@waterboards.ca.gov.

Date January 6, 2017



Jeanine Townsend
Clerk to the Board