

Heber Public Utility District Board of Directors

MEETING DATE: June 18, 2015

FROM: Laura Fischer, General Manager

SUBJECT: Adopt Resolution 2015-8 Regarding State Mandated Water Conservation Measures

ISSUE:

Shall the Heber Public Utility Board of Directors adopt Resolution 2015-8 regarding State mandated water conservation measures?

GENERAL MANAGER RECOMMENDATION:

Adopt Resolution 2015-8.

FISCAL IMPACT:

Minimal Impact to Revenues.

BACKGROUND:

On April 1, 2015, Governor Brown issued a new Executive Order that directs the State Water Board to impose restriction on urban water suppliers to achieve a statewide 25% reduction in potable water usage through February 2016; require commercial, industrial and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and building that is not delivered by drip or microspray systems; along with other restrictions.

On August 23, 2014 the Heber Public Utility District adopted Resolution 2014-8 that established regulations required by the State Water Board. The State Water Board Resolution 2015-21 establishes additional regulations and thus HPUD should adopt Resolution 2015-8 modifying and implementing additional Statewide water conservation mandates.

Attached to this report is a copy of the State Water Resources Control Board Resolution No. 2015-0032 and the summarizing Fact Sheet for your review and consideration.

DISCUSSION

Most of the regulations place requirements on Urban Water Suppliers, which are suppliers that have 3,000 connections or more. HPUD is not an Urban Water Supplier. However, there are some regulations that do apply to HPUD. HPUD must within thirty days take one or more of the following actions:

- The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall

- The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased
- The irrigation with potable water of ornamental turf on public street medians
- The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.
- All commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either: (1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two damper week; or (2) Reduce potable water usage supplied by sources other than a water supplier amount used from those sources for the same months in 2013.
- The taking of any action prohibited in this regulation or the failure to take any action required is an infraction; punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal

Evaluating violations of this regulation and taking any enforcement action is up to HPUD. We don't have staff available to enforce the mandatory watering schedule, but any calls that come to our office we can investigate and provide the customers with a friendly note informing them about the regulations and providing them with information and material on water conservation methods.

HPUD must also notify and educate staff, customers and the community at large about the prohibitions. We must also inform ratepayers of the regulations. Additionally, we must access the water conservation resources website to encourage water conservation. www.saveourh2o.org/ or www.saveourwater.com We will show a short film before our movie on Friday, June 12th.

CONCLUSION

As the State Water Boards adopted Resolution No. 2015-32 adopting an emergency regulation for statewide urban water conservation, it is required that HPUD adopt Resolution 2015-8 modifying existing mandatory water conservation requirements. A copy of the Resolution and/or a summary fact sheet will be mailed to our customers in July.

ALTERNATIVES

- 1) Do not adopt Resolution 2015-8, which will result HPUD being out of compliance with the State Mandates. The State Resolution also states that the Water Board directs staff to condition funding upon compliance with the emergency regulations,

to the extent feasible. Thus it is in HPUD's best interest to adopt and comply with the Regulations.

- 2) Direct staff to modify the Resolution prior to adopting.
- 3) Provide alternate direction to staff.

Respectfully Submitted,

Laura Fischer, General Manager

Attachments:

Resolution 2015-8

State Water Resources Control Board Resolution No. 2014-0032

State Water Board Fact Sheet

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RESOLUTION NUMBER 2015-8

A RESOLUTION OF THE HEBER PUBLIC UTILITY DISTRICT TO MODIFY RESOLUTION NUMBER 2014-8 ESTABLISHING ADDITIONAL WATER CONSERVATION MEASURES ACCORDING TO STATE WATER BOARD MANDATES

WHEREAS, on January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions; and

WHEREAS, on April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions; and

WHEREAS, on July 15, 2014 the State Water Board adopted an Emergency Regulation for Statewide Urban Water Conservation; and

WHEREAS, on April 1, 2015, the Governor issued an Executive Order that directed the State Water Board to impose restriction on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

WHEREAS, this urgent Legislation has been enacted to ensure water providers implement water conservation practices for both Urban Water Providers who provide water to 3,000 connections or more, and smaller water providers that serve less than 3,000 connections; and

WHEREAS, the Heber Public Utility District serves less than 3,000 connections and is not required to adopt and implement an Urban Water Management Plan; and

WHEREAS, the Heber Public Utility District desires to follow all State Water Board regulations, and on August 23, 2014 adopted Resolution 2014-8 establishing drought regulations, which will remain in full effect; and

WHEREAS, the Heber Public Utility District desires to continue to follow all State Water Board regulations and seeks to provide notice of the emergency drought regulations to the customers of the District; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE HEBER PUBLIC UTILITY DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

1. That the foregoing statements are true and correct.
2. That the Adopted Heber Public Utility District Resolution 2014-8 Establishing Water Conservation Measures remains in full effect.

3. That to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency. In Addition to the Restriction Established in Heber Public Utility District Resolution 2014-8, the following Restrictions are mandated.
 - a. The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall
 - b. The serving of drinking water other than upon request in eating or drinking: establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased
 - c. The irrigation with potable water of ornamental turf on public street medians
 - d. The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
4. To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.
5. All commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either:
 - a. Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two damper week; or
 - b. Reduce potable water usage supplied by sources other than a water supplier amount used from those sources for the same months in 2013.
6. The taking of any action prohibited in this regulation or the failure to take any action required is an infraction; punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.
7. That this Resolution shall remain in effect for 270 days after adoption, or for as long as the State Water Resources Control Board's emergency regulations remain in effect.

PASSED AND ADOPTED at a Special meeting of the Board of Directors of the Heber Public Utility District held on the 18th day of June, 2015.

Eduardo Valdez-Belmonte, Board President

ATTEST:

Elizabeth German, Acting Clerk of the Board

APPROVE AS TO FORM:

Steven M. Walker, General Counsel

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)
HEBER PUBLIC UTILITY)
DISTRICT)

I, ELIZABETH GERMAN, Acting as the Clerk of the Board of the Heber Public Utility District, County of Imperial, State of California, DO HEREBY CERTIFY that the foregoing resolution was duly passed, approved and adopted by the Board of Directors of the Heber Public Utility District at a Special meeting held on the 18th day of June 2015.

By _____
Elizabeth German, Acting Clerk of the Board



Media Release

Urban Water Conservation Improves in April Ahead of June 25 Percent Conservation Mandate

WATER DISTRICTS REPORT FIRST FULL MONTH OF STATEWIDE ENFORCEMENT EFFORTS

**FOR IMMEDIATE RELEASE
June 2, 2015**

**Contact: George Kostyrko
gkostyrko@waterboards.ca.gov**

SACRAMENTO – With a mandatory average conservation rate of 25 percent beginning this month for all state residents, the State Water Resources Control Board (State Water Board) announced that Californians in cities and towns increased their water conservation to 13.5 percent in April. In addition, nearly 400 water suppliers responded to a first-ever enforcement report, indicating a high level of local activity to respond to reports of leaks and suspected water wasting.

“We hope the improved conservation rate for April shows that residents and businesses stepped up to begin to meet the call for greater conservation in the face of this historic and ongoing drought,” said State Water Board Chair Felicia Marcus. “While these results are a step in the right direction, there are still too many lush landscapes where irrigation must be reduced to meet the 25 percent statewide reduction mandate. We see conservation gains in all regions of the state, but we don’t know whether it was because of cooler weather or concerted action. In particular, the South Coast demonstrated significant improvement, but the real test will be what happens as we move into the hot and dry summer months, when we need to keep the sprinklers off as much as possible.”

In May, the State Water Board adopted an [emergency regulation](#) requiring an immediate 25 percent reduction in overall potable urban water use statewide beginning in June, in accordance with Governor Edmund G. Brown Jr.’s April 1 [Executive Order](#). The Executive Order required, for the first time in the state’s history, mandatory conservation for all residents and directed several state agencies, including the State Water Board, to take immediate action to safeguard the state’s remaining potable urban water supplies in preparation for a possible fifth year of drought.

In the most recent survey of nearly 400 urban water suppliers, the amount of water saved by the state’s large urban water agency customers statewide increased from 3.9 percent in March



C A L I F O R N I A E N V I R O N M E N T A L P R O T E C T I O N A G E N C Y

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to approximately 13.5 percent in April, in same month water use comparisons of 2015 to 2013. The year 2013 serves as a baseline to determine water savings statewide since the 2014 emergency water conservation regulations have been in effect. The cumulative statewide percent reduction for June 2014-April 2015 (11 months) is 9 percent.

The regulation adopted by the State Water Board on May 5 uses a sliding scale, so that communities that have been conserving water will have lower mandates than those that have not conserved this past year and/or over the last decades since the last major drought. The regulation places each urban water supplier into one of eight tiers which are assigned a conservation standard, ranging between 8 percent and 36 percent.

The State Water Board is currently reviewing new data submitted by over 200 urban water suppliers. The revised data, if accepted, will change the conservation standard for some water suppliers. The Board expects to publish the final conservation standards for all 411 urban water suppliers by the end of the week.

Each month, the State Water Board will compare every urban water suppliers' water use with their use for the same month in 2013 to determine if they are on track for meeting their conservation standard. Local water agencies will determine the most cost effective and locally appropriate way to achieve their standard. The State Water Board will be working closely with water suppliers to implement the regulations and improve local efforts that are falling short.

"Whether 12, 24, or 36 percent, these reductions are achievable if we reduce our outdoor irrigation, fix our leaks, and think about our water use every day," said Marcus. "We know that when people pay attention to their water use they can make significant reductions, so we need everyone to make conservation a part of their summer routine. A quarter of water suppliers statewide still allow 7 days a week watering, which is not sending the right message when on average 50 percent and in some cases 80 percent of urban water use is on outdoor landscapes. This summer, watering lawns should be the exception rather than the rule, while we reserve our precious landscape water for trees."

Enforcement Data Now Reported Every Month

In March, the State Water Board [renewed an emergency regulation](#), first adopted in July 2014, which require water districts to report water use every month to the State Water Board. The renewed emergency regulations monthly reporting requirements were expanded to include the limit on days for outdoor irrigation and a description of compliance and enforcement efforts. Based on the first full month of enforcement and compliance, in April (395 urban water suppliers reporting):

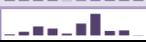
- 22,674 water waste complaints were submitted to 325 suppliers statewide;

- 22,173 formal warnings were issued for water waste by 260 suppliers statewide;
- 838 penalties were issued by 43 suppliers statewide;
- 12 (3%) suppliers reported that mandatory restrictions are not in place;
- 97 (25%) suppliers reported no restrictions on the number of days per week outdoor irrigation is allowed.

Water Conservation Efforts Improve

Monthly residential water savings statewide were 13.5 percent in April compared with April 2013. That is up from the 3.9 percent water savings in March compared with March 2013. Broken down by hydrologic region, the results show that all parts of the state showed savings improvements compared to March.

Water Savings by Hydrologic Region June 2014 to April 2015

Hydrologic Region	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	Trend
Central Coast	9.5%	13.5%	15.2%	15.9%	14.4%	21.3%	29.2%	9.4%	9.0%	9.3%	17.6%	
Colorado River	6.6%	3.1%	7.0%	5.9%	5.4%	6.7%	6.3%	12.3%	-0.9%	7.3%	12.8%	
North Coast	3.9%	10.2%	13.2%	9.5%	21.9%	19.4%	15.9%	16.1%	7.3%	-4.3%	23.4%	
North Lahontan	3.6%	4.3%	13.3%	-0.7%	-6.9%	-2.6%	14.2%	9.6%	14.2%	12.1%	37.5%	
Sacramento River	11.8%	19.8%	22.0%	16.4%	18.6%	25.7%	21.5%	6.0%	14.2%	11.7%	23.7%	
San Francisco Bay	10.2%	13.0%	15.1%	15.4%	14.9%	17.7%	21.0%	2.4%	8.2%	6.4%	19.9%	
San Joaquin River	6.6%	12.3%	13.2%	10.0%	10.0%	20.9%	18.3%	12.6%	13.6%	11.5%	19.9%	
South Coast	-0.1%	1.9%	8.1%	7.7%	1.6%	3.4%	23.7%	6.5%	-2.6%	0.6%	8.7%	
South Lahontan	5.2%	3.9%	9.8%	7.7%	0.2%	0.6%	8.9%	9.8%	5.8%	10.4%	10.5%	
Tulare Lake	5.7%	8.3%	13.6%	11.5%	6.5%	16.5%	26.4%	9.1%	9.7%	4.9%	17.3%	
Statewide	4.3%	7.3%	11.7%	10.3%	6.7%	10.0%	22.3%	6.8%	2.6%	3.9%	13.5%	

From June 2014 through April 2015, more than 175.6 billion gallons have been saved compared with the same period in 2013 – enough to supply 2.35 million California residents for a year.

Per Capita Daily Water Use Rises Slightly

In addition to the conservation data, the State Water Board also discussed the reported residential gallons per-capita per day (R-GPCD) for April. The discussion focused on estimated daily water use by residential customers for more than 400 urban water suppliers statewide.

R-GPCD by Hydrologic Region June 2014 to April 2015

Hydrologic Region	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	Trend
Central Coast	98.9	94.1	90.1	88.0	82.6	67.5	54.0	60.2	61.7	64.0	70.0	
Colorado River	243.7	244.0	223.1	186.1	171.1	167.4	118.5	116.6	134.2	125.9	161.2	
North Coast	89.9	98.7	84.9	86.6	68.8	56.5	58.1	55.9	56.4	62.6	60.6	
North Lahontan	174.7	166.0	165.4	144.4	111.3	74.5	69.2	69.9	62.5	58.2	63.8	
Sacramento River	194.2	200.4	179.9	165.4	131.1	89.3	70.8	73.9	74.4	97.0	103.4	
San Francisco Bay	99.1	98.5	90.9	84.2	76.8	63.0	53.2	56.9	57.8	63.5	65.8	
San Joaquin River	202.3	202.0	178.6	160.7	132.2	91.7	72.7	70.2	73.4	95.2	106.4	
South Coast	122.1	120.4	113.0	113.4	104.3	88.7	65.2	73.6	79.8	83.8	90.7	
South Lahontan	192.9	195.0	184.1	162.9	136.3	109.4	75.6	76.0	80.4	97.4	117.2	
Tulare Lake	201.4	213.3	191.8	180.7	149.7	107.0	80.7	75.2	78.7	100.7	128.5	
Statewide	134.2	133.9	123.9	119.0	106.0	86.3	65.6	71.0	75.5	82.8	91.0	

Statewide average R-GPCD for April 2015 was 91 gallons, an increase compared to the March statewide average R-GPCD of 82.8. With the exception of the North Coast Hydrologic Region, hydrologic region R-GPCDs were higher in April than they were in March for all hydrologic regions. To see the full report, click [here](#).

Examples of some communities with the respective R-GPCD averages for April 2015 in various hydrologic areas (in parenthesis) include: San Francisco Public Utilities Commission (San Francisco Bay) with 44 R-GPCD; City of Santa Cruz (Central Coast) with 40 R-GPCD; California-American Water Company Monterey District (Central Coast) 56 R-GPCD; City of Santa Rosa (North Coast) with 56 R-GPCD; City of Stockton (San Joaquin River) with 92 R-GPCD; City of San Diego (South Coast), with 66 R-GPCD; San Jose Water Company (San Francisco Bay), with 68 R-GPCD; City of Fresno (Tulare Lake), with 108 R-GPCD; City of Sacramento (Sacramento River) with 86 R-GPCD; Los Angeles Department of Water and Power (South Coast), with 75 R-GPCD; City of Riverside (South Coast), with 92 R-GPCD; Sacramento County Water Agency (Sacramento River), with 118 R-GPCD, and California Water Service Company, Bakersfield (Tulare Lake) with 152 R-GPCD.

For additional information on water use, please visit the following resources:

- The Pacific Institute has an R-GPCD mapping tool [here](#).
- The State Drinking Water Program has an urban water R-GPCD Calculator [here](#).

Background

In his April 1 Executive Order, Governor Brown mandated a 25 percent water use reduction for cities and towns across California.

During 2014, the State Water Board took action to increase access to recycled water in an effort to augment scarce water supplies. Water recycling is the use of treated municipal wastewater for beneficial purposes, such as agricultural and landscape irrigation, industrial processes, and replenishing ground water basins. In March, the Board approved new low-interest financing terms for water recycling projects to help California produce an additional 150,000 acre-feet of recycled water annually. The effort makes available \$800 million in loans for projects such as recycled water treatment and distribution and storage facilities that can be completed by 2017. In June, the Board adopted a general order that makes it easier for communities to use non-potable recycled water for agriculture, landscape and golf course irrigation, and other uses. During the year, various regional boards took action to approve the use of recycled water for local projects under their jurisdiction.

For more than two years, California has been dealing with the effects of drought. To learn about all the actions the state has taken to manage our water system and cope with the impacts of the drought, visit Drought.CA.Gov.

Every Californian should take steps to conserve water. Find out how at SaveOurWater.com.

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