



COUNTY OF SAN JOAQUIN

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March 15, 2015

TO: Clerk of the Board, State Water Resources Control Board

FROM: Michael R. Cockrell, Director of Emergency Operations

SUBJECT: COMMENTS ON PROPOSED RESOLUTION ITEM #7- AMENDING AND READOPTING DROUGHT-RELATED EMERGENCY REGULATIONS FOR URBAN WATER CONSERVATION



Our County is submitting comments on two elements of the proposed conservation regulations being considered Tuesday, March 17, 2015, by the State Resources Control Board.

Sec. 864 End-User Requirements in Promotion of Water Conservation

(a)(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

- Limiting use of a hose to only “motor vehicle”, as defined by the California Vehicle Code (see attachment), eliminates additional possible waste, and example:
 - Aircraft
 - Watercraft
 - Rail locomotives and cars/tanker
 - Recreation & commercial trailers
 - Other non-motorized “vehicle” equipment (construction equipment, residential equipment, etc.)

(a)(5) The application of potable water to outdoor landscapes during and up to 48 hours after measurable rainfall.

- The terms used should reflect The National Oceanic and Atmospheric Administration’s, National Weather Service NOAA Glossary:
 - **Measurable:** Glossary does not contain the term “Measurable”.
 - (<http://w1.weather.gov/glossary/index.php?letter=m>)
 - **Rainfall:** “The amount of precipitation of any type, primarily liquid. It is usually the amount that is measured by a rain gauge. Refer to rain for rates of intensity and the quantitative precipitation for forecasting.”
 - <http://w1.weather.gov/glossary/index.php?letter=r>
 - **Rain:** Precipitation that falls to earth in drops more than 0.5 mm in diameter.
 - <http://w1.weather.gov/glossary/index.php?letter=r>
 - **Precipitation:** The process where water vapor condenses in the atmosphere to form water droplets that fall to the Earth as rain, sleet, snow, hail, etc. Would “Precipitation” be more appropriate since “rainfall” tends to relate to liquid?
 - (<http://w1.weather.gov/glossary/index.php?letter=p>)

- What would be the measuring site? If “Rainfall” is for forecasting, that only relates to NOAA precipitation sensor stations. Some counties only have one site in a central area. There are many precipitation monitoring sites:
 - NWS Forecast Office Surface Observation Stations
 - RAWS and METAR Observation sites
 - Sensors operated by a local, State, federal, higher education, or commercial weather services

If you have any questions on this submittal, please contact me.

Thank you for the opportunity to submit comments.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Article 22.5. Drought Emergency Water Conservation

Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. 864 End-User Requirements in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(5) The application of potable water to outdoor landscapes during and up to 48 hours after measurable rainfall.

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each bathroom using clear and easily understood language.

(c) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivision (b), in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. 865 Mandatory Actions by Water Suppliers

(a) The term “urban water supplier,” when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that includes mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed. Urban water suppliers with approved alternate plans as described in subdivision (b)(2) are exempted from this requirement.

(2) An urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan that restricts the number of days that outdoor irrigation of ornamental landscapes and turf with potable water is allowed, or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(d) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-users exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

PROPOSED TEXT OF EMERGENCY REGULATIONS

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a 20 percent reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.

V C Section 415 Motor Vehicle

Motor Vehicle

415. (a) A "motor vehicle" is a vehicle that is self-propelled.

(b) "Motor vehicle" does not include a self-propelled wheelchair, motorized tricycle, or motorized quadricycle, if operated by a person who, by reason of physical disability, is otherwise unable to move about as a pedestrian.

(c) For purposes of Chapter 6 (commencing with Section 3000) of Division 2, "motor vehicle" includes a recreational vehicle as that term is defined in subdivision (a) of Section 18010 of the Health and Safety Code, but does not include a truck camper.

Amended Sec. 1, Ch. 703, Stats. 2003. Effective January 1, 2004.

Amended Sec. 1, Ch. 404, Stats. 2004. Effective January 1, 2005.