

AMENDED IN SENATE JUNE 3, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2067**

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**Introduced by Assembly Member Weber**

February 20, 2014

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An act to amend ~~Section~~ *Sections 10608.42, 10621, 10631, and 10632* of the Water Code, relating to water management.

LEGISLATIVE COUNSEL'S DIGEST

AB 2067, as amended, Weber. Urban water management plans.

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*. The act requires the plan to, among other things, include a description of each water demand management measure that is currently being implemented, and an evaluation of specified water demand management measures that are not currently being implemented or scheduled for implementation.

The bill would instead require an urban retail water supplier and an urban wholesale water supplier to provide narratives describing the supplier's water demand management measures, as provided. The bill would require, for urban retail water suppliers, the narrative to address the nature and extent of each water demand management measure implemented over the past 5 years and describe the water demand management measures that the supplier plans to implement to achieve its water use targets. *The bill would require each urban water supplier to submit its 2015 plan to the Department of Water Resources by July 1, 2016.*

*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. Existing law requires an urban retail water supplier to develop urban water use targets and to report to the Department of Water Resources its progress on meeting its urban water use target as a part of its urban water management plan. Existing law requires an urban wholesale water supplier to include in its urban water management plan an assessment of its measures, programs, and policies to help achieve the required water use reductions. Existing law requires, by December 31, 2016, the department to review the 2015 urban water management plans and report to the Legislature on the progress towards achieving the 20% reduction in urban water use.*

*The bill would extend the date by which the department is required to review the plans and report to the Legislature to July 1, 2017.*

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

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

1     *SECTION 1. Section 10608.42 of the Water Code is amended*  
2 *to read:*

3     10608.42. (a) The department shall review the 2015 urban  
4 water management plans and report to the Legislature by ~~December~~  
5 ~~31, 2016~~ *July 1, 2017*, on progress towards achieving a 20-percent  
6 reduction in urban water use by December 31, 2020. The report  
7 shall include recommendations on changes to water efficiency  
8 standards or urban water use targets ~~in order~~ to achieve the  
9 20-percent reduction and to reflect updated efficiency information  
10 and technology changes.

11     **(b)** *A report to be submitted pursuant to subdivision (a) shall*  
12 *be submitted in compliance with Section 9795 of the Government*  
13 *Code.*

14     *SEC. 2. Section 10621 of the Water Code is amended to read:*

15     10621. (a) Each urban water supplier shall update its plan at  
16 least once every five years on or before December 31, in years  
17 ending in five and zero, *except as provided in subdivision (d).*

18     **(b)** Every urban water supplier required to prepare a plan  
19 pursuant to this part shall, at least 60 days ~~prior to~~ *before* the public  
20 hearing on the plan required by Section 10642, notify any city or

1 county within which the supplier provides water supplies that the  
2 urban water supplier will be reviewing the plan and considering  
3 amendments or changes to the plan. The urban water supplier may  
4 consult with, and obtain comments from, any city or county that  
5 receives notice pursuant to this subdivision.

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

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

11 **SECTION 1.**

12 *SEC. 3.* Section 10631 of the Water Code is amended to read:

13 10631. A plan shall be adopted in accordance with this chapter  
14 that shall do all of the following:

15 (a) Describe the service area of the supplier, including current  
16 and projected population, climate, and other demographic factors  
17 affecting the supplier's water management planning. The projected  
18 population estimates shall be based upon data from the state,  
19 regional, or local service agency population projections within the  
20 service area of the urban water supplier and shall be in five-year  
21 increments to 20 years or as far as data is available.

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

28 (1) A copy of any groundwater management plan adopted by  
29 the urban water supplier, including plans adopted pursuant to Part  
30 2.75 (commencing with Section 10750), or any other specific  
31 authorization for groundwater management.

32 (2) A description of any groundwater basin or basins from which  
33 the urban water supplier pumps groundwater. ~~For those basins for~~  
34 ~~which~~ *that* a court or the board has adjudicated the rights to pump  
35 groundwater, a copy of the order or decree adopted by the court  
36 or the board and a description of the amount of groundwater the  
37 urban water supplier has the legal right to pump under the order  
38 or decree. For basins that have not been adjudicated, information  
39 as to whether the department has identified the basin or basins as  
40 overdrafted or has projected that the basin will become overdrafted

1 if present management conditions continue, in the most current  
2 official departmental bulletin that characterizes the condition of  
3 the groundwater basin, and a detailed description of the efforts  
4 being undertaken by the urban water supplier to eliminate the  
5 long-term overdraft condition.

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

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

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

19 (A) An average water year.

20 (B) A single dry water year.

21 (C) Multiple dry water years.

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

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

29 (e) (1) Quantify, to the extent records are available, past and  
30 current water use, over the same five-year increments described  
31 in subdivision (a), and projected water use, identifying the uses  
32 among water use sectors, including, but not necessarily limited to,  
33 all of the following uses:

34 (A) Single-family residential.

35 (B) Multifamily.

36 (C) Commercial.

37 (D) Industrial.

38 (E) Institutional and governmental.

39 (F) Landscape.

40 (G) Sales to other agencies.

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

3 (I) Agricultural.

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

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

9 (1) (A) For an urban retail water supplier, as defined in Section  
10 10608.12, a narrative description that addresses the nature and  
11 extent of each water demand management measure implemented  
12 over the past five years. The narrative shall describe the water  
13 demand management measures that the supplier plans to implement  
14 to achieve its water use targets pursuant to Section 10608.20.

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

17 (i) Water waste prevention ordinances.

18 (ii) Metering.

19 (iii) Conservation pricing.

20 (iv) Public education and outreach.

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

22 (vi) Water conservation program coordination and staffing  
23 support.

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

27 (2) For an urban wholesale water supplier, as defined in Section  
28 10608.12, a narrative description of the items in clauses (ii), (iv),  
29 (vi), and (vii) of subparagraph (B) of paragraph (1), and a narrative  
30 description of its distribution system asset management and  
31 wholesale supplier assistance programs.

32 (g) Include a description of all water supply projects and water  
33 supply programs that may be undertaken by the urban water  
34 supplier to meet the total projected water use as established  
35 pursuant to subdivision (a) of Section 10635. The urban water  
36 supplier shall include a detailed description of expected future  
37 projects and programs that the urban water supplier may implement  
38 to increase the amount of the water supply available to the urban  
39 water supplier in average, ~~single-dry, and multiple-dry~~ *single dry,*  
40 *and multiple dry* water years. The description shall identify specific

1 projects and include a description of the increase in water supply  
2 that is expected to be available from each project. The description  
3 shall include an estimate with regard to the implementation timeline  
4 for each project or program.

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

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

16 (j) Urban water suppliers that rely upon a wholesale agency for  
17 a source of water shall provide the wholesale agency with water  
18 use projections from that agency for that source of water in  
19 five-year increments to 20 years or as far as data is available. The  
20 wholesale agency shall provide information to the urban water  
21 supplier for inclusion in the urban water supplier’s plan that  
22 identifies and quantifies, to the extent practicable, the existing and  
23 planned sources of water as required by subdivision (b), available  
24 from the wholesale agency to the urban water supplier over the  
25 same five-year increments, and during various water-year types  
26 in accordance with subdivision (c). An urban water supplier may  
27 rely upon water supply information provided by the wholesale  
28 agency in fulfilling the plan informational requirements of  
29 subdivisions (b) and (c).

30 *SEC. 4. Section 10632 of the Water Code is amended to read:*

31 10632. (a) The plan shall provide an urban water shortage  
32 contingency analysis that includes each of the following elements  
33 that are within the authority of the urban water supplier:

34 (1) Stages of action to be undertaken by the urban water supplier  
35 in response to water supply shortages, including up to a 50 percent  
36 reduction in water supply, and an outline of specific water supply  
37 conditions that are applicable to each stage.

38 (2) An estimate of the minimum water supply available during  
39 each of the next three water years based on the driest three-year  
40 historic sequence for the agency’s water supply.

- 1 (3) Actions to be undertaken by the urban water supplier to  
2 prepare for, and implement during, a catastrophic interruption of  
3 water supplies including, but not limited to, a regional power  
4 outage, an earthquake, or other disaster.
- 5 (4) Additional, mandatory prohibitions against specific water  
6 use practices during water shortages, including, but not limited to,  
7 prohibiting the use of potable water for street cleaning.
- 8 (5) Consumption reduction methods in the most restrictive  
9 stages. Each urban water supplier may use any type of consumption  
10 reduction methods in its water shortage contingency analysis that  
11 would reduce water use, are appropriate for its area, and have the  
12 ability to achieve a water use reduction consistent with up to a 50  
13 percent reduction in water supply.
- 14 (6) Penalties or charges for excessive use, where applicable.
- 15 (7) An analysis of the impacts of each of the actions and  
16 conditions described in paragraphs (1) to (6), inclusive, on the  
17 revenues and expenditures of the urban water supplier, and  
18 proposed measures to overcome those impacts, such as the  
19 development of reserves and rate adjustments.
- 20 (8) A draft water shortage contingency resolution or ordinance.
- 21 (9) A mechanism for determining actual reductions in water use  
22 pursuant to the urban water shortage contingency analysis.
- 23 (b) Commencing with the urban water management plan update  
24 ~~due December 31, 2015~~ *July 1, 2016*, for purposes of developing  
25 the water shortage contingency analysis pursuant to subdivision  
26 (a), the urban water supplier shall analyze and define water features  
27 that are artificially supplied with water, including ponds, lakes,  
28 waterfalls, and fountains, separately from swimming pools and  
29 spas, as defined in subdivision (a) of Section 115921 of the Health  
30 and Safety Code.