



# Fact Sheet

## **The State Water Resources Control Board Adopts Emergency Water Conservation Regulations**

On July 15, the State Water Resources Control Board (State Water Board) approved an [emergency regulation](#) to ensure water agencies, their customers and state residents increase water conservation or face possible fines or legal action.

The new conservation regulation is intended to reduce outdoor urban water use. The regulation, adopted by the State Water Board, mandates minimum actions to conserve water supplies. Most Californians use more water outdoors than indoors. In some areas, 50 percent or more of daily water use is for lawns and outdoor landscaping.

Many communities and water suppliers have taken bold steps over the years and in this year to reduce water use; however, many have not and much more can and should be done to extend diminishing water supplies.

With this regulation, all Californians will be required to stop using potable water to: wash down sidewalks and driveways; water outdoor landscapes in a manner that causes excess runoff; wash a motor vehicle with a hose, unless the hose is fitted with a shut-off nozzle; and operate a fountain or decorative water feature, unless the water is part of a recirculating system. The regulation makes an exception for circumstances where the action is 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.

Larger water suppliers will be required to activate their Water Shortage Contingency Plan to a level where outdoor irrigation restrictions are mandatory. In communities where no water shortage contingency plan exists, the regulation requires that water suppliers either limit outdoor irrigation to twice a week or implement other mandatory conservation measures that achieve comparable conservation. Finally, large water suppliers must report water production on a monthly basis to track progress.

Local agencies can fine those who violate the individual prohibitions up to \$500 a day. The State Water Board can issue cease and desist orders against water agencies that don't impose mandatory conservation measures upon their retail customers. Water agencies that violate cease and desist orders are subject to civil liability of up to \$10,000 a day.



## **Conservation Actions Needed**

Because most Californians use more water outdoors than indoors, reducing the amount of water used outdoors can make the biggest difference in water savings.

These emergency conservation measures target both individual water use, by identifying the practices from which every Californian should abstain during this drought emergency, as well as the steps that local water suppliers should be taking to reduce water demand in their service areas. These restrictions set a minimum level of effort in this time of emergency. Everyone should do more voluntarily. As the drought wears on, the State Water Board may revisit these regulations and consider other measures.

## **Temporary Water Restrictions**

All Californians will be affected by the ongoing drought conditions in one form or another, especially if these conditions persist or worsen in 2015. To promote water conservation statewide, the emergency regulations prohibit each of the following, except where necessary to address an immediate health or safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- The application of potable water to any driveway or sidewalk.
- Using potable water to water outdoor landscapes in a manner that causes runoff to adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.
- Using a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle.
- Using potable water in a fountain or decorative water feature, unless the water is recirculated. Recycled water is not mandated, but encouraged for fountain use.

Violations of prohibited activities are considered infractions and are punishable by fines of up to \$500 for each day in which the violation occurs. Any peace officer or employee of a public agency charged with enforcing laws and authorized to do so by ordinance may issue a citation to the violator.

## **Action by Urban Water Suppliers Required**

To promote conservation, the regulations require urban water suppliers to implement their Water Shortage Contingency Plans at a level that triggers mandatory restrictions on outdoor water use. Almost all urban water suppliers (those with more than 3,000 water connections or that supply more than 3,000 acre-feet of water annually) have these plans; about 40 of the larger agencies do not.

If an urban water supplier does not have a Water Shortage Contingency Plan or its Plan does not meet the requirements of the Water Code, the supplier must, within 30 days, require customers to limit outdoor irrigation to no more than two days per week or implement another mandatory

conservation measure to achieve a comparable reduction in water consumption by the people it serves relative to the amount consumed in 2013.

Water suppliers serving 3,000 or fewer connections or that supply 3,000 or fewer acre-feet annually must also, within 30 days, require customers to limit outdoor irrigation to no more than two days per week or implement another mandatory conservation measure to achieve a comparable reduction in water consumption by the people it serves relative to the amount consumed in 2013.

Urban water suppliers that do not take these mandatory actions could be subject to cease and desist orders for violating emergency regulations, violation of which triggers civil liability of up to \$10,000 per day per violation. The State Water Board may also direct the Attorney General to seek an injunction against violators.

## **Keeping Track of Urban Water Use**

Each urban water supplier must report the amount of water it produces in the preceding calendar month and compare that to the amount it produced in the same calendar month in 2013. These reports must be submitted to the State Water Board by the 15th of each month. Effective October 15th, these reports must also include an estimate of gallons of water per person per day used by its residential customers.

## **Looking Forward**

The State Water Board is providing the following tips to water suppliers to educate their customers about the new requirements:

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in all of their customer communications;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should train personnel on the regulations; and
- All water suppliers should set conservation targets, measure their service area's progress and make this information available to their customers.

In addition to letting customers know about the new requirements, water suppliers should also:

- Have an easy way for customers to report leaks and water waste via phone or electronic submittal (website form, or email); and
- Request that police and fire departments and other local government personnel report leaks and water waste they encounter during their routine duties/patrols.

If drought conditions continue, additional actions by the State Water Board and local water suppliers might be needed to further increase conservation. All water suppliers are encouraged to be prepared and plan for a possible dry 2015 now.

## Background:

On January 17 Governor Edmund G. Brown Jr. issued a drought emergency proclamation following three dry or critically dry years in California. [Extreme drought now covers nearly 80 percent of the state](#) and these conditions will likely continue into the foreseeable future.

More than 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water and fish and wildlife species are in jeopardy. Many communities are down to 50 gallons a day or less per person for basic sanitation needs. With our inability to predict the effect of the next rainy season, water saved today can improve a region's water security and add flexibility to systems that may need to withstand another year or more with precipitation below average.

There are many ways to boost local water supplies such as recycling treated wastewater and reusing some household or industrial water onsite. However, conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. The results of a survey conducted by the State Water Board in June show that while many communities have significantly reduced their water demand over time, it is clear that more can be done.

More information on the adopted emergency regulations can be found [here](#). The adopted regulations are expected to go into effect by August 1, 2014, and be in effect for 270 days, unless further action is taken by the State Water Board.

*(This fact sheet was last updated July 22, 2014)*