

# **Item 6a.**



## STAFF REPORT

**Meeting Date:** February 16, 2016

**To:** Honorable Mayor & City Council

**From:** Trish Rhay, Assistant Director of Public Works Services, Infrastructure & Field Operations  
Michelle Tse, Planning and Research Analyst *MST*

**Subject:** a. Conservation Program Update

**Attachments:** 1. State Water Resources Control Board Media Release dated February 2, 2016

### INTRODUCTION

This report transmits an update to the City Council regarding the progress of the City's conservation efforts.

### DISCUSSION

Each month, the City is required to submit a monthly report to the State Water Resources Control Board ("State Water Board") regarding its conservation efforts for the previous month. Table 1 is a summary of the water use reduction numbers that were submitted to the State Water Board since Stage D conservation measures were enacted.

**Table 1: Summary of Beverly Hills Water Use Reductions Submitted to the State Water Resources Control Board**

	May	June	July	August	September	October	November	December	January
	Acre Feet								
2013	1047.3	1077.4	1185.5	1184.4	1156.0	1105.5	939.2	888.6	862.2
2015/16	869.6	841.7	929.0	976.6	918.8	897.4	814.7	779.3	638.8
% Reduction	17.0%	21.9%	21.6%	17.5%	20.5%	18.5%	13.3%	12.3%	25.9%

The City's reduction for December 2015 has the lowest percentage reduction; other water providers across the State also had low reductions compared to their 2013 baseline. This is in part attributed to cooler temperatures during the winter months and the lower December 2013 baseline. It is noted, however, that water usage has continued decreasing during the last several months. The greatest reduction is observed in January 2016 of 25.9%, which we believe is greatly attributed to penalty surcharge assessments, ongoing enforcement, and outreach efforts. Usage from Year 2013 is the baseline in which the State Water Resources Control Board ("State Water Board") is using to measure the City's progress.

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On February 2, 2016, the State Water Board released a media release that the drought declaration will be extended through October 2016 and that the emergency conservation regulations will continue to remain in effect. A copy of the State Water Board's media release is included as Attachment 1 for reference. The State Water Board will also provide water providers more flexibility in meeting conservation targets. For example, the State Water Board will consider factors that influence water use in different parts of the state such as the following:

- Geographical and climate factors;
- Population growth; and
- Significant investments in new local, drought resilient water sources and such as wastewater reuse and desalination

The State Water Board provided specific criteria for each of the considerations listed above. Based on preliminary assessments, none of the factors significantly impact the City's conservation target. The State Water Board will report back on additional flexibility on conservation targets once more complete water supply information is available in April 2106. Staff will continue to keep the City Council informed on any regulation updates from the State Water Board.

#### ***City's Water Conservation Outreach and Enforcement Efforts***

The City partnered with cities of West Hollywood and Culver City to host a rain barrel informational workshop and distribution event on January 24, 2016. There were approximately 41 attendees and 89 rain barrels were purchased. Each household may purchase up to 4 rain barrels at \$10 per barrel, after rebates through the Metropolitan Water District program. The event was an opportunity to educate and promote local stormwater capture, proper installation of rain barrels and conservation.

As of January 2016, the City's conservation enforcement program has reverted back to the Public Works Services Department. Enforcement efforts were previously led by the Community Development Department and for an interim period only. Additionally, the City recently hired a full-time Conservation Administrator to coordinate targeted outreach and education. The conservation programs are now aligned such that targeted outreach and enforcement efforts complement each other.

Given this approach, staff has been focusing efforts toward conducting site visits with the highest water customers and notifying customers of potential leaks on their properties. For instance, the Conservation Administrator has already conducted 3 site visits to some of the highest water users and communicated with 5 large potential leak customers since she started working for the City in late January 2016. Additionally, there have been a total of 9 water conservation cases and 1 resulting in the issuance of a Notice of Violation (NOV) since January 2016. Please note that a NOV is pre-requisite to the issuance of a criminal misdemeanor citation (used for continued violations). As reported to the State Water Board in December 2015, penalty surcharge assessments were applied to at least 1,100 water customers for excess water use.

The Public Works Services Department is currently using salary savings to temporarily augment staff resources to support the City's conservation enforcement efforts for the remainder of FY15-16. Since the State Water Board has extended the drought declaration and water use restrictions through October 2016, which includes mandatory enforcement, staff will seek permanent enforcement resources to address this in the upcoming Fiscal Year 2016/17 budget process.

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The City Council at its January 5, 2016 Study Session directed staff to develop a program framework for identifying and implementing water restrictors on meters. Staff has preliminarily identified a framework and is vetting through legal issues related to implementation. Staff will seek a recommendation from the Public Works Commission for the City Council's consideration at a future meeting.

**FISCAL IMPACT**

Salary savings is being used to temporarily augment staff resources to support the City's conservation enforcement efforts for the remainder of FY15-16. Since the State Water Board has announced that the emergency regulations which include mandatory enforcement, has been extended through October 2016, staff will seek permanent enforcement resources to address this in the upcoming FY2016-2017 budget process.

**RECOMMENDATION**

This report is for informational purposes only.



George Chavez

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Approved By

# **Attachment 1**



# Media Release

## State Water Board Adopts Extended Emergency Water Conservation Regulation

*Extended Regulation Gives More Flexibility to Water Suppliers to Meet Conservation Targets*

FOR IMMEDIATE RELEASE  
Feb. 2, 2016

Contact: George Kostyrko  
[gkostyrko@waterboards.ca.gov](mailto:gkostyrko@waterboards.ca.gov)

**SACRAMENTO** – With California still experiencing severe drought despite recent rains, the State Water Resources Control Board (State Water Board) today adopted an extended and revised emergency regulation to ensure that urban water conservation continues in 2016.

The regulation extends restrictions on urban water use through October 2016 while providing urban water suppliers more flexibility in meeting their conservation requirements. It also directs staff to report back on additional flexibility once more complete water supply information is known in April. The action follows Governor Edmund G. Brown Jr.'s Nov. 13, 2015, Executive Order directing the State Water Board to extend the emergency water conservation regulation should drought conditions persist through January 2016.

“After four years of extreme drought, there is still a need for Californians to keep up their stellar conservation practices,” said Felicia Marcus, chair of the State Water Resources Control Board. “This updated regulation acknowledges that need, while making adjustments in response to feedback from water suppliers and others. If we continue to receive a lot of rain and snow in February and March, we may scale back the conservation requirements further, drop them, or move to another approach.”

Under the revised regulation, statewide water conservation is expected to exceed 20 percent compared to 2013 water use. The revised regulation responds to calls for greater consideration of certain factors that influence water use in different parts of the state, including hotter-than-average climate, population growth, and significant investments in new local, drought resilient water sources such as wastewater reuse and desalination.

Due to the severity of the water deficits over the past four years, many of California's reservoirs and groundwater basins remain depleted, and the need for continued water conservation persists. Today's action serves as the fourth iteration of the emergency regulation since the State Water Board first instituted statewide conservation requirements in July 2014.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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The State Water Board will continue to track water conservation efforts for each of the state's urban water suppliers (those with more than 3,000 connections) on a monthly basis. Compliance with individual water supplier conservation requirements will continue to be based on cumulative savings since June 2015. Cumulative tracking means that conservation savings will be added together from one month to the next, including conservation achieved under the Board's May 5, 2015, emergency regulation, and compared to the amount of water used during the same months in 2013.

### **Summary of Conservation Regulation Adjustments**

The updated emergency regulation continues to specify how much water communities must conserve based on their residential gallons per capita per day (R-GPCD) data (from July through September 2014), and provides recognition for certain factors affecting water use, along with other changes detailed below:

- Credits and adjustments to urban water suppliers' conservation standards are now available. They range from 2 percentage points to a maximum of 8 percentage points. In some cases, water suppliers are automatically credited based on conditions in their service areas. In other cases, water suppliers must supply specific information to support and determine the size of an adjustment.
- The regulation provides credits in three ways:
  - 1) Considering the differences in climate affecting different parts of the state;
  - 2) Providing a mechanism to reflect water-efficient growth experienced by urban areas; and
  - 3) Recognizing significant investments made by suppliers toward creating new, local, drought-resilient sources of potable water supply.
- The regulation creates penalties for homeowners' associations or community service organizations that block, stifle or threaten homeowners from reducing or eliminating the watering of vegetation or lawns during a declared drought emergency in violation of existing law.

This regulation extends the original framework that has resulted in a statewide water conservation rate of 25.5 percent over a seven-month period, according to December conservation data released earlier today. Even assuming all of the 400-plus water agencies receive the applicable credits offered in this regulation, the statewide cumulative conservation rate is still projected to exceed 20 percent.

"We expect a savings rate greater than 20 percent, but perhaps not quite achieving the prior call for 25 percent," said Marcus. "We anticipated this might occur with any tweaks to our existing regulation. This regulation should still allow this state to save more than 1 million acre-feet of water through October 2016 – which is enough water to serve an average of two million California families. While we are hopeful that we are turning the corner on this drought, the



## Media Release

truth is that it's just too soon tell. Any additional water we can conserve to today will serve us well tomorrow if the drought continues.”

For additional information and examples of how the credits would be calculated and applied, please see the fact [sheet](#).

### **Next Steps**

The regulation will now be submitted to the Office of Administrative Law, which will review and approve or deny the regulation. If approved by the Office of Administrative Law, the regulation will take effect immediately and remain in effect for 270 days from the approval date.

For more information, please visit the [Emergency Water Conservation website](#).

To learn more about the state's drought response, visit [Drought.CA.Gov](#).

Every Californian should take steps to conserve water. Find out how at [SaveOurWater.com](#).

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