

ASSEMBLY BILL

No. 2277

Introduced by Assembly Member Fletcher

February 18, 2010

An act to amend Section 10608.26 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2277, as introduced, Fletcher. Water conservation: urban retail water suppliers.

Existing law imposes various water use reduction requirements that apply to urban retail water suppliers, including a requirement that the state achieve a 20% reduction in urban per capita water use by December 31, 2020. For the purpose of meeting this goal, an urban retail water supplier is required to develop urban water use targets and an interim water use target by July 1, 2011, and to take other related action. Existing law requires an urban retail water supplier that supplies water to a United States Department of Defense military installation, for the purpose of preparing an implementation plan to comply with these provisions, to consider specified requirements. On and after July 1, 2016, an urban retail water supplier is not eligible for a water grant or loan awarded or administered by the state unless the supplier complies with these provisions.

This bill, instead, would require an urban retail water supplier that supplies water to that described military installation, for the purpose of preparing that implementation plan, to consider the prior conservation of that military installation, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 10608.26 of the Water Code is amended to read:

10608.26. (a) In complying with this part, an urban retail water supplier shall conduct at least one public hearing to accomplish all of the following:

(1) Allow community input regarding the urban retail water supplier's implementation plan for complying with this part.

(2) Consider the economic impacts of the urban retail water supplier's implementation plan for complying with this part.

(3) Adopt a method, pursuant to subdivision (b) of Section 10608.20, for determining its urban water use target.

(b) In complying with this part, an urban retail water supplier may meet its urban water use target through efficiency improvements in any combination among its customer sectors. An urban retail water supplier shall avoid placing a disproportionate burden on any customer sector.

(c) For an urban retail water supplier that supplies water to a United States Department of Defense military installation, the urban retail water supplier's implementation plan for complying with this part shall consider the ~~United States Department of Defense military installation's requirements~~ *prior conservation of that military installation* under federal Executive Order ~~13423~~ *13514 and any other applicable presidential executive order governing water conservation by federal agencies.*

(d) (1) Any ordinance or resolution adopted by an urban retail water supplier after the effective date of this section shall not require existing customers as of the effective date of this section, to undertake changes in product formulation, operations, or equipment that would reduce process water use, but may provide technical assistance and financial incentives to those customers to implement efficiency measures for process water. This section shall not limit an ordinance or resolution adopted pursuant to a declaration of drought emergency by an urban retail water supplier.

(2) This part shall not be construed or enforced so as to interfere with the requirements of Chapter 4 (commencing with Section 113980) to Chapter 13 (commencing with Section 114380), inclusive, of Part 7 of Division 104 of the Health and Safety Code, or any requirement or standard for the protection of public health,

- 1 public safety, or worker safety established by federal, state, or
- 2 local government or recommended by recognized standard setting
- 3 organizations or trade associations.

O