

RESOLUTION NO. 2017-22  
RESOLUTION NO. PFA-03  
ORDINANCE NO. 2017-01

## AGENDA

### MISSION STATEMENT

"Our team is dedicated to protecting, enhancing, and developing our rich water resources to the highest beneficial use for Calaveras County, while maintaining cost-conscious, reliable service, and our quality of life, through responsible management."

Regular Board Meeting  
Wednesday, April 26, 2017  
9:00 a.m.

Calaveras County Water District  
120 Toma Court, (PO Box 846)  
San Andreas, California 95249

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Office at 209-754-3028. Notification in advance of the meeting will enable CCWD to make reasonable arrangements to ensure accessibility to this meeting. Any documents that are made available to the Board before or at the meeting, not privileged or otherwise protected from disclosure, and related to agenda items, will be made available at CCWD for review by the public.

### ORDER OF BUSINESS

#### CALL TO ORDER / PLEDGE OF ALLEGIANCE

1. ROLL CALL

2. PUBLIC COMMENT

At this time, members of the public may address the Board on any non-agendized item. The public is encouraged to work through staff to place items on the agenda for Board consideration. No action can be taken on matters not listed on the agenda. Comments are limited to five minutes per person.

3. CONSENT AGENDA

The following items are expected to be routine / non-controversial. Items will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed for later discussion.

3a Approve Board Meeting Schedule for June 2017  
(Dave Eggerton, General Manager)

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#### BOARD OF DIRECTORS

Jeff Davidson, President                      Scott Ratterman, Vice President  
Terry Strange, Director                      Bertha Underhill, Director                      Russ Thomas, Director

4. **NEW BUSINESS**

- 4a\* Presentation of Rate Stabilization Fund Refund by David deBernardi of ACWA Joint Powers Authority
- 4b Discussion / Direction on Update to La Contenta Wastewater to Master Planning Effort, CIP # 15059L-130  
(Bob Godwin, Senior Civil Engineer/Charles Palmer, District Engineer)
- 4c Information on Paymentus AutoPay Incentive Program  
(Joel Metzger, PIO/Customer Relations Manager)
- 4d Discussion / Action Regarding State Legislation in the 2017-18 Session:
- AB 1668 (Friedman (D-Glendale). Water Management Planning
  - AB 1669 (Friedman (D-Glendale). Urban Water Conservation Standards and Use Reporting
- (Joel Metzger, PIO/Customer Relations Manager)

5. **OLD BUSINESS**

Nothing to report

6.\* **GENERAL MANAGER REPORT**

7.\* **BOARD REPORTS / INFORMATION / FUTURE AGENDA ITEMS**

8. **NEXT BOARD MEETINGS**

- Wednesday, May 24, 2017, 9:00 a.m., Regular Board Meeting
- Wednesday, June 14, 2017, 9:00 a.m., Regular Board Meeting (*Proposed to Cancel*)
- Tuesday, June 20, 2017, 2:00 p.m., Budget Workshop
- Wednesday, June 28, 2017, 9:00 a.m., Regular Board Meeting

9. **CLOSED SESSION**

- 9a Conference with Real Property Negotiators  
Government Code §54956.8  
Property: APN 042-035-016, San Andreas, CA  
District negotiators: Dave Eggerton and Robbie Creamer  
Under negotiation: price and other terms

10. **REPORTABLE ACTION FROM CLOSED SESSION**

11. **ADJOURNMENT**

# CALAVERAS COUNTY WATER DISTRICT

## Board of Directors

District 1      Scott Ratterman  
District 2      Terry Strange  
District 3      Bertha Underhill  
District 4      Russ Thomas  
District 5      Jeff Davidson

## Legal Counsel

Matthew Weber, Esq.  
Downey Brand, LLP

## Financial Services

Umpqua Bank  
US Bank  
Wells Fargo Bank

## Auditor

Richardson & Company, LLP

## CCWD Committees

\*Engineering Committee  
\*Finance Committee  
\*Legal Affairs Committee  
Executive Committee (*ad hoc*)

## Membership\*\*

Strange / Davidson (alt. Underhill)  
Underhill / Thomas (alt. Ratterman)  
Davidson / Ratterman  
Davidson / Ratterman

## Joint Power Authorities

ACWA / JPIA	Ratterman (alt. Dave Eggerton)
CCWD Public Financing Authority	All Board Members
Calaveras-Amador Mokelumne River Authority (CAMRA)	Strange / Ratterman (alt. Davidson)
Calaveras Public Power Agency (CPPA)	Peter Martin (alt. Dave Eggerton)
Eastern San Joaquin Groundwater Authority	Russ Thomas
Tuolumne-Stanislaus Integrated Regional Water Management Joint Powers Authority (T-Stan JPA)	Strange (alt. Thomas)
Upper Mokelumne River Watershed Authority (UMRWA)	Davidson (alt. Strange)

## Other Regional Organizations of Note

Calaveras LAFCO	All Board Members
Calaveras County Parks and Recreation Committee	Ratterman (alt. Thomas)
Highway 4 Corridor Working Group	Underhill / Thomas
Mountain Counties Water Resources Association (MCWRA)	All Board Members
Mokelumne River Association (MRA)	All Board Members
Tuolumne-Stanislaus Integrated Regional Water Mgt. JPA Watershed Advisory Committee (WAC)	Peter Martin (alt. Metzger)

\* Standing committees, meetings of which require agendas & public notice 72 hours in advance of meeting.

\*\* The 1<sup>st</sup> name listed is the committee chairperson.

# Agenda Item

DATE: April 26, 2017  
TO: Board of Directors  
FROM: Dave Eggerton, General Manager  
SUBJECT: Cancellation of Board Meeting of June 14, 2017

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## **RECOMMENDED ACTION:**

Motion: \_\_\_\_\_ / \_\_\_\_\_ by Minute Entry approve cancelling the Regular Board Meeting of June 14, 2017 and schedule a Board Budget Workshop on June 20, 2017.

## **SUMMARY:**

Due to staff's vacation schedules in June, staff proposes to cancel the regularly scheduled Board Meeting of June 14<sup>th</sup> and hold its second Board Meeting on June 28<sup>th</sup>. A Board Budget Workshop is being proposed for 2:00 p.m. on Tuesday, June 20, 2017.

## **FINANCIAL CONSIDERATIONS:**

None.



# Agenda Item

DATE: April 26, 2017

TO: Dave Eggerton, General Manager

FROM: Bob Godwin, P.E., Senior Civil Engineer  
Charles Palmer, District Engineer

SUBJECT: Discussion / Direction on Update to La Contenta Wastewater Master Planning Effort, CIP 15059L-130

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## **RECOMMENDED ACTION:**

Discussion only.

## **SUMMARY:**

The La Contenta Wastewater Master Plan was last adopted in 2005 and is currently in the process of being updated for 2017. At this Board meeting, a presentation of the current master planning effort will be made by Mr. Kevin Kennedy and Ms. Chantelle Garvin of Kennedy/Jenks Consultants. The presentation will summarize goals and objectives of the master planning effort, review planning criteria and key assumptions, provide an evaluation of the condition and capacity of the District's existing wastewater facilities, and consider/compare alternatives for future facility improvements.

The input and discussion from this Board meeting will aid in the planning process and completing the Draft Master Plan. It will be of importance to gain consensus on planning criteria such as limits of the service area, residential unit flows, method of disposal, and other key assumptions highlighted during the presentation.

A proposed schedule for completing the master planning process is shown below for discussion. The District expects to have the master plan finalized by Kennedy/Jenks and ready for adoption by the Board near the end of July 2017. It is proposed to distribute and circulate the Draft master plan via the District's website ([www.ccwd.org](http://www.ccwd.org)) and to provide a public comment period from July 1-12 prior to adoption by the Board. Other opportunities for public outreach could be considered as a template for all master planning efforts depending on the benefits and requirements for District's time and resources.

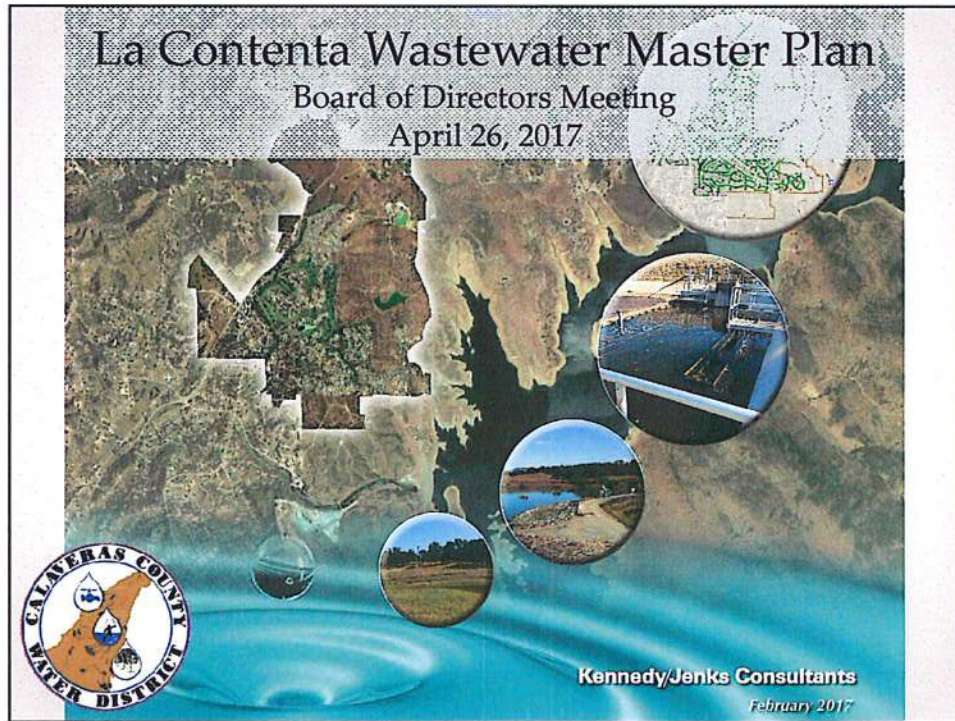
## Proposed Schedule

Presentation/Master Planning Effort	April 26, 2017
Initial/Internal Draft Issued	May 31, 2017
District Review / Comment	June 1 - 14, 2017
Public Draft Issued	June 28, 2017
Public Comment Period	July 1-12, 2017
Proposed Board Adoption	July 26, 2017

## **FINANCIAL CONSIDERATIONS:**

None at this time. Once the master plan is completed and adopted, it will provide a solid planning basis for making future financial considerations.

*Attachments: Presentation slides prepared by Kennedy/Jenks Consultants.*



## Agenda

- I. Goals and Objectives
- II. Planning Criteria
  - A. Existing and Future Connections
  - B. Unit Flow Factor
  - C. Projected Flows and Loads
  - D. Regulatory Requirements
- III. Evaluation of Existing Wastewater Systems
  - A. Sewer Collection System
  - B. Wastewater Treatment Facility
  - C. Seasonal Storage and Disposal (Golf Course irrigation)
- IV. Alternatives and Comparisons
- V. Next Steps

## Master Plan Goal and Objectives

- Goals:
  - Develop a master plan:
    - Tailored specifically for the District's La Contenta Wastewater System
    - Accommodates planned growth
    - Series of cost-effective and phased improvements
    - District's upcoming capital improvements and financial plans
- Objectives:
  - Define existing and planned service area, growth and project flows and loads,
  - Compare approaches to increase capacity, comply with regulations and improve operations,
  - Identify and describe triggers for recommended improvements,
  - Recommend series of phased, cost-effective solutions that meet near-term (Phase 1) growth projections, and
  - Determine and describe facility improvements needed for Buildout.

*Complete the Master Plan and obtain approval from the District Board of Directors at Future Board Meeting (July 26, 2017)*

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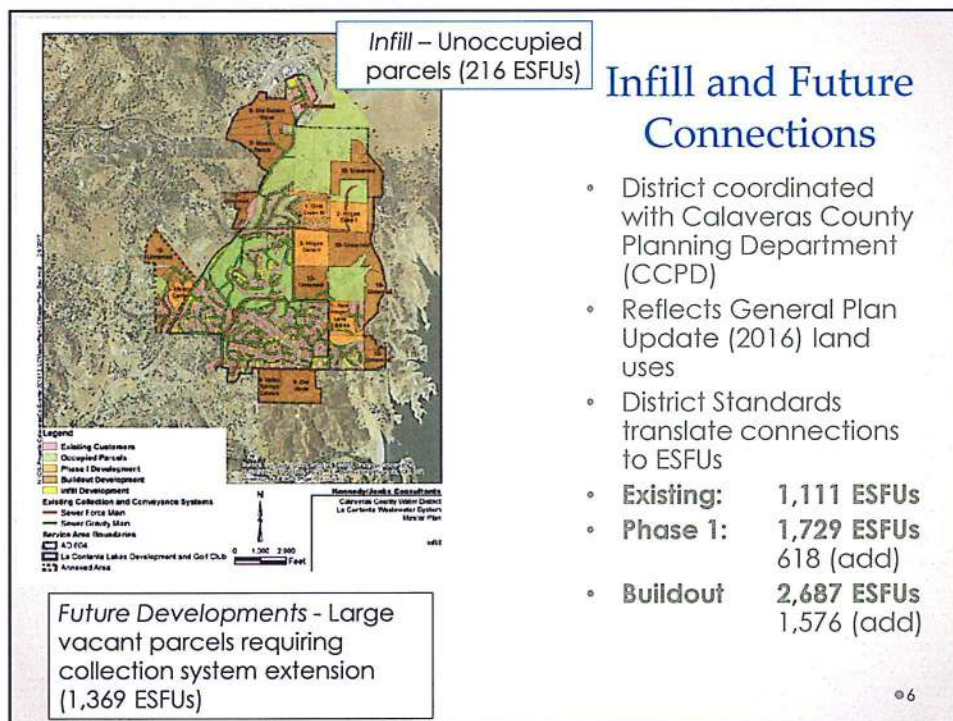
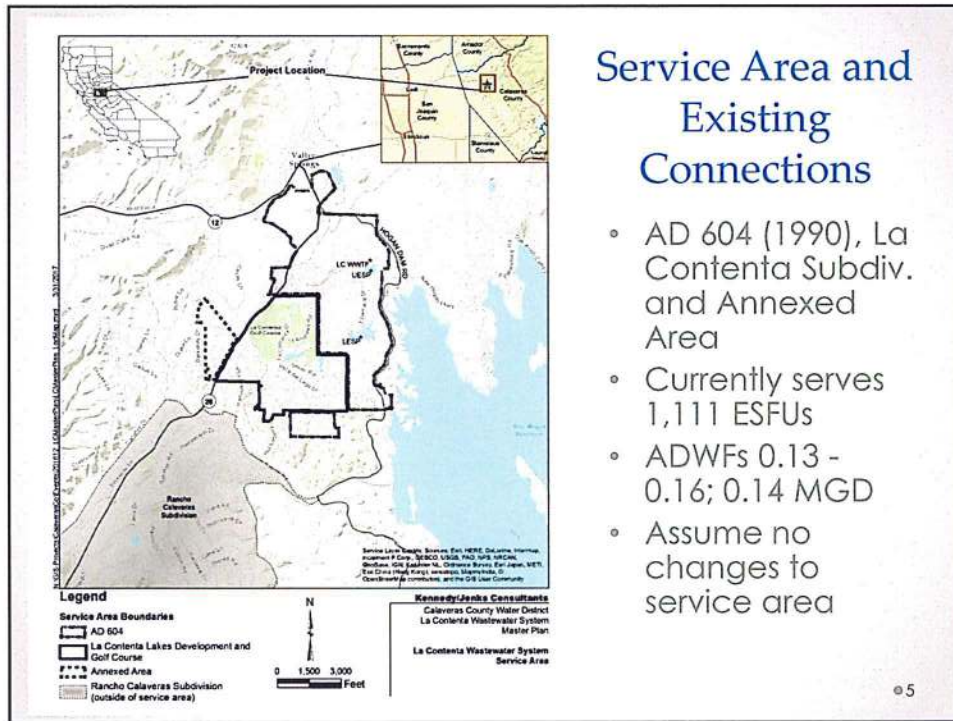
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## Planning Criteria

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# Development Projections

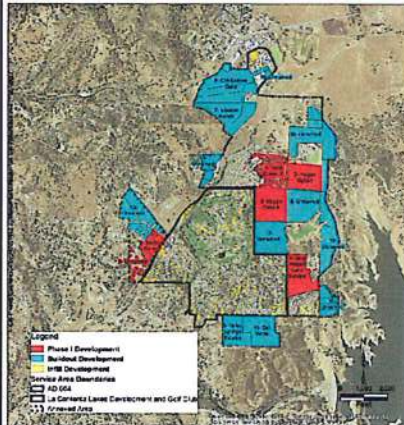


Table 1. Future Development Projections

Reference No.	Future Developments	Description and Status	ESFUs
<b>Phase I</b>			
1	New Hogan Lake Estates	83 units; 4 built	83
2	Hogan Oaks I	51 residential homes	51
3	Hogan Oaks II	143 residential plus multi-dwelling units	143
4	Gold Creek Estates III	75 residential units; approved	75
5	Medical Center	Buildout 100,000 sq. ft., 1 ESFU/2,000 sq. ft.	50
6	Unnamed		13
<b>Phase I Subtotal</b>			<b>419</b>
<b>Buildout</b>			
7	Mission Ranch	Pending	146
8	Old Golden Oaks	Pending	96
9	Valley Springs Estates	Not Currently in Planning	71
10	Unnamed	Not Currently in Planning	511
11	Del Verde	Foreclosed	91
<b>Buildout Subtotal</b>			<b>945</b>
<b>Total</b>			<b>1,364</b>

- Values reflect future development only (do not include infill)
- Phase 1 developments on CCPD list

## Considering Use of Lower Unit Flow Factor (160 and 195 gpd/ADWF)

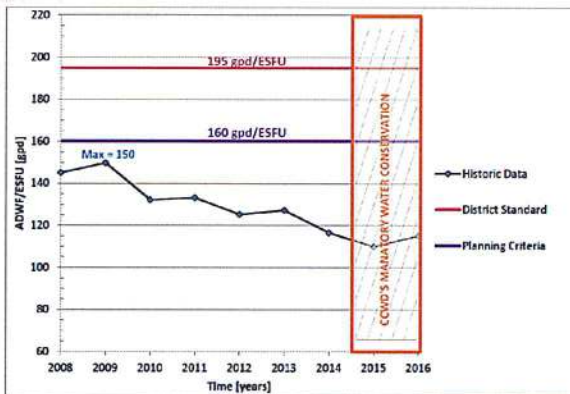


Figure 5. Recommended and Historic Unit ADWF Factors

- ESFUs used to project flows
- Unit Flow Factor
  - 195 District Standard
  - 150 Historic Maximum
- Recommend considering 195 and 160 gpd/ESFU
  - Greater than all historic flow factors reviewed
  - Small cushion (6.7%) above highest historic flow factor

## Projected Flows and Loads (160 and 195 gpd//ESFU)

Table 9. Projected Flows and Pollutant Loads

Parameter	Average Dry Weather	Average Annual	Maximum Month	Maximum Day	Peak Wet Weather
<b>Current</b>					
Flow (MGD)	0.14	0.15	0.24	0.44	0.94
BOD <sub>5</sub> (lbs/day)	na	184	384	520	na
TSS (lbs/day)	na	150	290	385	na
TKN (lb-N/day)	na	77	185	262	na
<b>Phase 1</b>					
Flow (MGD) (160 gpd/ESFU)	0.24	0.26	0.41	0.79	1.23/1.38
Flow (MGD) (195 gpd/ESFU)	0.26	0.29	0.44	0.86	1.24/1.39
BOD <sub>5</sub> (lbs/day)	na	286	686	972	na
TSS (lbs/day)	na	233	466	629	na
TKN (lb-N/d)	na	121	290	411	na
<b>Buildout</b>					
Flow (MGD) (160 gpd/ESFU)	0.39	0.43	0.67	1.29	2.08/3.20
Flow (MGD) (195 gpd/ESFU)	0.45	0.5	0.77	1.49	2.23/3.45
BOD <sub>5</sub> (lbs/day)	na	445	1,068	1,513	na
TSS (lbs/day)	na	363	726	980	na
TKN (lb-N/d)	na	187	446	632	na

## Regulatory Requirements

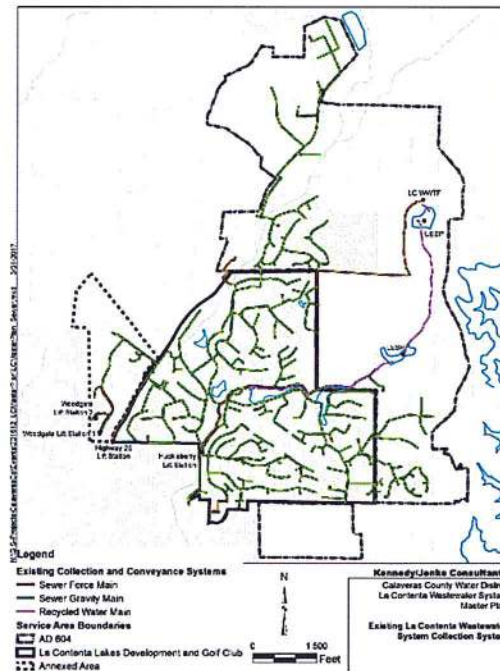
- State Water Resourced Control Board (SWRCB) Water Quality Order No. 2009-0006-DWQ Notice of Applicability received December 13, 2012
  - *Disinfected Tertiary Recycled Water* (< 2 NTU and 2.2 MPN/100 mL)
- Treated effluent used to irrigate La Contenta Golf Course (only means of disposal)
- Rated ADWF capacity is 0.20 MGD; Current ADWF is 0.14 MGD (70% of capacity)



# Evaluation of Existing Facilities

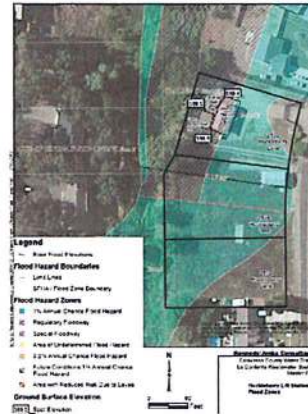
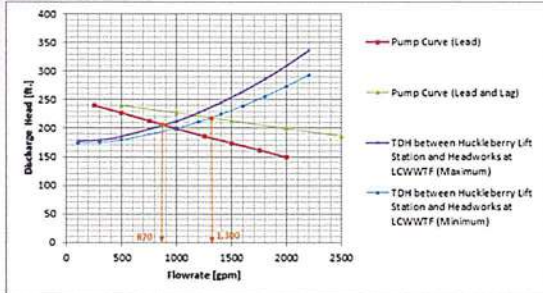
## Sewer Collection System

- Currently serves approximately 707 acres
- At buildout, 1,339 ac to be sewerred
- Approximately 213 ac not sewerred
- 4 Lift Stations
  - 3 Minor - Wood Gate 1 & 2 and Highway 2
  - 1 Major - Hucklebery
- Remaining useful life 20 – 40 years (collection)
- Next Steps:
  - Define future sewersheds and roles





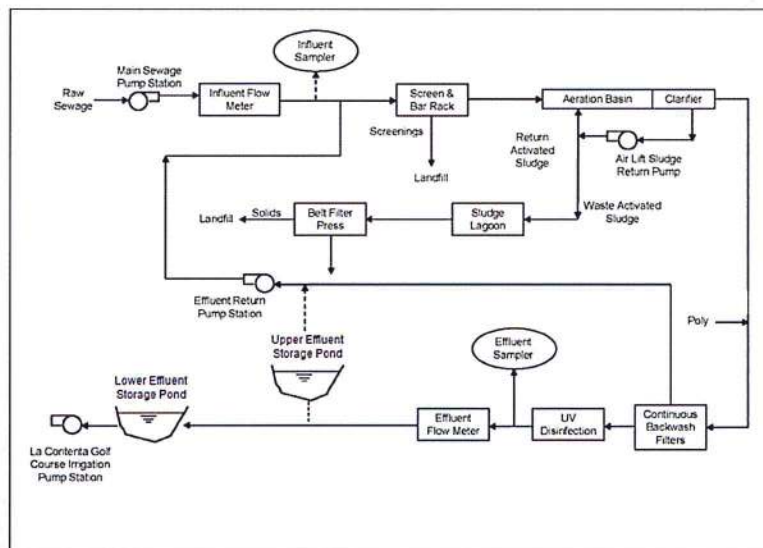
# Huckleberry Lift Station



- Huckleberry LS receives all sewage, pumps to LCWWTF
- Pump cycling; LCWWTF pulsing (small wet well, high static lift)
- Located within floodzone – improvement recommended
- Recent measurements indicate 1,140 gpd/acre

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# Wastewater Treatment Plant



La Contenta Wastewater Treatment Plan Process Flow Schematic

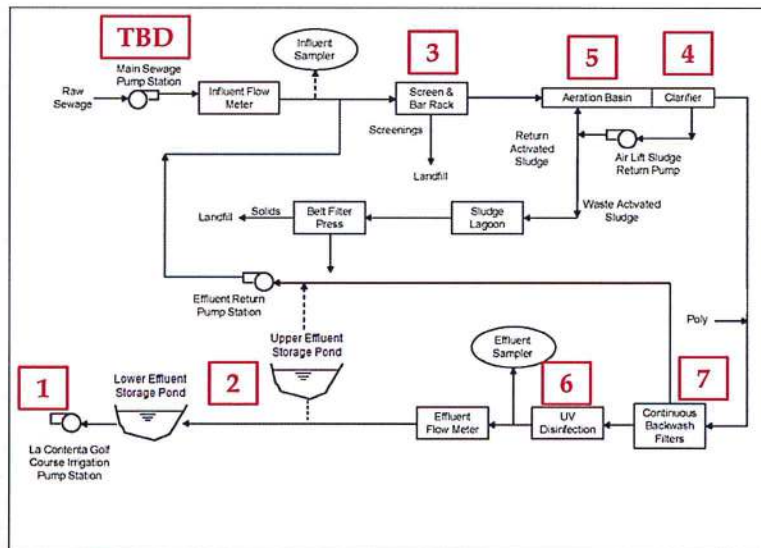
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# Wastewater Treatment Plant

**Table 11. LCWWTTP Unit Processes, Governing Criteria and Operating Conditions**

Facility and/or Unit Process	Bottleneck Id. No.	Governing Criterion or Criteria	Quality	Operating Conditions, gpm		Rated Capacity		Notes
				Current	Max Capacity	% Loaded	MGD	
Huckleberry (Main) Lift Station	TBD	Pumping capacity with largest unit out of service	3 @ 750 gpm (84 HP), Flygt CP-3100 662 submersible, constant speed pumps. Wet well volume between 3,210 and 6,900 gallons	655	1,100	50.2	1.9 (PWWV)	Based on January 10, 2017 PWWV operating data
		Wet well volume, no more than 10 pump starts/hour	Wet well volume between 3,210 and 6,900 gallons. Approximately 1,074 gallons/foot of wet well depth	7 starts/hr	10 starts/hr	70	1.9 (PWWV)	Current operating conditions based on La Contenta Master Plan (February 2003). At Capacity flow based on March 3, 2016 Engineering Committee Presentation
<b>Headworks (Rotary Barscreen)</b>								
Mechanically cleaned barscreen w/direct discharge into wheelbarrow	3	1 MGD	1/8 inch Parkson AquaGuard mechanically cleaned barscreens 1/2-inch manually cleaned bar screen	652.56	694	94	1.0 (PWWV)	Based on January 10, 2017 PWWV operating data. Requires new brushes
Fixed bar rack (bypass channel)			1/2-inch manually cleaned bar screen (bypass)	na	na	na	na	Serves as backup to mechanically cleaned screens in 18-inch bypass channel
<b>Aeration Basin</b>								
Parkson Biolac™	5	Hydraulic Retention Time, ADWT, 24 to 48 hours recommended	500,000 gallon aeration basin	97.2	173.5	58	0.3	
Parkson Biolac™ Integral Clarifier	4	Surface Overflow Rate, ADWT	100,000 gallon integral clarifier	97.2	118.8	70	0.2	
Tertiary Filters (Parkson Dynasac)	7	Maximum Hydraulic Loading Rate (5 gpm/ft) with one unit out of service (assumed to be equivalent to Maximum Day Conditions)	3 units each with 50 ft. continuous backwash sand filters	305.4	1,000	31	1.4	
<b>UV Disinfection</b>								
UV Disinfection	6	Capacity with 1 module in standby and 55% UVI. Per Checkpoint Bioreactor Results (May 2012)	4 Trojan UV3000 Plus banks - 4 modules per bank, 6 lamps per module	0.14	0.67	21	0.5	Reflects capacity described in Checkpoint Bioreactor Results for the Trojan UV3000/UV37H Systems at the La Contenta and Copper Cove WWSF (May 2012)
		Capacity with all modules in service and 65% UVI. Per Checkpoint Bioreactor Results (May 2012)	4 Trojan UV3000 Plus banks - 4 modules per bank, 6 lamps per module	402.5	889	45	0.5	
<b>Sludge Storage Lagoon</b>								
Sludge Storage Lagoon		Solids Retention Time, maximum month	125,000 gallon lagoon, 4 to 10 ft depth	XX days	XX days	XX	XX	
<b>Belt Filter Press</b>								
Belt Filter Press		Feed Rate, gpm/minute and operating schedule	2 meter Ashbrook Station Hardley belt filter press	XX.X gpm	XX.X gpm	XX.X gpm	XX	
<b>Upper Effluent Storage Pond</b>								
Upper Effluent Storage Pond	2	Adequate storage to accommodate 100-yr levels of annual precipitation	69 acre-ft storage capacity (w/2 ft freeboard)	195 acre-ft	221 acre-ft	88	0.23	Based on water balance results reported in Table 3 of the April 9, 2013 Report of Waste Discharge
Lower Effluent Storage Pond		172 acre-ft storage capacity (w/2 ft freeboard)						
<b>Effluent Disposal (La Contenta Golf Course)</b>								
Effluent Disposal (La Contenta Golf Course)	1	Effluent disposal at agronomic rates	197 acre-ft per year, average conditions and 233 APY, 100-yr conditions	233.0 APY	233.0 APY	100	0.20	Limits overall capacity of wastewater system. ADWT to be determined by the total flow for the months of July through September, inclusive, divided by 92 days in accordance with the current order (R5-2013-0133)

# Wastewater Treatment Plant



La Contenta Wastewater Treatment Plan Process Flow Schematic

## Seasonal Storage & Beneficial Reuse/Disposal

- Upper and Lower Effluent Storage Ponds
  - UESP: 49 AF
  - LESP: 172 AF
- La Contenta Golf Course
  - 70 acres approx.
  - 233 AF per year demand
- Capacity determined by 100-yr level of precipitation water balance



*System capacity limited to ADWF of 0.2 MGD by La Contenta Golf Course disposal capacity then seasonal storage*

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## Alternatives, Comparisons and Next Steps

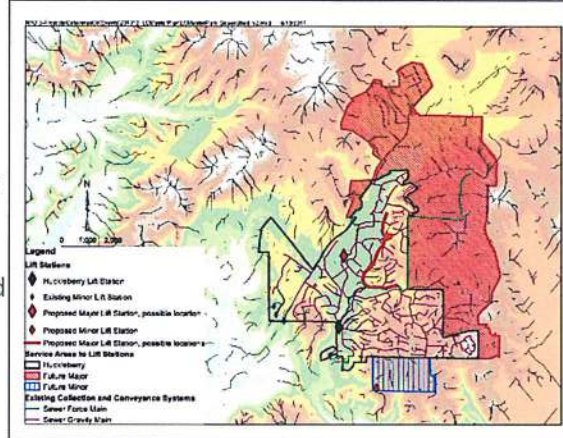
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## Sewer Collection System

- Describe recommended collection system improvements to serve future developments (developer provided)
- Define future sewersheds and lift stations
- Define Huckleberry Lift Station implications, flood protection and pulsing mitigation improvements
- Compare lift station capacities to future needs



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## La Contenta Wastewater Treatment Facility

### Phase 1 (Preliminary)

- AquaGuard Bar Screen
- Integral Clarifier
  - Refurbish specific components\* – limit time to concrete baffle wall installation
  - Enlarge, reshape and refurbish
  - External circular (cost comparison purposes)
  - Second Biolac™ train
  - Consider running filters in series (not recommended by Parkson)
- Others



\* Replace curtain with concrete baffle wall; modify flow introduction & distribution, bottom RAS pumping & skimming, install fillets. Consider competitors to Parkson Biolac™

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# La Contenta Wastewater Treatment Facility

## Buildout (**Preliminary**)

- Aeration Basin
  - Existing capacity likely greater than 0.2 MGD
  - Manufacturer updating capacity based on projected flows and loads (incremental capacity increase)
  - Second Biolac train and primary filtration
- UV Disinfection System
- *Tertiary Filtration (195 gpd/ESFU)*
- *Others*



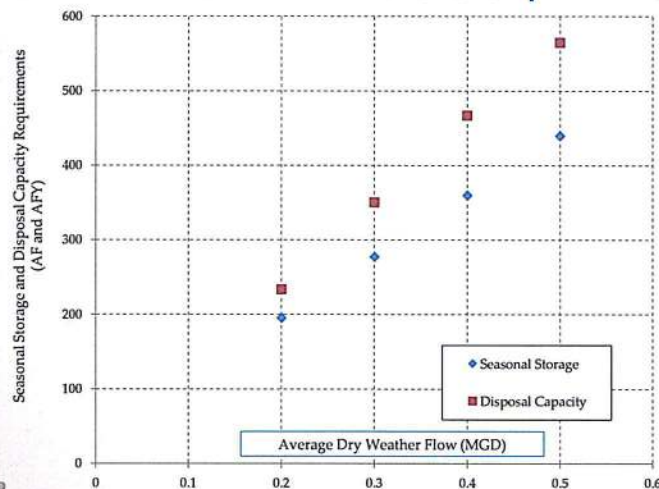
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# Seasonal Storage & Beneficial Reuse / Disposal

- Seasonal Storage (Phase 1 Imp. & Buildout)
  - Existing Capacity: 221 AF (41.2 ac watershed and surface area)
  - **Preliminary** Buildout Requirements : 440 AF
    - Represents minimum ideal requirements. Assumes deepen existing; no increase in watershed or surface area
- Treated Effluent Disposal (Phase 1 Imp. & Buildout)
  - Existing Capacity: 233 AFY (70 acres; 3.3 ft/yr rate)
  - **Preliminary** Buildout Requirements: 564 AFY (100 acres minimum)
    - Same assumptions as above, likely more land required
- Other Combinations of Storage / Disposal Possible

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## Seasonal Storage & Beneficial Reuse / Disposal



- 100 acres minimum of additional irrigable land required to serve Buildout\*
- Actual requirements more likely to be between 100 and 200 acres (site specific)

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## Seasonal Storage & Beneficial Reuse / Disposal

- Several sites for seasonal storage and disposal expansion considered by District in the past
- In addition to land, costs include *environmental* and regulatory compliance, *conveyance*, *containment*, maintenance and ongoing monitoring and reporting
- Land costs \$16,130 per acre
- Land costs likely in the \$2 to 3M range, maybe higher depending on wetlands, etc.

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## Preliminary Listing of Improvements

1. Treated Effluent Disposal / Beneficial Reuse
2. Seasonal Storage
3. Screen
4. *Huckleberry Lift Station (flood)*
5. Integral Clarifier

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6. Aeration Basin
7. UV Disinfection
8. Tertiary Filters
9. Treated Effluent Disposal / Beneficial Reuse
10. Seasonal Storage

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## Next Steps

- Incorporate and Address District Input
- Draft Master Plan: May 31, 2017
- District Review and Comment: June 1 – 14, 2017
- Public Draft Issued: June 28, 2017
- Public Comment Period: July 1 – 12, 2017
- Proposed Board Adoption: July 26, 2017

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## Questions ??

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## Seasonal Storage & Beneficial Reuse / Disposal



### Triangular Parcel Near Valley Springs:

- 55 acre parcel of which 25 acres are considered irrigable
- ADWF Capacity 0.05 MGD (17.5 acre equivalent)
- Requires 3,000 ft, 10-inch pipeline
- Environmental permitting, wetlands and creek mitigation



### Parcel Near WWTF:

- 53 acre parcel
- District has conducted limited environmental work, contacted Owner and expressed interest in purchasing
- Provides ability to expand storage and disposal capacities



# Agenda Item

DATE: April 26, 2017  
TO: Dave Eggerton, General Manager  
FROM: Joel Metzger, PIO/Customer Relations Manager  
SUBJECT: Paymentus AutoPay Incentive Program

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## **RECOMMENDED ACTION:**

Information/discussion only.

## **SUMMARY:**

The Calaveras County Water District launched Paymentus, a new customer payment processing system, on June 20, 2016. The decision to implement this new system was the result of numerous requests from our customers to offer additional payment services. Of the many requests received, staff identified several items as high priorities, including: electronic checks, automatic credit/debit/check payments, electronic billing, 24/7 automated phone payments, mobile-friendly payments and increased online capabilities. The former payment processing company (Merchant Transact) was unable to meet the District's changing needs. Staff conducted extensive research and after a thorough analysis identified Paymentus as the vendor offering the most options at the least cost.

Paymentus offers many features including:

- Automatic payments (choice of weekly, biweekly, monthly or bimonthly) using credit, debit or bank account.
- Automated phone payment system that takes payments 24/7
- Online registration to easily manage accounts
- Payment information can be saved online for convenient payments
- One-time payment feature to process quick payments
- Electronic bills sent via email and easy viewing of digital billing records
- Accepts Visa, MasterCard and Discover
- Payment website designed to function seamlessly on mobile devices
- Outbound customer communication via email, text and phone

After launching Paymentus in June 2016, District staff began an extensive customer outreach campaign, which led to thousands of customers signing up to use the new system. In January 2017, staff provided an update on customer adoption rates to the CCWD Board of Directors and reported that 27 percent (3,481) of the District's 13,000 eligible customers\* had signed up for Paymentus, and of those customers, 1,887 (54%) had signed up for automatic payments. Staff also informed the Board that while customers were continuing to sign up for Paymentus, it was at a slower rate than over the first few months following the launch.

The Board requested that staff design a new marketing campaign to continue encouraging customers to sign up for Paymentus, with special focus on AutoPay. Staff reached out to Paymentus' staff to see if they could help with this campaign. In April, Paymentus informed CCWD that it would donate two iPad minis to be used as prizes in an incentive campaign sweepstakes. CCWD is adding three Rachio Smart Sprinkler Controllers to the list of prizes to further encourage customer engagement. Staff plans to begin the incentive program on May 1, 2017, and run it through September 1, 2017. All customers who sign up for Paymentus AutoPay for the first time between those dates will be entered to win one of the five prizes.

Staff has worked with Paymentus to design a flyer (see attachment) that will be inserted into bills sent to customers in May and June. The program will also be publicized on the District's website, social media, local media outlets and flyers. Customer Service Department staff will also promote the program in person at the District Headquarters and when speaking to customers on the phone.

As of April 20, 3,907 customers (30% of 13,000 total eligible customers) had registered for an account through Paymentus. Of those customers, 2,070 (53% of customers registered for Paymentus accounts) were signed up for AutoPay, which is 16% of the District's total eligible customers.

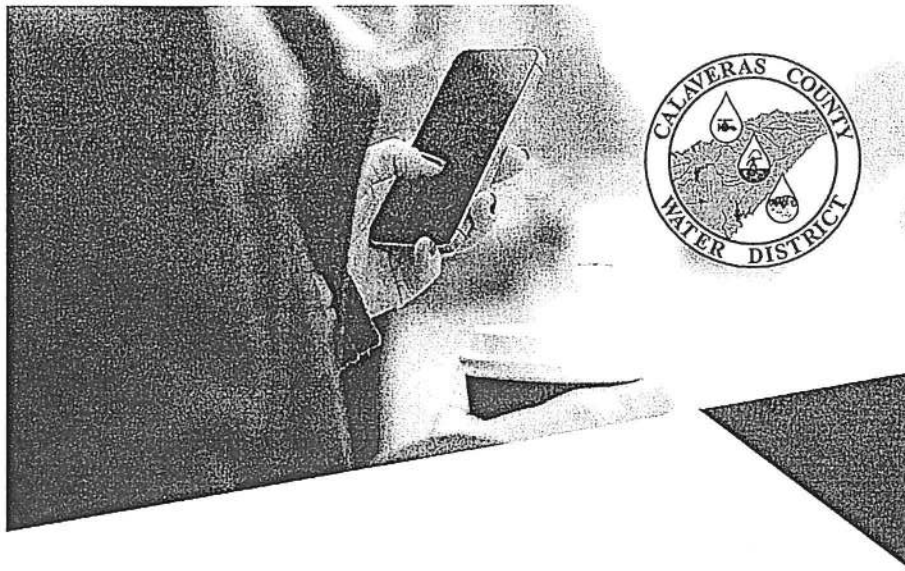
District staff has set a goal for this incentive program to increase the number of customers signed up for AutoPay by 10% (1,310 new AutoPay customers). Staff will bring a report back to the CCWD Board in September 2017 with the results of the campaign.

### **FINANCIAL CONSIDERATIONS:**

Significant cost savings have been achieved with the donation of two iPad Minis from Paymentus, which can cost up to \$529.00 each. The District will purchase three Rachio Smart Sprinkler Controllers at \$190.00 each and will incur the printing cost of the bill inserts being sent to all 13,000 eligible customers, which is expected to be around \$900.

*Attachments: Paymentus AutoPay Incentive Program Bill Insert*

*\*CCWD has 12,753 water customers and 4,764 wastewater customers, but the majority of the wastewater customers are also water customers. Because a water/wastewater customer can only create one Paymentus account, staff has estimated there are 13,000 individual customers eligible to register for Paymentus accounts.*



Did you know you  
can pay your bill online?  
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# Agenda Item

DATE: April 26, 2017  
TO: Dave Eggerton, General Manager  
FROM: Joel Metzger, PIO/Customer Relations Manager  
SUBJECT: Discussion/action regarding state legislation in the 2017-18 session

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## **RECOMMENDED ACTION:**

Discussion/action for state-level legislation:

Motion: \_\_\_\_\_ / \_\_\_\_\_ by Minute Entry to take an “oppose” position on AB 1668 (Friedman). Water management planning.

Motion: \_\_\_\_\_ / \_\_\_\_\_ by Minute Entry to take an “oppose” position on AB 1669 (Friedman). Urban water conservation standards and use reporting.

Motion: \_\_\_\_\_ / \_\_\_\_\_ by Minute Entry to authorize the General Manager to sign and distribute letters of opposition regarding AB 1668 and AB 1669.

## **SUMMARY:**

In May 2016, Gov. Jerry Brown issued Executive Order B-37-16 (EO) calling for water conservation to become a California way of life. The order tasked state agencies with writing a framework to achieve this goal. During the drafting of this framework, Urban and Agricultural advisory groups consisting of various stakeholders were formed to help guide the process of drafting the framework. Calaveras County Water District General Manager Dave Eggerton was chosen as a member of the Urban Advisory Group (UAG) in August 2016. The UAG submitted verbal and written comments to the State Agencies throughout the process of drafting the long-term water conservation framework. Mr. Eggerton worked with Joel Metzger, John Mills and a team of stakeholders from across the state that drafted two ACWA comment letters (submitted in October 2016 and January 2017) that addresses a series of concerns with the draft framework.

The final draft of the Framework was released on April 8, 2017, and very few comments from CCWD and ACWA had been incorporated. Due to the state agencies and Administration choosing not to incorporate suggestions from stakeholders, ACWA's



Urban Long-Term Conservation Working Group (Working Group) has drafted AB 1654 (Rubio) and AB 968 (Rubio). These pieces of legislation respond to Gov. Brown's EO, but in a manner that provides protections against the most concerning portions of the State Agencies' draft framework. The CCWD Board of Directors unanimously approved taking a "Support" position on AB 1654 and AB 968 on April 12, 2017.

Since that meeting, Assemblymember Laura Friedman (Los Angeles, Glendale, Burbank) has amended AB 1668 and AB 1669 to include the language included in the Framework prepared by the State Agencies and approved by Gov. Brown's Administration (see attached bill language). Friedman's bills will be discussed at the State Assembly Water, Parks and Wildlife Committee on Tuesday April 25.

### **AB 1668 (Friedman). Water management planning.**

AB 1668 establishes arbitrary shortage levels that do not correspond to our local hydrologic conditions. It would require extensive planning to address these levels, rather than shortage scenarios that relate to our water supply sources. AB 1668 also requires the Department of Water Resources to prepare an annual report to the State Water Resources Control Board on water shortage response actions taken by water suppliers, to allow the Board to "determine if noncompliance enforcement is necessary." Such "noncompliance enforcement" is unclear at best (including the authority under which it would be conducted) and fails to reflect the existing situation in California. Existing regulations require local water suppliers to provide reliable supplies to their customers, which they fulfill routinely, so enforcement provisions such as these are wholly unnecessary.

AB 1668 also establishes a requirement for water agencies to break down in detail the energy use of their various component systems, which is a unique burden that is not imposed on any other utility sector. Furthermore, AB 1668 imposes a requirement on water suppliers to declare a water shortage emergency when a "shortage level 4 or greater exists," even though such a shortage level, as defined in a water supplier's Water Shortage Contingency Plan, may not warrant such a declaration.

### **AB 1669 (Friedman). Urban water conservation standards and use reporting.**

Here are the primary concerns CCWD has with AB 1669:

- Allows only one mechanism to set water use targets, defined by the State Water Resources Control Board (SWRCB) via emergency and permanent regulations, with no oversight from the Legislature and no California Environmental Quality Act (CEQA) review.
- Imposes SWRCB cease and desist order processes and misdemeanor penalties (\$20,000 plus \$500/day) for failure to meet efficiency planning targets.
- Authorizes the SWRCB to adopt emergency or permanent regulations to limit Commercial/Institutional/Industrial (CII) water use.

- Specifies that state efficiency standards supersede water rights, undermining over a century of precedent.
- Extends the duration of State mandates during a declared emergency from 270 days to 1 year.
- Requires multiple arbitrary water conservation stages, set by the SWRCB, that may not reflect local conditions; requires drought emergency declaration at a certain undefined stage
- Conservation requirements are applied to all water supplies, stranding and disincentivizing resiliency investments

### **FINANCIAL CONSIDERATIONS:**

None at this time.

Attachments:      AB 1668 (Friedman) – Water management planning.  
                         AB 1668 (Friedman) CCWD Opposition Letter  
                         AB 1669 (Friedman) – Urban water conservation standards and use reporting.  
                         AB 1669 (Friedman) CCWD Opposition Letter



# California

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### AB-1668 Water management planning. (2017-2018)

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Date Published: 04/18/2017 09:00 PM

AMENDED IN ASSEMBLY APRIL 18, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

## ASSEMBLY BILL

## No. 1668

Introduced by Assembly Member Friedman

February 17, 2017

~~An act to add Section 10608.51 to the Water Code, relating to water conservation.~~ *An act to amend Sections 350, 10610.2, 10610.4, 10620, 10621, 10630, 10631, 10631.2, 10635, 10640, 10641, 10642, 10644, 10645, 10650, 10651, 10653, 10654, 10656, and 10814 of, to amend and renumber Sections 10612 and 10617 of, to repeal Section 10631.7 of, to repeal and add Section 10632 of, and to add Sections 10612, 10617, 10617.5, 10632.1, 10632.2, 10632.3, and 10643.5 to, the Water Code, relating to water.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1668, as amended, Friedman. ~~Water conservation: guidelines.~~ *Water management planning.*

(1) Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero, except as specified.

*This bill would require an urban water management plan to be updated on or before July 1, in years ending in 6 and one, incorporating updated and new information from the 5 years preceding the plan update.*

(2) Existing law requires an urban water management plan, among other things, to describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for an average, single-dry, and multiple-dry water years.

*This bill would require an urban water management plan to contain a drought risk assessment that examines water shortage risks for a drought lasting the next 5 or more consecutive years.*

(3) Existing law requires that an urban water management plan provide an urban water shortage contingency analysis, that includes, among other things, an estimate of the minimum water supply available during each of the following 3 water years based on the driest 3-year historic sequence for the agency's water supply.



*This bill would require an urban water supplier to prepare, adopt, and periodically review a water shortage contingency plan, as prescribed, and as part of its urban water management plan. The bill would require a water shortage contingency plan to consist of certain elements that are within the authority of the urban water supplier, including, among other things, annual water budget forecast procedures, standard water shortage levels, shortage response actions, and communication protocols and procedures. The bill would require an urban water supplier to make the water shortage contingency plan available to its customers and any city or county within which it provides water supplies no later than 30 days after adoption. The bill would require an urban water supplier to conduct an annual water budget forecast and submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan by the 10th day of May of each year. The bill would require an urban water supplier to adhere to the procedures and implement determined shortage response actions in its water shortage contingency plan in drought and water shortage conditions. The bill would authorize the department to update a certain guidebook, as specified.*

*(4) Existing law requires an urban water supplier to submit copies of its urban water management plan and copies of amendments or changes to the plan to certain entities, including the Department of Water Resources, as prescribed. Existing law makes an urban water supplier that does not prepare, adopt, and submit its urban water management plan to the department as prescribed ineligible to receive certain funding.*

*This bill would extend these provisions to apply to a water shortage contingency plan. The bill would require an urban water supplier regulated by the Public Utilities Commission to include its most recent urban water management plan and water shortage contingency plan as part of its general rate case filings.*

*(5) Existing law requires the department to prepare and submit to the Legislature, on or before December 31, in the years ending in 6 and 1, a report summarizing the status of plans adopted pursuant to the act and to provide a copy of the report to each urban water supplier that has submitted its plan to the department.*

*This bill would instead require the department to prepare and submit the report about plans adopted pursuant to the act to the Legislature on or before July 1, in the years ending in 7 and 2. The bill would require the department to prepare and submit to the State Water Resources Control Board, on or before June 1 of each year, a report summarizing the submitted water budget forecast results along with appropriate reported water shortage conditions developed by the department and information regarding various shortage response actions implemented as a result of water budget forecast assessments, as prescribed, for the board to determine if noncompliance enforcement is necessary.*

*The bill would also require an urban water management plan and water shortage contingency plan submitted to the department on or after January 1, 2020, to be reviewed by the department for completeness, internal consistency, and conformity to specified requirements.*

*(6) Existing law requires any actions or proceedings to attack, review, set aside, void, or annul the acts or decisions of an urban water supplier on the grounds of noncompliance with urban water management planning requirements to be commenced in accordance with specified procedures. Existing law requires any action or proceeding alleging that an urban water management plan, or action taken pursuant to the plan, is noncompliant to be commenced within 90 days after filing of the plan or the taking of that action.*

*This bill would extend these provisions to apply to a water shortage contingency plan. The bill would also require any action or proceeding alleging that an urban water management plan or water shortage contingency plan, or action taken pursuant to either plan, is noncompliant to be commenced within one year after filing of the plan or the taking of that action.*

*(7) Existing law authorizes the governing body of a distributor of a public water supply to declare a water shortage emergency condition to prevail within the area served by the distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.*

*This bill would instead require the governing body of a distributor of a public water supply to declare a water shortage emergency condition whenever it finds and determines the above-described circumstances or upon determining a water shortage of 40% or greater exists. The bill would require an urban water supplier to declare a water shortage emergency if either a water shortage of 40% or greater is determined to exist or in the event that a severe catastrophic interruption of the urban water supplier's water supply has occurred. The bill would*

*require an urban water supplier to coordinate with any city or county within which it provides water supply services for a possible proclamation of a local emergency.*

~~Existing law requires the state to achieve a 20% reduction in urban per capita water use on or before December 31, 2020, and to make incremental progress toward that state target by reducing urban per capita water use by at least 10% on or before December 31, 2015.~~

~~Executive Order B-37-16, among other things, requires the Department of Water Resources to work with the State Water Resources Control Board to develop new water use targets as a part of a permanent framework for urban water agencies.~~

~~This bill would require the state board, on or before July 1, 2018, in consultation with the department and other appropriate state agencies, to adopt water conservation guidelines that are consistent with a specified report issued in response to Executive Order B-37-16.~~

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** *Section 350 of the Water Code is amended to read:*

**350.** The governing body of a distributor of a public water supply, whether publicly or privately owned and including a mutual water company, ~~may~~ *shall* declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire ~~protection.~~ *protection or upon determining a water shortage level 4 or greater exists, as described in paragraph (2) of subdivision (a) of Section 10632.*

### **SEC. 2.** *Section 10610.2 of the Water Code is amended to read:*

**10610.2.** (a) The Legislature finds and declares all of the following:

- (1) The waters of the state are a limited and renewable resource subject to ever-increasing demands.
- (2) The conservation and efficient use of urban water supplies are of statewide concern; however, the planning for that use and the implementation of those plans can best be accomplished at the local level.
- (3) A long-term, reliable supply of water is essential to protect the productivity of California's businesses and economic ~~climate.~~ *climate and increasing long-term water conservation among Californians, improving water use efficiency within the state's communities and agricultural production, and strengthening local and regional drought planning are critical to California's resilience to drought and climate change.*
- (4) As part of its long-range planning activities, every urban water supplier should make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry water ~~years.~~ *years now and into the foreseeable future and every urban water supplier should actively engage local land-use authorities to ensure water demand forecasts are consistent with current land-use planning.*
- (5) Public health issues have been raised over a number of contaminants that have been identified in certain local and imported water supplies.
- (6) Implementing effective water management strategies, including groundwater storage projects and recycled water projects, may require specific water quality and salinity targets for meeting groundwater basins water quality objectives and promoting beneficial use of recycled water.
- (7) Water quality regulations are becoming an increasingly important factor in water agencies' selection of raw water sources, treatment alternatives, and modifications to existing treatment facilities.
- (8) Changes in drinking water quality standards may also impact the usefulness of water supplies and may ultimately impact supply reliability.

(9) The quality of source supplies can have a significant impact on water management strategies and supply reliability.

(b) This part is intended to provide assistance to water agencies in carrying out their long-term resource planning responsibilities to ensure adequate water supplies to meet existing and future demands for water.

**SEC. 3.** *Section 10610.4 of the Water Code is amended to read:*

**10610.4.** The Legislature finds and declares that it is the policy of the state as follows:

(a) The management of urban water demands and efficient use of water shall be actively pursued to protect both the people of the state and their water resources.

(b) The management of urban water demands and efficient use of urban water supplies shall be a guiding criterion in public decisions.

(c) Urban water suppliers shall be required to develop water management plans to ~~actively pursue~~ *achieve* the efficient use of available ~~supplies~~ *supplies and strengthen local drought planning*.

**SEC. 4.** *Section 10612 of the Water Code is amended and renumbered to read:*

~~40642-10611.3.~~ "Customer" means a purchaser of water from a water supplier who uses the water for municipal purposes, including residential, commercial, governmental, and industrial uses.

**SEC. 5.** *Section 10612 is added to the Water Code, to read:*

**10612.** "Drought risk assessment" means a method that examines water shortage risks for the next five or more consecutive years.

**SEC. 6.** *Section 10617 of the Water Code is amended and renumbered to read:*

~~40647-10618.~~ "Urban water supplier" means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers. This part applies only to water supplied from public water systems subject to Chapter 4 (commencing with Section 116275) of Part 12 of Division 104 of the Health and Safety Code.

**SEC. 7.** *Section 10617 is added to the Water Code, to read:*

**10617.** "Water budget forecast" means a method that looks at current year and one or more dry year supplies and demands for determining water shortage risks.

**SEC. 8.** *Section 10617.5 is added to the Water Code, to read:*

**10617.5.** "Water shortage contingency plan" means a document that incorporates the provisions detailed in subdivision (a) of Section 10632 and is subsequently adopted by an urban water supplier pursuant to this article.

**SEC. 9.** *Section 10620 of the Water Code is amended to read:*

**10620.** (a) Every urban water supplier shall prepare and adopt an urban water management plan in the manner set forth in Article 3 (commencing with Section 10640).

(b) Every person that becomes an urban water supplier shall adopt an urban water management plan within one year after it has become an urban water supplier.

(c) An urban water supplier indirectly providing water shall not include planning elements in its water management plan as provided in Article 2 (commencing with Section 10630) that would be applicable to urban water suppliers or public agencies directly providing water, or to their customers, without the consent of those suppliers or public agencies.

(d) (1) An urban water supplier may satisfy the requirements of this part by participation in areawide, regional, watershed, or basinwide urban water management planning where those plans will reduce preparation costs and contribute to the achievement of ~~conservation~~ and *conservation*, efficient water ~~use~~, *use*, and *improved local drought resilience*.

(2) *Notwithstanding paragraph (1), each urban water supplier shall develop its own water shortage contingency plan but an urban water supplier may incorporate, collaborate, and otherwise share information with other urban water suppliers or other governing entities participating in area-wide, regional, watershed, or basin-wide urban water management plan, agricultural management plan, or groundwater sustainability plan development.*

~~(2)~~

(3) Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.

(e) The urban water supplier may prepare the plan with its own staff, by contract, or in cooperation with other governmental agencies.

(f) An urban water supplier shall describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.

**SEC. 10.** *Section 10621 of the Water Code is amended to read:*

**10621.** (a) Each urban water supplier shall update its plan at least once every five years on or before ~~December 31, July 1~~, in years ending in ~~five six and zero~~, *except as provided in subdivisions (d) and (e), one, incorporating updated and new information from the five years preceding each update.*

(b) Every urban water supplier required to prepare a plan pursuant to this part shall, at least 60 days before the public hearing on the plan required by Section 10642, notify any city or county within which the supplier provides water supplies that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. The urban water supplier may consult with, and obtain comments from, any city or county that receives notice pursuant to this subdivision.

(c) *An urban water supplier regulated by the Public Utilities Commission shall include its most recent plan and water shortage contingency plan as part of the supplier's general rate case filings.*

~~(e)~~

(d) The amendments to, or changes in, the plan shall be adopted and filed in the manner set forth in Article 3 (commencing with Section 10640).

~~(d)~~

(e) Each urban water supplier shall update and submit its 2015 plan to the department by July 1, 2016.

~~(e)~~

(f) Each urban water supplier shall update and submit its 2020 plan to the department by July 1, 2021.

**SEC. 11.** *Section 10630 of the Water Code is amended to read:*

**10630.** It is the intention of the Legislature, in enacting this part, to permit levels of water management planning commensurate with the numbers of customers served and the volume of water ~~supplied~~, *supplied*, *while accounting for impacts from climate change.*

**SEC. 12.** *Section 10631 of the Water Code is amended to read:*

**10631.** A plan shall be adopted in accordance with this chapter that shall do all of the following:

(a) Describe the service area of the supplier, including current and projected population, ~~climate~~, *impacts from climate change*, and other *social, economic, and demographic* factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year



increments to 20 years or as far as data is available. *The description shall include the current and projected land uses within the existing or anticipated service area affecting the supplier's water management planning. Land use information shall be obtained from local or regional land-use authorities, as developed pursuant to Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code.*

(b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a). ~~If groundwater is identified as an existing or planned source of water available to the supplier, (a), including all of the following information shall be included in the plan: following:~~

~~(1) For each source of water supply, while considering any information pertinent to the reliability analysis conduct pursuant to Section 10635, provide a detailed discussion of anticipated supply availability under a normal water year, single dry year, and droughts lasting at least five years, as well as more frequent and severe periods of drought, as described in the drought risk assessment.~~

~~(2) When multiple sources of water supply are identified, describe the management of each supply in correlation with the other identified supplies.~~

~~(3) For any planned sources of water supply, describe the measures that are being undertaken to acquire and develop those water supplies.~~

~~(4) If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan:~~

~~(1)~~

~~(A) A copy of any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management.~~

~~(2)~~

~~(B) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater. For basins that a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as ~~overdrafted a high- or medium-priority basin~~ or has projected that the basin will become ~~overdrafted a high- or medium-priority basin pursuant to Sections 10722.4 and 10933~~ if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to ~~coordinate with groundwater sustainability agencies to eliminate the long-term overdraft condition. undesirable results described in a groundwater sustainability plan pursuant to Section 10727.~~~~

~~(3)~~

~~(C) A detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.~~

~~(4)~~

~~(D) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.~~

~~(c)(1) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following:~~

~~(A) An average water year.~~

~~(B) A single dry water year.~~

~~(C) Multiple dry water years.~~

~~(2) For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors, describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.~~

*(E) A copy of any pertinent groundwater sustainability plans for groundwater basins underlying the urban water supplier's service area.*

~~(d)~~

(c) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.

~~(e)~~

*(d) (1) Quantify, to the extent records are available, Quantify past and current water use, over the same five-year increments described in subdivision (a), and projected water use, based upon information developed pursuant to subdivision (a), identifying the uses among water use sectors, including, but not necessarily limited to, all of the following uses: following:*

(A) Single-family residential.

(B) Multifamily.

(C) Commercial.

(D) Industrial.

(E) Institutional and governmental.

(F) Landscape.

(G) Sales to other agencies.

(H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.

(I) Agricultural.

(J) Distribution system water loss.

(2) The water use projections shall be in the same five-year increments described in subdivision (a).

~~(3) (A) For the 2015 urban water management plan update, the~~ *The* distribution system water loss shall be quantified for the most recent 12-month period available. ~~For all subsequent updates, the distribution system water loss shall be quantified for each of the five years preceding the plan update.~~ *update in accordance with rules adopted pursuant to Section 10608.34.*

(B) The distribution system water loss quantification shall be reported in accordance with a worksheet approved or developed by the department through a public process. The water loss quantification worksheet shall be based on the water system balance methodology developed by the American Water Works Association.

*(C) After 2021, data to show whether the urban water supplier met the distribution loss standards enacted by the board pursuant to Section 10608.34.*

~~(4) (A) If available and applicable to an urban water supplier, water~~ *Water* use projections ~~may~~ *projections, where available, shall* display and account for the water savings estimated to result from adopted codes, standards, ordinances, or transportation and land use plans identified by the urban water supplier, as applicable to the service area.

(B) To the extent that an urban water supplier reports the information described in subparagraph (A), an urban water supplier shall do both of the following:

(i) Provide citations of the various codes, standards, ordinances, or transportation and land use plans utilized in making the projections.

(ii) Indicate the extent that the water use projections consider savings from codes, standards, ordinances, or transportation and land use plans. Water use projections that do not account for these water savings shall be noted of that fact.

~~(f)~~

(e) Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) (A) For an urban retail water supplier, as defined in Section 10608.12, a narrative description that addresses the nature and extent of each water demand management measure implemented over the past five years. The narrative shall describe the water demand management measures that the supplier plans to implement to achieve its water use targets pursuant to ~~Section 10608.20~~, 10608.20 and any water use standards adopted by the board.

(B) The narrative pursuant to this paragraph shall include descriptions of the following water demand management measures:

(i) Water waste prevention ordinances.

(ii) Metering.

(iii) Conservation pricing.

(iv) Public education and outreach.

(v) Programs to assess and manage distribution system real loss.

(vi) Water conservation program coordination and staffing support.

(vii) Other demand management measures that have a significant impact on water use as measured in gallons per capita per day, including innovative measures, if implemented.

(2) For an urban wholesale water supplier, as defined in Section 10608.12, a narrative description of the items in clauses (ii), (iv), (vi), and (vii) of subparagraph (B) of paragraph (1), and a narrative description of its distribution system asset management and wholesale supplier assistance programs.

~~(g)~~

(f) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use, as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in ~~average~~, normal, single-dry, and ~~multiple-dry~~ for a period of drought lasting five or more consecutive water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

~~(h)~~

(g) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.

~~(i) For purposes of this part, urban water suppliers that are members of the California Urban Water Conservation Council shall be deemed in compliance with the requirements of subdivision (f) by complying with all the provisions of the "Memorandum of Understanding Regarding Urban Water Conservation in California," dated December 10, 2008, as it may be amended, and by submitting the annual reports required by Section 6.2 of that memorandum.~~

~~(j)~~

(h) An urban water supplier that relies upon a wholesale agency for a source of water shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water-year types in accordance with subdivision ~~(e)~~. (f). An urban water supplier may rely upon water supply information provided by the wholesale agency in fulfilling the plan informational requirements of subdivisions (b) and ~~(e)~~. (f).

**SEC. 13. Section 10631.2 of the Water Code is amended to read:**

**10631.2.** (a) In addition to the requirements of Section 10631, an urban water management plan ~~may, but is not required to,~~ shall include any of the following ~~information:~~ *information that the urban water supplier can readily obtain:*

- (1) An estimate of the amount of energy used to extract or divert water supplies.
- (2) An estimate of the amount of energy used to convey water supplies to the water treatment plants or distribution systems.
- (3) An estimate of the amount of energy used to treat water supplies.
- (4) An estimate of the amount of energy used to distribute water supplies through its distribution systems.
- (5) An estimate of the amount of energy used for treated water supplies in comparison to the amount used for nontreated water supplies.
- (6) An estimate of the amount of energy used to place water into or withdraw from storage.
- (7) Any other energy-related information the urban water supplier deems appropriate.

(b) The department shall include in its guidance for the preparation of urban water management plans a methodology for the voluntary calculation or estimation of the energy intensity of urban water systems. The department may consider studies and calculations conducted by the Public Utilities Commission in developing the methodology.

**SEC. 14. Section 10631.7 of the Water Code is repealed.**

~~10631.7. The department, in consultation with the California Urban Water Conservation Council, shall convene an independent technical panel to provide information and recommendations to the department and the Legislature on new demand management measures, technologies, and approaches. The panel shall consist of no more than seven members, who shall be selected by the department to reflect a balanced representation of experts. The panel shall have at least one, but no more than two, representatives from each of the following: retail water suppliers, environmental organizations, the business community, wholesale water suppliers, and academia. The panel shall be convened by January 1, 2009, and shall report to the Legislature no later than January 1, 2010, and every five years thereafter. The department shall review the panel report and include in the final report to the Legislature the department's recommendations and comments regarding the panel process and the panel's recommendations.~~

**SEC. 15. Section 10632 of the Water Code is repealed.**

~~10632. (a) The plan shall provide an urban water shortage contingency analysis that includes each of the following elements that are within the authority of the urban water supplier:~~

- ~~(1) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions that are applicable to each stage;~~
- ~~(2) An estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply;~~
- ~~(3) Actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster;~~
- ~~(4) Additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning;~~
- ~~(5) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply;~~
- ~~(6) Penalties or charges for excessive use, where applicable;~~



~~(7) An analysis of the impacts of each of the actions and conditions described in paragraphs (1) to (6), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.~~

~~(8) A draft water shortage contingency resolution or ordinance.~~

~~(9) A mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency analysis.~~

~~(b) Commencing with the urban water management plan update due July 1, 2016, for purposes of developing the water shortage contingency analysis pursuant to subdivision (a), the urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.~~

**SEC. 16.** *Section 10632 is added to the Water Code, to read:*

**10632.** *(a) Every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its urban water management plan that consists of each of the following elements:*

*(1) The procedures used in conducting an annual water budget forecast that include, at a minimum, both of the following:*

*(A) The written decisionmaking process that an urban water supplier will use each year to determine its water supply reliability.*

*(B) The key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one or more dry years, including all of the following:*

*(i) Current year unconstrained demand, considering weather, growth, and other influencing factors, such as policies to manage current supplies to meet demand objectives in future years, as applicable.*

*(ii) Current year available supply, considering hydrological and regulatory conditions in the current year and one or more dry years.*

*(iii) Existing infrastructure capabilities and plausible constraints.*

*(iv) A defined set of locally applicable evaluation criteria that are consistently relied upon for each annual water budget forecast.*

*(v) A description and quantification of each source of water supply.*

*(2) Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage. Shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, and other potential emergency events.*

*(3) Shortage response actions that align with the defined shortage levels and shall include, at a minimum, all of the following:*

*(A) Locally appropriate supply augmentation actions.*

*(B) Locally appropriate demand reduction actions to adequately respond to shortages.*

*(C) Locally appropriate operational changes.*

*(D) Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions.*

*(E) For each action, an estimate of the volume of water or percentage reduction in water use that will be achieved by implementation of the action.*

*(4) Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, all of the following:*

(A) Any current or predicted shortages as determined by the annual water budget forecast as determined pursuant to Section 10632.1.

(B) Any shortage response actions triggered or anticipated to be triggered by the annual water budget forecast as determined pursuant to Section 10632.1.

(C) Any other relevant communications.

(5) Customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions as determined pursuant to Section 10632.2.

(6) (A) A description of the legal authorities that empower the urban water supplier to implement and enforce its shortage response actions specified in paragraph (3) that may include, but are not limited to, statutory authorities, ordinances, resolutions, and contract provisions.

(B) An urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1 in the event of either of the following:

(i) A water shortage level 4 or greater, as described in paragraph (2), is determined to exist.

(ii) A severe catastrophic interruption of the water supply of the urban water supplier has occurred.

(C) An urban water supplier shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

(7) A description of the financial consequences of and responses for drought conditions, including, but not limited to, all of the following:

(A) A description of potential revenue reductions and expense increases associated with activated shortage response actions described in paragraph (3).

(B) A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions described in paragraph (3).

(C) A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1.

(8) Monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

(9) Reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed.

(b) Commencing with the urban water management plan update due July 1, 2016, for purposes of developing the water shortage contingency plan pursuant to subdivision (a), the urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.

(c) The urban water supplier shall make available the water shortage contingency plan prepared pursuant to this article to its customers and any city or county within which it provides water supplies no later than 30 days after adoption of the water shortage contingency plan.

**SEC. 17.** Section 10632.1 is added to the Water Code, to read:

**10632.1.** An urban water supplier shall conduct the annual water budget forecast pursuant to subdivision (a) of Section 10632 and, by the 10th day of May of each year, submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance, and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan.

**SEC. 18.** Section 10632.2 is added to the Water Code, to read:

**10632.2.** An urban water supplier shall adhere to the prescribed procedures and implement determined shortage response actions in its water shortage contingency plan as identified in subdivision (a) of Section 10632 in drought and water shortage conditions.

**SEC. 19.** *Section 10632.3 is added to the Water Code, to read:*

**10632.3.** *The department may update the Urban Water Management Guidebook to include and further clarify, where necessary, the requirements contained in subdivision (a) of Section 10632.*

**SEC. 20.** *Section 10635 of the Water Code is amended to read:*

**10635.** (a) Every urban water supplier shall include, as part of its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry water years. This water supply and demand assessment shall compare the total water supply sources available to the water supplier with the *long-term* total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and ~~multiple-dry~~ *a drought lasting five or more consecutive* water years. The water service reliability assessment shall be based upon the information compiled pursuant to Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.

(b) *Every urban water supplier shall include, as part of its urban water management plan, a drought risk assessment for its water service to its customers as part of information considered in developing the demand management measures and water supply projects and programs to be included in the urban water management plan. The urban water supplier may conduct an interim update or updates to this drought risk assessment within the five-year cycle of its urban water management plan update. The drought risk assessment shall satisfy the following requirements:*

(1) *A description of data, methodology, and basis for one or more supply shortage conditions to conduct a drought risk assessment for a drought period that lasts five or more consecutive years, starting from the year following when the assessment is conducted.*

(2) *A comparison of the total water supply sources available to the water supplier with the total projected water use for the drought period. Potable reuse, recycled water, and desalination are considered fully reliable.*

(3) *Considerations of the historical drought hydrology, plausible changes on projected supplies and demands under climate change conditions, anticipated regulatory changes, and other locally applicable criteria.*

~~(b)~~

(c) *The urban water supplier shall provide that portion of its urban water management plan prepared pursuant to this article to any city or county within which it provides water supplies no later than 60 days after the submission of its urban water management plan.*

~~(c)~~

(d) *Nothing in this article is intended to create a right or entitlement to water service or any specific level of water service.*

~~(d)~~

(e) *Nothing in this article is intended to change existing law concerning an urban water supplier's obligation to provide water service to its existing customers or to any potential future customers.*

**SEC. 21.** *Section 10640 of the Water Code is amended to read:*

**10640.** (a) Every urban water supplier required to prepare a plan pursuant to this part shall prepare its plan pursuant to Article 2 (commencing with Section 10630). *The supplier shall likewise periodically review the plan as required by Section 10621, and any amendments or changes required as a result of that review shall be adopted pursuant to this article.*

(b) *Every urban water supplier required to prepare a water shortage contingency plan shall prepare a water shortage contingency plan pursuant to Section 10632. The supplier shall likewise periodically review the water shortage contingency plan as required by paragraph (9) of subdivision (a) of Section ~~10621~~, 10632 and any amendments or changes required as a result of that review shall be adopted pursuant to this article.*

**SEC. 22.** *Section 10641 of the Water Code is amended to read:*

**10641.** An urban water supplier required to prepare ~~a~~ *an urban water management plan or a water shortage contingency plan* may consult with, and obtain comments from, any public agency or state agency or any person who has special expertise with respect to water demand management methods and techniques.

**SEC. 23.** *Section 10642 of the Water Code is amended to read:*

**10642.** Each urban water supplier shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of *both the urban water management plan and the water shortage contingency plan*. Prior to adopting ~~a~~ *either plan*, the urban water supplier shall make *both of the plan plans* available for public inspection and shall hold a public hearing thereon. Prior to the hearing, notice of the time and place of hearing shall be published within the jurisdiction of the publicly owned water supplier pursuant to Section 6066 of the Government Code. The urban water supplier shall provide notice of the time and place of hearing to any city or county within which the supplier provides water supplies. *Notices by a local public agency pursuant to this section shall be provided pursuant to Chapter 17.5 (commencing with Section 7290) of Division 7 of Title 1 of the Government Code.* A privately owned water supplier shall provide an equivalent notice within its service area. After the hearing, the *urban water management plan or water shortage contingency plan* shall be adopted as prepared or as modified after the hearing.

**SEC. 24.** *Section 10643.5 is added to the Water Code, to read:*

**10643.5.** *An urban water management plan and water shortage contingency plan submitted to the department on or after January 1, 2020, shall be reviewed by the department for completeness, internal consistency, and conformity to the requirements of this part and of Part 2.55 (commencing with Section 10608).*

**SEC. 25.** *Section 10644 of the Water Code is amended to read:*

**10644.** (a) (1) An urban water supplier shall submit to the department, the California State Library, and any city or county within which the supplier provides water supplies a copy of its plan no later than 30 days after adoption. Copies of amendments or changes to the plans shall be submitted to the department, the California State Library, and any city or county within which the supplier provides water supplies within 30 days after adoption.

(2) The plan, or amendments to the plan, submitted to the department pursuant to paragraph (1) shall be submitted electronically and shall include any standardized forms, tables, or displays specified by the department.

*(b) If an urban water supplier revises its water shortage contingency plan, the supplier shall submit to the department a copy of its water shortage contingency plan prepared pursuant to subdivision (a) of Section 10632 no later than 30 days after adoption, in accordance with protocols for submission and using electronic reporting tools developed by the department.*

~~(b)~~

*(c) The department shall prepare and submit to the board, on or before July 1, in the years ending in seven or two, a list of all urban water suppliers that have done any of the following:*

*(1) Submitted an urban water management plan and a water shortage contingency plan that have been accepted for filing.*

*(2) Submitted an urban water management plan and a water shortage contingency plan and one or both have been returned for revision and not accepted for filing.*

*(3) Submitted an urban water management plan and a water shortage contingency plan but the department failed to review one or both for completeness, internal consistency, and conformity to the requirements of this part and of Part 2.55 (commencing with Section 10608) pursuant to Section 10643.5.*

*(4) Failed to submit an urban water management plan and a water shortage contingency plan.*

*(d) (1) (A) Notwithstanding Section 10231.5 of the Government Code, ~~and except as provided in subparagraph (B)~~, the department shall prepare and submit to the Legislature, on or before ~~December 31~~, July 1, in the years ending in ~~six~~ seven and ~~one~~, two, a report summarizing the status of the plans adopted pursuant to this part.*



The report prepared by the department shall identify the exemplary elements of the individual plans. The department shall provide a copy of the report to each urban water supplier that has submitted its ~~plan~~ plans to the department. The department shall also prepare reports and provide data for any legislative hearings designed to consider the effectiveness of plans submitted pursuant to this part.

*(B) The department shall prepare and submit to the board, on or before June 1 of each year, a report summarizing the submitted water budget forecast results along with appropriate reported water shortage conditions and the regional and statewide analysis of water supply conditions developed by the department. As part of the report, the department shall provide a summary and, as appropriate, urban water supplier specific information regarding various shortage response actions implemented as a result of annual supplier-specific water budget forecast assessments performed pursuant to Section 10632.1. The report shall include enough information on the completeness and adequacy of the information submitted for the board to determine if noncompliance enforcement is necessary.*

~~(B)~~

*(C) The department shall submit the report to the Legislature for the 2015 plans by July 1, 2017, and the report to the Legislature for the 2020 plans by July 1, 2022.*

*(2) A report to be submitted pursuant to subparagraph (A) of paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.*

~~(e)~~

*(e) (1) For the purpose of identifying the exemplary elements of the individual plans, the department shall identify in the report water demand management measures adopted and implemented by specific urban water suppliers, and identified pursuant to Section 10631, that achieve water savings significantly above the levels established by the department to meet the requirements of Section 10631.5.*

*(2) The department shall distribute to the panel convened pursuant to Section 10631.7 the results achieved by the implementation of those water demand management measures described in paragraph (1).*

*(3) The department shall make available to the public the standard the department will use to identify exemplary water demand management measures.*

**SEC. 26.** *Section 10645 of the Water Code is amended to read:*

**10645. (a)** *Not later than 30 days after filing a copy of its plan with the department, the urban water supplier and the department shall make the plan available for public review during normal business hours.*

*(b) Not later than 30 days after filing a copy of its water shortage contingency plan with the department, the urban water supplier and the department shall make the plan available for public review during normal business hours.*

**SEC. 27.** *Section 10650 of the Water Code is amended to read:*

**10650.** *Any actions or ~~proceedings~~ proceedings, other than actions by the board, to attack, review, set aside, void, or annul the acts or decisions of an urban water supplier on the grounds of noncompliance with this part shall be commenced as follows:*

*(a) An action or proceeding alleging failure to adopt ~~a~~ an urban water management plan or a water shortage contingency plan shall be commenced within 18 months after that adoption is required by this part.*

*(b) Any action or proceeding alleging that ~~a~~ an urban water management plan or water shortage contingency plan, or action taken pursuant to ~~the~~ either plan, does not comply with this part shall be commenced within ~~90~~ ~~days~~ one year after filing of the urban water management plan or water shortage contingency plan or an amendment ~~thereto~~ to either plan pursuant to Section 10644 or the taking of that action.*

**SEC. 28.** *Section 10651 of the Water Code is amended to read:*

**10651.** *In any action or proceeding to attack, review, set aside, void, or annul ~~a~~ an urban water management plan or a water shortage contingency plan, or an action taken pursuant to ~~the~~ either plan by an urban water supplier on the grounds of noncompliance with this part, the inquiry shall extend only to whether there was a prejudicial*



abuse of discretion. Abuse of discretion is established if the supplier has not proceeded in a manner required by law or if the action by the water supplier is not supported by substantial evidence.

**SEC. 29.** *Section 10653 of the Water Code is amended to read:*

**10653.** The adoption of a plan shall satisfy any requirements of state law, regulation, or order, including those of the ~~State Water Resources Control Board~~ *board* and the Public Utilities Commission, for the preparation of water management ~~plans~~ *plans, water shortage contingency plans,* or conservation plans; provided, that if the ~~State Water Resources Control Board~~ *board* or the Public Utilities Commission requires additional information concerning water ~~conservation~~ *conservation, drought response measures, and financial information* to implement its existing authority, nothing in this part shall be deemed to limit the board or the commission in obtaining that information. The requirements of this part shall be satisfied by any urban water demand management plan ~~prepared to meet that complies with analogous federal laws or regulations after the effective date of this part,~~ and which substantially meets the requirements of this part, or by any existing urban water management plan which includes the contents of a plan required under this part.

**SEC. 30.** *Section 10654 of the Water Code is amended to read:*

**10654.** An urban water supplier may recover in its rates the costs incurred in preparing its *urban water management plan and its water shortage contingency plan* and implementing the reasonable water conservation measures included in the *either plan.* ~~Any best water management practice that is included in the plan that is identified in the "Memorandum of Understanding Regarding Urban Water Conservation in California" is deemed to be reasonable for the purposes of this section.~~

**SEC. 31.** *Section 10656 of the Water Code is amended to read:*

**10656.** An urban water supplier that does not prepare, adopt, and submit its urban water management plan *or its water shortage contingency plan* to the department in accordance with this part, is ineligible to receive funding pursuant to Division 24 (commencing with Section 78500) or Division 26 (commencing with Section 79000), or receive drought assistance from the state until the urban water management plan *or water shortage contingency plan* is submitted pursuant to this article.

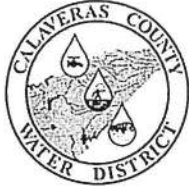
**SEC. 32.** *Section 10814 of the Water Code is amended to read:*

**10814.** "Person" ~~means any individual, firm, association, organization, partnership, business, trust, corporation, company, public agency, or any agency of that entity.~~ *has the same meaning as defined in Section 10614.*

**SECTION 1.** ~~Section 10608.51 is added to the Water Code, to read:~~

~~10608.51.(a) On or before July 1, 2018, the board, in consultation with the department and other appropriate state agencies, shall adopt water conservation guidelines that are consistent with the framework described in "Making Water Conservation a California Way of Life."~~

~~(b) For purposes of this section, "Making Water Conservation a California Way of Life," refers to the report prepared by the department, the state board, the Public Utilities Commission, the Department of Food and Agriculture, and the State Energy Resources Conservation and Development Commission in response to Executive Order B-37-16.~~



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## CALAVERAS COUNTY WATER DISTRICT

120 Toma Court • PO Box 846 • San Andreas, CA 95249 • (209) 754-3543 • www.ccwd.org

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April 26, 2017

The Honorable Laura Friedman  
State Capitol, Room 2137  
Sacramento, CA 95814

**Re: AB 1668 (Friedman): Water Management Planning**  
**Position: OPPOSE**

Dear Assemblymember Friedman:

On behalf of the Calaveras County Water District, I am writing to express our strong opposition to AB 1668, as amended April 18, 2017.

While we appreciate your interest in promoting good drought planning, an effort that has been central to our operations at the Calaveras County Water District since it was formed in 1946, this bill will detract from our success on this front. While the bill does include some augmentations to urban water management plans that we support, such as an enhanced communications plan and information about customer compliance requirements, other provisions of the bill are the source of our opposition.

AB 1668 establishes arbitrary water shortage levels that do not correspond to our local hydrologic conditions. It would require extensive planning to address these levels, rather than shortage scenarios that relate to our water supply sources. AB 1668 also requires the Department of Water Resources to prepare an annual report to the State Water Resources Control Board on water shortage response actions taken by water suppliers, to allow the Board to "determine if noncompliance enforcement is necessary." Such "noncompliance enforcement" is unclear at best (including the authority under which it would be conducted) and fails to reflect the existing situation in California. Local water suppliers already have the obligation to provide reliable suppliers to their customers, which they fulfill routinely, so enforcement provisions such as these are wholly unnecessary.

AB 1668 also establishes a requirement for water agencies to break down in detail the energy use of their various component systems, which is a unique burden that is not imposed on any other utility sector. Furthermore, AB 1668 imposes a requirement on water suppliers to declare a water shortage emergency when a "shortage level 4 or greater exists," even though such a

shortage level, as defined in a water supplier's Water Shortage Contingency Plan, may not warrant such a declaration.

For these reasons, Calaveras County Water District opposes AB 1668. If you or your staff have any questions, please contact Joel Metzger, PIO/Customer Relations Manager, at (209) 754-3123 or at joelm@ccwd.org.

Sincerely,

Calaveras County Water District

---

Dave Eggerton  
General Manager

cc: The Honorable Eduardo Garcia, Chair, Assembly Water, Parks, and Wildlife Committee  
Honorable Members of the Assembly Water, Parks, and Wildlife Committee

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<sup>1</sup> CCWD provides potable water service to approximately 21,000 people across Calaveras County for human consumption and fire flow protection. Calaveras County is located in the heart of the Sierra Nevada between Lake Tahoe and Yosemite National Park, spanning more than 1,000 square miles of three watersheds of the Sacramento/San Joaquin Bay-Delta, including the upper reaches of the Mokelumne, Calaveras and Stanislaus Rivers from an elevation range of over 8,000 feet at mountain crest to 200 in the foothills near the valley floor.



# California

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### AB-1669 Urban water conservation standards and use reporting. (2017-2018)

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Date Published: 04/18/2017 09:00 PM

AMENDED IN ASSEMBLY APRIL 18, 2017

AMENDED IN ASSEMBLY MARCH 22, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

## ASSEMBLY BILL

## No. 1669

Introduced by Assembly Member Friedman  
(Coauthor: Senator Allen)

February 17, 2017

~~An act to add Section 10608.18 to the Water Code, relating to water.~~ *An act to amend Sections 377, 1058.5, 1120, 1831, and 10608.20 of, and to add Chapter 9 (commencing with Section 10609) to Part 2.55 of Division 6 of, the Water Code, relating to water.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 1669, as amended, Friedman. ~~Urban water use efficiency.~~ *Urban water conservation standards and use reporting.*

(1) Existing law requires the state to achieve a 20% reduction in urban per capita water use in California by December 31, 2020. Existing law requires each urban retail water supplier to develop urban water use targets and an interim urban water use target, as specified.

*This bill would require the State Water Resources Control Board, in consultation with the Department of Water Resources, to adopt long-term standards for urban water conservation and water use by May 20, 2021. The bill would authorize the board, in consultation with the department, to adopt interim standards for urban water conservation and water use by emergency regulation. The bill would require the board, before adopting an emergency regulation, to provide at least 60 days for the public to review and comment on the proposed regulation and would require the board to hold a public hearing. The bill would authorize a court or public entity to hold a person civilly liable in an amount not to exceed \$10,000 for a violation of a regulation adopted under these provisions, unless the regulation provides otherwise.*

*The bill would also authorize the board to issue a regulation or informational order requiring a distributor of a public water supply to submit information relating to water production, water use, or water conservation.*

(2) Existing law establishes procedures for reconsideration and amendment of specified decisions and orders of the board. Existing law authorizes any party aggrieved by a specified decision or order of the board to file, not

later than 30 days from the date of final board action, a petition for writ of mandate for judicial review of the decision or order.

This bill would apply these procedures to decisions and orders of the board issued pursuant to the provisions described in paragraph (1), including existing provisions and those added by this bill.

(3) Existing law authorizes the board to issue a cease and desist order in response to a violation or threatened violation of certain requirements, including specified emergency regulations adopted by the board. Under existing law, a person who violates a cease and desist order of the board may be liable for each day in which the violation occurs, as specified. Revenue generated from these penalties is deposited in the Water Rights Fund. The moneys in the Water Rights Fund are available, upon appropriation by the Legislature, for, among other things, the administration of the board's water rights program.

This bill would authorize the board to issue a cease and desist order in response to a violation or threatened violation of any regulation adopted by the board.

~~Existing law requires the state to achieve a 20% reduction in urban per capita water use on or before December 31, 2020, and to make incremental progress toward that state target by reducing urban per capita water use by at least 10% on or before December 31, 2015.~~

~~This bill, on or before January 1, 2019, would require the State Water Resources Control Board, in consultation with the Department of Water Resources and other appropriate state agencies, to establish and adopt a process to increase urban water use efficiency through incremental urban water use efficiency standards and in that regard to establish an urban water use efficiency standard to be achieved by urban water suppliers by January 1, 2025. The bill would require the state board to review and consider updates to the urban water use efficiency standard every 5 years.~~

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** *Section 377 of the Water Code is amended to read:*

377. (a) From and after the publication or posting of any ordinance or resolution pursuant to Section 376, a violation of a requirement of a water conservation program adopted pursuant to Section 376 is a misdemeanor. A person convicted under this subdivision shall be punished by imprisonment in the county jail for not more than 30 days, or by a fine not exceeding one thousand dollars (\$1,000), or by both.

(b) A court or public entity may hold a person civilly liable in an amount not to exceed ten thousand dollars (\$10,000) for a violation of any of the following:

(1) An ordinance or resolution adopted pursuant to Section 376.

~~(2) An emergency~~ A regulation adopted by the board under Section ~~1058.5~~, 1058.5 or Chapter 9 (commencing with Section 10609) of Part 2.55 of Division 6, unless the board regulation provides that it cannot be enforced under this ~~section~~ section or provides for a lesser applicable penalty.

(c) Commencing on the 31st day after the public entity notified a person of a violation described in subdivision (b), the person additionally may be civilly liable in an amount not to exceed ten thousand dollars (\$10,000) plus five hundred dollars (\$500) for each additional day on which the violation continues.

(d) Remedies prescribed in this section are cumulative and not alternative, except that no liability shall be recoverable under this section for any violation of paragraph (2) of subdivision (b) if the board has filed a complaint pursuant to Section 1846 alleging the same violation.

(e) A public entity may administratively impose the civil liability described in subdivisions (b) and (c) after providing notice and an opportunity for a hearing. The public entity shall initiate a proceeding under this subdivision by a complaint issued pursuant to Section 377.5. The public entity shall issue the complaint at least 30 days before the hearing on the complaint and the complaint shall state the basis for the proposed civil liability order.

(f) (1) In determining the amount of civil liability to assess, a court or public entity shall take into consideration all relevant circumstances, including, but not limited to, the nature and persistence of the violation, the extent of



the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by the violator.

(2) The civil liability calculated pursuant to paragraph (1) for the first violation of subdivision (b) by a residential water user shall not exceed one thousand dollars (\$1,000) except in extraordinary situations where the court or public entity finds all of the following:

(A) The residential user had actual notice of the requirement found to be violated.

(B) The conduct was intentional.

(C) The amount of water involved was substantial.

(g) Civil liability imposed pursuant to this section shall be paid to the public entity and expended solely for the purposes of this chapter.

(h) An order setting administrative civil liability shall become effective and final upon issuance of the order and payment shall be made. Judicial review of any final order shall be pursuant to Section 1094.5 of the Code of Civil Procedure.

(i) In addition to the remedies prescribed in this section, a public entity may enforce water use limitations established by an ordinance or resolution adopted pursuant to this chapter, or as otherwise authorized by law, by a volumetric penalty in an amount established by the public entity.

**SEC. 2. Section 1058.5 of the Water Code is amended to read:**

**1058.5. (a)** This section applies to any emergency regulation adopted by the board for which the board makes both of the following findings:

(1) The emergency regulation is adopted to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.

(2) The emergency regulation is adopted in response to conditions which exist, or are threatened, in a critically dry year immediately preceded by two or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions.

(b) Notwithstanding Sections 11346.1 and 11349.6 of the Government Code, any findings of emergency adopted by the board, in connection with the adoption of an emergency regulation under this section, are not subject to review by the Office of Administrative Law.

(c) An emergency regulation adopted by the board under this section may remain in effect for up to ~~270 days,~~ *one year*, as determined by the board, and is deemed repealed immediately upon a finding by the board that due to changed conditions it is no longer necessary for the regulation to remain in effect. An emergency regulation adopted by the board under this section may be renewed if the board determines that the conditions specified in paragraph (2) of subdivision (a) are still in effect.

(d) In addition to any other applicable civil or criminal penalties, any person or entity who violates a regulation adopted by the board pursuant to this section is guilty of an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

(e) (1) Notwithstanding subdivision (b) of Section 1551 or subdivision (e) of Section 1848, a civil liability imposed under Chapter 12 (commencing with Section 1825) of Part 2 of Division 2 by the board or a court for a violation of an emergency conservation regulation adopted pursuant to this section shall be deposited, and separately accounted for, in the Water Rights Fund. Funds deposited in accordance with this subdivision shall be available, upon appropriation, for water conservation activities and programs.

(2) For purposes of this subdivision, an "emergency conservation regulation" means an emergency regulation that requires an end user of water, a water retailer, or a water wholesaler to conserve water or report to the board on water conservation. Water conservation includes restrictions or limitations on particular uses of water

or a reduction in the amount of water used or served, but does not include curtailment of diversions when water is not available under the diverter's priority of right or reporting requirements related to curtailments.

**SEC. 3. Section 1120 of the Water Code is amended to read:**

1120. This chapter applies to any decision or order issued under this part or Section 275, Part 2 (commencing with Section 1200), Part 2 (commencing with Section 10500) of Division 6, Part 2.55 (commencing with Section 10608) of Division 6, or Chapter 11 (commencing with Section 10735) of Part 2.74 of Division 6, Article 7 (commencing with Section 13550) of Chapter 7 of Division 7, or the public trust doctrine.

**SEC. 4. Section 1831 of the Water Code is amended to read:**

1831. (a) When the board determines that any person is violating, or threatening to violate, any requirement described in subdivision (d), the board may issue an order to that person to cease and desist from that violation.

(b) The cease and desist order shall require that person to comply forthwith or in accordance with a time schedule set by the board.

(c) The board may issue a cease and desist order only after notice and an opportunity for hearing pursuant to Section 1834.

(d) The board may issue a cease and desist order in response to a violation or threatened violation of any of the following:

(1) The prohibition set forth in Section 1052 against the unauthorized diversion or use of water subject to this division.

(2) Any term or condition of a permit, license, certification, or registration issued under this division.

(3) Any decision or order of the board issued under this part, Section 275, Chapter 9 (commencing with Section 10609) of Part 2.55 of Division 6, or Chapter 11 (commencing with Section 10735) of Part 2.74 of Division 6, or Article 7 (commencing with Section 13550) of Chapter 7 of Division 7, in which decision or order the person to whom the cease and desist order will be issued, or a predecessor in interest to that person, was named as a party directly affected by the decision or order.

(4) A regulation adopted under ~~Section 1058.5~~ by the board.

(5) Any extraction restriction, limitation, order, or regulation adopted or issued under Chapter 11 (commencing with Section 10735) of Part 2.74 of Division 6.

(6) Any diversion or use of water for cannabis cultivation if any of the following applies:

(A) A license is required, but has not been obtained, under Article 6 (commencing with Section 19331) of Chapter 3.5 of Division 8 of the Business and Professions Code.

(B) The diversion is not in compliance with an applicable limitation or requirement established by the board or the Department of Fish and Wildlife under Section 13149.

(C) The diversion or use is not in compliance with a requirement imposed under subdivision (d) or (e) of Section 19332.2 of the Business and Professions Code.

(e) This article does not alter the regulatory authority of the board under other provisions of law.

**SEC. 5. Section 10608.20 of the Water Code is amended to read:**

10608.20. (a) (1) Each urban retail water supplier shall develop urban water use targets and an interim urban water use target by July 1, 2011. Urban retail water suppliers may elect to determine and report progress toward achieving these targets on an individual or regional basis, as provided in subdivision (a) of Section 10608.28, and may determine the targets on a fiscal year or calendar year basis.

(2) It is the intent of the Legislature that the urban water use targets described in paragraph (1) cumulatively result in a 20-percent reduction from the baseline daily per capita water use by December 31, 2020.

- (b) An urban retail water supplier shall adopt one of the following methods for determining its urban water use target pursuant to subdivision (a):
- (1) Eighty percent of the urban retail water supplier's baseline per capita daily water use.
  - (2) The per capita daily water use that is estimated using the sum of the following performance standards:
    - (A) For indoor residential water use, 55 gallons per capita daily water use as a provisional standard. Upon completion of the department's 2016 report to the Legislature pursuant to Section 10608.42, this standard may be adjusted by the Legislature by statute.
    - (B) For landscape irrigated through dedicated or residential meters or connections, water efficiency equivalent to the standards of the Model Water Efficient Landscape Ordinance set forth in Chapter 2.7 (commencing with Section 490) of Division 2 of Title 23 of the California Code of Regulations, as in effect the later of the year of the landscape's installation or 1992. An urban retail water supplier using the approach specified in this subparagraph shall use satellite imagery, site visits, or other best available technology to develop an accurate estimate of landscaped areas.
    - (C) For commercial, industrial, and institutional uses, a 10-percent reduction in water use from the baseline commercial, industrial, and institutional water use by 2020.
  - (3) Ninety-five percent of the applicable state hydrologic region target, as set forth in the state's draft 20x2020 Water Conservation Plan (dated April 30, 2009). If the service area of an urban water supplier includes more than one hydrologic region, the supplier shall apportion its service area to each region based on population or area.
  - (4) A method that shall be identified and developed by the department, through a public process, and reported to the Legislature no later than December 31, 2010. The method developed by the department shall identify per capita targets that cumulatively result in a statewide 20-percent reduction in urban daily per capita water use by December 31, 2020. In developing urban daily per capita water use targets, the department shall do all of the following:
    - (A) Consider climatic differences within the state.
    - (B) Consider population density differences within the state.
    - (C) Provide flexibility to communities and regions in meeting the targets.
    - (D) Consider different levels of per capita water use according to plant water needs in different regions.
    - (E) Consider different levels of commercial, industrial, and institutional water use in different regions of the state.
    - (F) Avoid placing an undue hardship on communities that have implemented conservation measures or taken actions to keep per capita water use low.
- (c) If the department adopts a regulation pursuant to paragraph (4) of subdivision (b) that results in a requirement that an urban retail water supplier achieve a reduction in daily per capita water use that is greater than 20 percent by December 31, 2020, an urban retail water supplier that adopted the method described in paragraph (4) of subdivision (b) may limit its urban water use target to a reduction of not more than 20 percent by December 31, 2020, by adopting the method described in paragraph (1) of subdivision (b).
- (d) The department shall update the method described in paragraph (4) of subdivision (b) and report to the Legislature by December 31, 2014. An urban retail water supplier that adopted the method described in paragraph (4) of subdivision (b) may adopt a new urban daily per capita water use target pursuant to this updated method.
- (e) An urban retail water supplier shall include in its urban water management plan due in 2010 pursuant to Part 2.6 (commencing with Section 10610) the baseline daily per capita water use, urban water use target, interim urban water use target, and compliance daily per capita water use, along with the bases for determining those estimates, including references to supporting data.
- (f) When calculating per capita values for the purposes of this chapter, an urban retail water supplier shall determine population using federal, state, and local population reports and projections.

(g) An urban retail water supplier may update its 2020 urban water use target in its 2015 urban water management plan required pursuant to Part 2.6 (commencing with Section 10610).

(h) (1) The department, through a public process and in consultation with the California Urban Water Conservation Council, shall develop technical methodologies and criteria for the consistent implementation of this part, including, but not limited to, both of the following:

(A) Methodologies for calculating base daily per capita water use, baseline commercial, industrial, and institutional water use, compliance daily per capita water use, gross water use, service area population, indoor residential water use, and landscaped area water use.

(B) Criteria for adjustments pursuant to subdivisions (d) and (e) of Section 10608.24.

(2) The department shall post the methodologies and criteria developed pursuant to this subdivision on its Internet Web site, and make written copies available, by October 1, 2010. An urban retail water supplier shall use the methods developed by the department in compliance with this part.

(i) (1) The department shall adopt regulations for implementation of the provisions relating to process water in accordance with subdivision (l) of Section 10608.12, subdivision (e) of Section 10608.24, and subdivision (d) of Section 10608.26.

(2) The initial adoption of a regulation authorized by this subdivision is deemed to address an emergency, for purposes of Sections 11346.1 and 11349.6 of the Government Code, and the department is hereby exempted for that purpose from the requirements of subdivision (b) of Section 11346.1 of the Government Code. After the initial adoption of an emergency regulation pursuant to this subdivision, the department shall not request approval from the Office of Administrative Law to readopt the regulation as an emergency regulation pursuant to Section 11346.1 of the Government Code.

(j) (1) An urban retail water supplier is granted (1) an extension to July 1, 2011, for adoption of an urban water management plan pursuant to Part 2.6 (commencing with Section 10610) due in 2010 to allow the use of technical methodologies developed by the department pursuant to paragraph (4) of subdivision (b) and subdivision (h). An urban retail water supplier that adopts an urban water management plan due in 2010 that does not use the methodologies developed by the department pursuant to subdivision (h) shall amend the plan by July 1, 2011, to comply with this part.

(2) An urban wholesale water supplier whose urban water management plan prepared pursuant to Part 2.6 (commencing with Section 10610) was due and not submitted in 2010 is granted an extension to July 1, 2011, to permit coordination between an urban wholesale water supplier and urban retail water suppliers.

(k) *Nothing in this part limits the authority of the board to adopt standards for water conservation that are in addition to, or exceed, the standards provided under this part.*

**SEC. 6.** *Chapter 9 (commencing with Section 10609) is added to Part 2.55 of Division 6 of the Water Code, to read:*

**CHAPTER 9. Urban Water Conservation Standards and Use Reporting**

**10609.** (a) *The board, in consultation with the department, shall adopt long-term standards for urban water conservation and water use by May 20, 2021. The standards shall include, but are not limited to, standards for all of the following:*

(1) *Indoor residential water use.*

(2) *Outdoor irrigation in connection with domestic, industrial, institutional, or commercial water use.*

(3) *Industrial, institutional, and commercial water use.*

(b) *The board, in consultation with the department, may adopt interim standards for urban water conservation and water use pending the adoption of long-term standards pursuant to subdivision (a). The board, in consultation with the department, may update the interim standards as it determines to be reasonably necessary for purposes of this section, except that the board may not set new or revised standards under this subdivision after the board adopts long-term standards pursuant to subdivision (a) or May 20, 2021, whichever occurs first.*



(c) (1) Long-term standards, and any amendments to those standards, adopted by the board pursuant to subdivision (a) shall be adopted in accordance with the regular rulemaking process provided for in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(2) (A) Except for long-term standards, and any amendment to those standards, adopted pursuant to subdivision (a), regulations adopted by the board pursuant to this chapter, and any amendment or subsequent adjustment to those regulations, shall be adopted by the board as emergency regulations, in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The adoption of regulations pursuant to this paragraph shall be deemed an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health, safety, and general welfare. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, an emergency regulation adopted by the board pursuant to this paragraph shall remain in effect until revised by the board.

(B) Before adopting an emergency regulation pursuant to this paragraph, the board shall provide at least 60 days for the public to review and comment on the proposed regulation and shall hold a public hearing.

(d) Notwithstanding Section 15300.2 of Title 14 of the California Code of Regulations, an action of the board taken under this chapter shall be deemed to be a Class 8 action, within the meaning of Section 15308 of Title 14 of the California Code of Regulations, if the action does not involve relaxation of existing water conservation or water use standards.

**10609.2.** The board may issue a regulation or informational order requiring a distributor of a public water supply, as that term is used in Section 350, to submit information relating to water production, water use, or water conservation.

~~SECTION 1. Section 10608.18 is added to the Water Code, to read:~~

~~10608.18. On or before January 1, 2019, the board, in consultation with the department and other appropriate state agencies, shall establish and adopt a process to increase urban water use efficiency through incremental urban water use efficiency standards and in that regard shall establish an urban water use efficiency standard to be achieved by urban water suppliers by January 1, 2025. Every five years, the board shall review and consider updates to the urban water use efficiency standard for the upcoming five years.~~



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## CALAVERAS COUNTY WATER DISTRICT

120 Toma Court • PO Box 846 • San Andreas, CA 95249 • (209) 754-3543 • [www.ccw.d.org](http://www.ccw.d.org)

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April 26, 2017

The Honorable Laura Friedman  
California State Assembly  
State Capitol, Room 2137  
Sacramento, CA 95814

**Re: AB 1669 (Friedman) – Urban Water Conservation Standards**  
**Position: OPPOSE**

Dear Assembly Member Friedman:

On behalf of the Calaveras County Water District<sup>1</sup>, I am writing to express our strong opposition to AB 1669, as amended April 18, 2017.

AB 1669 would require the State Water Resources Control Board (State Water Board), in consultation with the Department of Water Resources (DWR) to adopt long-term urban water conservation standards by May 20, 2021, as well as authorize it to issue "interim" standards as "emergency regulations" that could stay in effect, or be revised pursuant to the same "emergency" authority, for up to three years (i.e. until May 20, 2021). In addition, the State Water Board would be provided with ongoing unlimited authority to "adopt standards for water conservation that are in addition to, or exceed the standards" initially adopted under these provisions. Moreover, so long as any action to revise conservation standards "does not involve relaxation of existing water conservation or water use standards", that action will be exempt from the California Environmental Quality Act (CEQA)

The use of "emergency" powers when there is, in fact, no emergency is inappropriate and violates the public's trust in and reliance upon long-established transparent regulatory processes designed to ensure full public vetting of such far-reaching and intrusive proposals such as this. Similarly, providing a CEQA exemption for these actions that will broadly affect a fundamental component of life in California, when the environmental, economic and social impacts will be significant, undermines the very principles of public disclosure CEQA was intended to serve, does so for no legitimate public purpose, and is most certainly not "necessary for the immediate preservation of the public peace, health, safety, and general welfare."

We appreciate your interest in water management and share your desire to have Californians increase the efficiency of their water use. However, your amended proposal

goes well beyond that laudable goal by granting the State Water Board unprecedented permanent powers to limit water use throughout California today and into the future, regardless of local water supply conditions, water rights and contracts, and ratepayer investments in water supply reliability and drought resiliency. Your bill also supplants local control by elected boards of water suppliers with a command-and-control state mandate imposing one-size-fits-all conservation standards “not limited to” a few blanket categories of water use with undefined criteria and no guidance as to their composition.

In addition to objecting to the entirety of the regulatory scheme you have amended into AB 1669, we also believe DWR, and not the State Water Board, is the proper home for moving California water efficiency standards forward. In 2009, when SB 7x7 (Steinberg) codified California’s current goal to achieve a twenty percent reduction in urban water use by the year 2020, DWR was tasked as the lead state agency responsible for implementing the water use reduction target. We firmly believe that there should be continuity in the state agency that oversees the implementation of policy related to California’s long-term water use, and as such, DWR should maintain that authority.

For these reasons, Calaveras County Water District opposes AB 1669. If you or your staff have any questions, please contact Joel Metzger, PIO/Customer Relations Manager at (209) 754-3123 or at [joelm@ccwd.org](mailto:joelm@ccwd.org).

Sincerely,

Calaveras County Water District

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Dave Eggerton  
General Manager

cc: The Honorable Eduardo Garcia, Chair, Assembly Water, Parks, and Wildlife Committee  
Honorable Members of the Assembly Water, Parks, and Wildlife Committee

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<sup>1</sup> CCWD provides potable water service to approximately 21,000 people across Calaveras County for human consumption and fire flow protection. Calaveras County is located in the heart of the Sierra Nevada between Lake Tahoe and Yosemite National Park, spanning more than 1,000 square miles of three watersheds of the Sacramento/San Joaquin Bay-Delta, including the upper reaches of the Mokelumne, Calaveras and Stanislaus Rivers from an elevation range of over 8,000 feet at mountain crest to 200 in the foothills near the valley floor.