

CITY OF SANTA ROSA
BOARD OF PUBLIC UTILITIES

TO: BOARD OF PUBLIC UTILITIES
FROM: PETER MARTIN, DEPUTY DIRECTOR WATER RESOURCES
NICOLE DOROTINSKY, WATER REGULATORY AFFAIRS
OFFICER, WATER
SUBJECT: AB 1434 (FRIEDMAN) INDOOR WATER USE STANDARDS-
LETTER OF OPPOSITION

AGENDA ACTION: MOTION

RECOMMENDATION

It is recommended by Santa Rosa Water that the Board, by motion, make a recommendation to City Council that they authorize the Mayor to sign a letter opposing AB 1434 (Friedman): Indoor Residential Water Use Standards.

EXECUTIVE SUMMARY

The motion will make a recommendation to City Council to authorize the Mayor to sign a letter opposing AB 1434 (Friedman), which proposes to set new indoor water use standards without requiring the Department of Water Resources (DWR), in coordination with the State Water Resources Control Board (State Water Board), to conduct necessary studies and investigations to ensure that it is feasible and appropriately reflects best practices, and actual possible results for indoor water use.

BACKGROUND

In response to California's declared statewide drought emergency from January 2014 through April 2017, former Governor Brown issued Executive Order B-37-16, "Making Conservation a California Way of Life," which called for the development of a long-term water conservation framework (framework). Staff from Santa Rosa Water engaged in a coordinated effort between state agencies, water utilities, and other interested parties that shaped this framework through the passage in 2018 of AB 1668, and its accompanying bill, SB 606, which called for the creation of new urban water use efficiency standards for indoor water use, outdoor use, commercial, industrial and institutional use, water loss, and variances for unique conditions.

The 2018 legislation stipulated that the indoor water use standard will be 55 (gallons per capita per day (GPCD) until January 2025 and that it will become stronger over time,

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decreasing to 50 GPCD in January 2030, The legislation also directed the Department of Water Resources (DWR), in collaboration with the State Water Resources Control Board (State Water Board), to prepare a study that addresses questions surrounding the effect of the legislation's proposed decrease of the indoor residential water use standard from 55 GPCD to 50 GPCD. The study is complete but has not been made available to the public nor have water providers been able to analyze to determine whether the 50 GPCD standard is feasible and appropriately reflects best practices.

In 2018, Santa Rosa, and the Association of California Water Agencies (ACWA), took an "oppose unless amended" position on both SB 606 and AB 1668, stating that "any standard for indoor residential use below 55 GPCD would pose significant challenges for many communities, including those with older construction and disadvantaged communities that cannot afford to update fixtures and appliances. SB 606 and AB 1668 should be amended to include a standard for indoor residential use of no less than 55 GPCD." The legislation's directive to the State Water Board and DWR to conduct a feasibility study of the incremental decrease to 50 GPCD was an agreed upon compromise made between the authors of the bills and California water providers.

AB 1434 proposes to circumvent this agreement, by proposing to incrementally lower the standard for indoor residential water use to 40 GPCD starting on January 23, 2023. Additionally, the bill would remove a requirement that DWR, in coordination with the State Water Board, conduct necessary studies and investigations to make a recommendation for future indoor residential water use standard to the State Legislature.

PRIOR BOARD OF PUBLIC UTILITIES REVIEW

N/A

ANALYSIS

Setting a new indoor water use standard without properly analyzing impacts first could adversely affect wastewater management, including wastewater collection and treatment and recycled water reuse systems, infrastructure, and operations. Wastewater systems are inherently designed to operate with a certain level of water flow. A reduced amount of flow in collection systems could result in buildup of sludge and other materials, as well as stress corrosion cracking in sewage pipelines due to increased ammonia concentrations from fertilizers, human waste, sanitation plants, and industrial waste.

Additionally, lowering the indoor water use standard without proper analysis could inadvertently increase rates, posing financial challenges to low-income households. The unnecessary strain on the potable water system infrastructure from excessively low water use standards can result in increased operation and maintenance costs to flush

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pipes more frequently to prevent infrastructure damage. Any additional costs will ultimately be passed on to our ratepayers.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund nor the Water Enterprise Fund.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines Section 15378

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

N/A

ATTACHMENTS

- Attachment 1 – AB 1434 Opposition Letter
- Attachment 2 – AB 1434 Bill Text

CONTACT

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