

# **California Building Industry Association**

Executive Officer Meeting

Re: Governor's Drought Executive Order

**Thursday April 08, 2015 @ 2:00pm**

Conference Call #: 916-432-8236 | Participant Code: 48300

**I. Welcome**

**II. Review of Governor's Executive Order and State Water Board Rule Making**

- Drought Memo attached

**III. Comments and Questions**

**IV. Next Steps**



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April 9, 2015

**To:** CBIA Members & BIA/HBA Executive Officers  
**Re:** CA's Emergency Plan to Reduce Water Consumption

### Background

In light of four consecutive years of below average rain and snow fall, Governor Jerry Brown has directed his administration to undertake historic mandatory conservation measures applicable to urban water districts and suppliers throughout California.

The goal is to achieve a statewide 25% reduction from a fixed 2013 baseline with the mandate falling directly on the state's 411 urban water suppliers and their users. According to the administration, if this goal were to be achieved by February, 2016 the savings would amount to approximately 1.3 million acre-feet of water ... nearly the size of Lake Oroville situated in the western foothills of the Sierra Nevada.

To achieve these savings, the State Water Resources Control Board (SWRCB) is expediting emergency regulations setting potable water reduction targets for each water district by utilizing a tiered conservation ranking system. The ranking identifies each district's total water production from 2013-15; the total water saved from the 2013 baseline; the percent saved from total production; the number of Residential Gallons Per-Capita Day (R-GPCD), and the district's assigned conservation standard. The tiered conservation standards range from a low of 10% to a high of 35%.

See: [Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction](#)

### Executive Order & Water Board Rulemaking

On April 1, 2015, the Governor issued Executive Order B-29-15 directing SWRCB to develop statewide regulations restricting the use of potable urban water supplies. The emergency restrictions will be in place through February 28, 2016.

See: [Governor Jerry Brown's Executive Order](#)

The Executive Order contains mandates to save water as well as broader directives to increase enforcement against water waste, invest in new technologies, and streamline government response for water infrastructure projects. The water saving mandates outlined in the Order will also be the immediate focus of the SWRCB rulemaking package.

On May 5, the Board expects to consider emergency regulations to achieve the 25% mandatory reduction in potable water use with the final regulations to be effective in June. The mandates include:

1. Prohibitions on new residential construction from irrigating with potable water unless conveyed through drip or micro spray irrigation systems;
2. Bans on the using potable water for irrigation of ornamental grass on street medians;
3. Commercial, industrial and institutional potable water use restrictions;

Additionally, the Order directs urban water suppliers to develop rate structures and pricing mechanisms to maximize conservation including surcharges, fees and penalties. While not part of the first-phase rulemaking, the rate structure/pricing mandate is expected to be taken up by the Board in the coming weeks.

### Key Points

- The Order and emergency regulations apply to urban water suppliers and are aimed at the use of potable water;
- The main focus of the administration and the water board is to impose restriction and limitations on *outdoor potable water use and irrigation*;
- Nothing in the Order or emergency regulations reference water supply assessments, water verifications or building moratoriums;
- The 25% reduction from the 2013 baseline imposed on urban water districts uses a per capita sliding-scale with the stated intent of identifying the good and the not-so-good actors.
- To provide perspective and guidance on how California’s various water regions are faring in achieving the 25% reduction goal, the state water board has provided the following chart:

### Water Production Reductions from June 2014 to February 2015

Hydrologic Region	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Trend
Central Coast	9.5%	13.7%	15.3%	16.0%	14.1%	21.2%	29.3%	9.7%	7.6%	
Colorado River	6.6%	3.1%	7.0%	5.9%	5.3%	6.6%	6.3%	12.4%	-0.5%	
North Coast	3.8%	10.4%	13.2%	9.5%	22.1%	19.5%	15.9%	15.3%	7.3%	
North Lahontan	3.7%	5.0%	13.7%	-0.1%	-6.3%	-2.5%	14.2%	4.7%	13.9%	
Sacramento River	11.9%	19.7%	22.0%	16.4%	18.6%	25.7%	21.5%	5.5%	14.2%	
San Francisco Bay	10.3%	12.9%	14.9%	15.3%	14.9%	17.7%	21.0%	3.1%	8.0%	
San Joaquin River	6.6%	12.3%	13.2%	9.9%	9.9%	20.8%	18.7%	12.1%	13.5%	
South Coast	-0.4%	1.6%	7.9%	7.5%	1.9%	3.4%	23.3%	8.4%	-2.3%	
South Lahontan	5.2%	3.8%	9.5%	7.9%	0.0%	1.2%	9.1%	12.8%	10.7%	
Tulare Lake	7.7%	11.7%	12.9%	11.8%	6.3%	17.3%	27.4%	9.9%	9.4%	
<b>Statewide</b>	<b>4.3%</b>	<b>7.5%</b>	<b>11.6%</b>	<b>10.2%</b>	<b>6.8%</b>	<b>10.0%</b>	<b>22.1%</b>	<b>8.0%</b>	<b>2.8%</b>	

- Other aspects of the Executive Order direct the California Energy Commission (CEC) to update the water efficiency standards for toilets, urinals, faucets and other water appliances in new and existing buildings and to the Department of Water Resources (DWR) to update the *State Model Water Efficient Landscape Ordinance* to increase water efficiency standards for new and existing landscapes. Just yesterday, the CEC approved emergency toilet and faucet higher water efficiency standards that are projected to reduce water flow limits by half or more for some appliances.

See: [Higher Water Efficiency Standards](#)

## **SWRCB Proposed Rulemaking Schedule**

- April 1, 2015, Governor issues drought Executive Order
- April 7, 2015, SWRCB releases draft regulatory framework & request for public comment
- April 17, 2015, SWRCB releases draft regulations for informal public comment
- April 28, 2015, emergency rulemaking formal notice
- May 5, 2015, Board hearing and adoption
- Office of Administrative Law reviews proposed emergency regulations
- June 2015, emergency regulations become effective

## **Related Links**

[California's Indoor Housing Water Use Study](#)

[Good Dan Walters commentary on water and new housing:](#)

[California State Water Resources Control Board](#)

[California Energy Commission](#)