

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY APRIL 14, 2016

AMENDED IN ASSEMBLY MARCH 28, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2617

Introduced by Assembly Member Mayes

February 19, 2016

An act to add Chapter ~~7.8 (commencing with Section 25685)~~ to Division 15 of the Public Resources Code ~~3.8 (commencing with Section 390)~~ to Division 1 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2617, as amended, Mayes. Water efficiency measures.

The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. ~~Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), on a biennial basis, to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery, and distribution. Existing law requires the Energy Commission, beginning November 1, 2003, and biennially thereafter, to adopt an integrated energy policy report containing an overview of major energy trends and issues facing the state.~~

This bill would require the ~~Energy Commission~~ *Department of Water Resources* to develop and solicit comments on a proposed report, in consultation with ~~certain subject matter experts and in cooperation with experts at the University of California, the California State University,~~

~~the State Water Resources Control Board and the Department of Water Resources; Board, the State Energy Resources Conservation and Development Commission, and local water districts, by December 1, 2017, and, by July 1, 2018, to issue a final report that contains, among other things, the projected benefits of recommended voluntary water efficiency measures and an analysis of any unintended adverse environmental impacts that would result from various water efficiency measures; recommendations to public entities to help them achieve water-resilient communities and prioritize cost-effective water efficiency measures with low adverse environmental impacts based on local conditions.~~

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. Chapter 3.8 (commencing with Section 390) is
 2 added to Division 1 of the Water Code, to read:

3
 4 CHAPTER 3.8. COST-EFFECTIVE WATER CONSERVATION
 5 MEASURES
 6

7 390. It is the intent of the Legislature to promote water-resilient
 8 communities by having the state identify the relative
 9 cost-effectiveness of water efficiency measures and recommend
 10 those that have the potential to cost-effectively achieve the greatest
 11 reduction in water use, taking into consideration local conditions,
 12 and to produce net environmental benefits that outweigh any
 13 adverse environmental impacts.

14 391. As used in this chapter:

15 (a) "Adverse environmental impacts" include, but are not
 16 limited to, impacts on climate change, net effects on carbon
 17 sequestration, increased erosion, and impacts to stormwater runoff.

18 (b) "Evapotranspiration" means a loss of water from the soil,
 19 including losses resulting from evaporation and losses resulting
 20 from transpiration from the plants growing on the soil.

21 (c) "Highly efficient consumer appliances and landscape
 22 systems" include, but are not limited to, irrigation systems, toilets,
 23 showers, pool covers, and clothes washers.

1 (d) “Public entity” has the same meaning as defined in Section
2 375.

3 (e) “Turfgrass” means any living grass that is used in fields or
4 yards at a residential or commercial property, private park, athletic
5 field, or public school.

6 392. By December 1, 2017, the department, in consultation
7 with persons that include, but are not limited to, subject matter
8 experts at the University of California, the California State
9 University, the board, the State Energy Resources Conservation
10 and Development Commission, and local water districts, shall
11 develop and solicit comments on a proposed report that contains
12 all of the following:

13 (a) An analysis of the relative costs and benefits of incentives
14 for various water efficiency measures, including the consideration
15 of the impact of evapotranspiration rates in different hydrological
16 regions of the state. The water efficiency measures considered
17 shall include, but not be limited to, the following:

18 (1) Turfgrass removal and replacement with either
19 drought-resistant turfgrass or artificial turf.

20 (2) Turfgrass removal and replacement with native or
21 drought-tolerant plants.

22 (3) Non-native or high water using plant removal and
23 replacement with native or drought-tolerant plants,
24 drought-resistant turfgrass, or artificial turf.

25 (4) The use of conservation-based irrigation technology such
26 as smart controllers.

27 (5) Investments in graywater infrastructure to supply water to
28 outdoor landscapes.

29 (6) Rebates for highly efficient consumer appliances and
30 landscape systems.

31 (b) An analysis of adverse environmental impacts that would
32 result from the water efficiency measures considered pursuant to
33 subdivision (a).

34 (c) The projected benefits of recommended voluntary water
35 efficiency measures.

36 393. By July 1, 2018, the department shall issue a final report
37 that contains both of the following:

38 (a) All material developed pursuant to Section 392, updated as
39 appropriate to further the intent of this chapter.

1 (b) Recommendations to public entities to help them achieve
2 water-resilient communities and prioritize cost-effective water
3 efficiency measures with low adverse environmental impacts based
4 on local conditions, such as education, granting incentives or
5 rebates, or other voluntary measures.

6 ~~SECTION 1. Chapter 7.8 (commencing with Section 25685)~~
7 ~~is added to Division 15 of the Public Resources Code, to read:~~

8
9 ~~CHAPTER 7.8. COST-EFFECTIVE WATER EFFICIENCY MEASURES~~

10
11 ~~25685. It is the intent of the Legislature that the state identify~~
12 ~~and recommend the most cost-effective water efficiency measures~~
13 ~~that achieve the greatest reduction in water use and produce net~~
14 ~~environmental benefits that outweigh any unintended adverse~~
15 ~~environmental impacts.~~

16 ~~25686. As used in this chapter:~~

17 ~~(a) "Evapotranspiration" means a loss of water from the soil,~~
18 ~~including losses resulting from evaporation and losses resulting~~
19 ~~from transpiration from the plants growing on the soil.~~

20 ~~(b) "Highly efficient consumer appliances and landscape~~
21 ~~systems" include, but are not limited to, irrigation systems, toilets,~~
22 ~~showers, pool covers, and clothes washers.~~

23 ~~(c) "Public entity" has the same meaning as defined in Section~~
24 ~~375 of the Water Code.~~

25 ~~(d) "Turfgrass" means any living grass that is used in fields or~~
26 ~~yards at a residential or commercial property, private park, athletic~~
27 ~~field, or public school.~~

28 ~~(e) "Unintended adverse environmental impacts" include, but~~
29 ~~are not limited to, impacts on climate change, net effect on carbon~~
30 ~~sequestration, increased erosion, and impacts to stormwater runoff.~~

31 ~~25687. By December 1, 2017, the commission, in consultation~~
32 ~~with persons that include, but are not limited to, subject matter~~
33 ~~experts at the University of California, the California State~~
34 ~~University, and local water districts, and in cooperation with the~~
35 ~~State Water Resources Control Board and the Department of Water~~
36 ~~Resources, shall develop and solicit comments on a proposed report~~
37 ~~that contains all of the following:~~

38 ~~(a) An analysis of the relative costs and benefits of incentives~~
39 ~~for various water efficiency measures, including the consideration~~
40 ~~of the impact of evapotranspiration rates in different hydrological~~

1 regions of the state. The water efficiency measures considered
2 shall include, but not be limited to, the following:
3 (1) Turfgrass removal and replacement with either
4 drought-resistant turfgrass or artificial turf.
5 (2) Turfgrass removal and replacement with native or
6 drought-tolerant plants.
7 (3) The use of conservation-based irrigation technology such
8 as smart controllers.
9 (4) Investments in graywater infrastructure to supply water to
10 outdoor landscapes.
11 (5) Rebates for highly efficient consumer appliances and
12 landscape systems.
13 (b) An analysis of any unintended adverse environmental
14 impacts that would result from the water efficiency measures
15 considered pursuant to subdivision (a).
16 (c) The projected benefits of recommended voluntary water
17 efficiency measures.
18 25688. By July 1, 2018, the commission shall issue a final
19 report that contains all of the following:
20 (a) An identification of the most cost-effective incentives for
21 water efficiency measures in terms of water use reduction per
22 dollar spent.
23 (b) Recommendations to public entities to help them prioritize
24 the most cost-effective solutions for granting incentives or rebates
25 for water efficiency measures.
26 (c) An analysis of any unintended adverse environmental
27 impacts that would result from the water efficiency measures
28 considered pursuant to subdivision (a).
29 (d) The projected benefits of recommended voluntary water
30 efficiency measures.