



California Legislature Passes Landmark Water Use Efficiency Legislation

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On Thursday, May 17th, the California Legislature took a big step forward on the path towards making conservation a California way of life by passing two key bills – Senate Bill 606 and Assembly Bill 1668 – that, together, overhaul the state’s approach to drought planning and resiliency. The bills represent two years of work on the part of the administration, legislators and stakeholders to implement the Governor’s May 9, 2016 Executive Order (B-37-16), which updated the drought emergency declaration and directed certain state agencies to transition from temporary emergency water restrictions to permanent, long-term improvements in water use intended to make water conservation a California way of life.

Combined, SB 606 and AB 1668 make a whole host of changes – both big and small – to existing law. Most prominent among them is the directive to the State Water Resources Control Board (Board) to establish long-term urban water use efficiency standards applicable to urban water suppliers, in consultation with the Department of Water Resources. The efficiency standards are to be made up of certain component parts, including water volumes representing efficient indoor residential water use, outdoor residential water use and water loss through leaks. The Governor is expected to sign the bills into law within the next week, but the actual efficiency standards will not appear overnight. The Board has until June 30, 2022 to establish such standards and has been directed to solicit broad stakeholder participation in the proceedings held to develop them.

Of course, whether conservation truly becomes a California way of life will depend on the ability and willingness of water users and customers to adopt and sustain a water efficiency-oriented mindset even when water supply is plentiful. But if the alternative is the historic drought conditions experienced across the state through 2016, conservation fatigue may be a good problem to have.

Nossaman attorneys and policy advisors will be actively participating in future administrative proceedings to develop and adopt long-term water efficiency standards. Nossaman attorneys and policy advisors are

available to assist urban water suppliers seeking to comply with any new regulations generated from those proceedings, as well as other requirements newly imposed by SB 606 and AB 1668, including expanded urban water management plan requirements.