

LEGAL ALERTS | MAY 31, 2018

Governor Signs Historic Water Use Efficiency Bills

AB 1668 and SB 606 Impose New or Expanded Requirements on California Water Agencies and Suppliers



Gov. Jerry Brown signed Assembly Bill 1668 and Senate Bill 606 today, which are jointly designed to overhaul California's approach to conserving water. The measures impose a number of new or expanded requirements on state water agencies and local water suppliers,

and provide for significantly greater state oversight of local water suppliers' water use, even in non-drought years. They were adopted in response to Brown's [May 2016 executive order](#), which called to make water conservation a "way of life" in California.

Among other things, [AB 1668](#) and [SB 606](#) require the State Water Resources Control Board, in coordination with the Department of Water Resources, to establish long-term urban water use efficiency standards by June 30, 2022. Those standards will include components for indoor residential use, outdoor residential use, water losses and other uses.

Regarding indoor residential use, the new laws set a standard of 55 gallons per-person, per-day through Jan. 1, 2025. After that date, the amount will be incrementally reduced over time. For the development of outdoor residential use standards, the bills require DWR to conduct studies of landscaping and climate throughout the State by 2021. DWR will then provide the resulting data to SWRCB and local water suppliers for development of urban water use objectives.

In addition, the bills will require local water suppliers to calculate and comply with their water use objectives and report those objectives and actual use to DWR. New five-year drought risk assessments and water shortage contingency plans must also be incorporated into Urban Water Management Plans.

Starting in 2027, local water suppliers' failure to comply with SWRCB's

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adopted long-term standards could result in fines of \$1,000 per day during non-drought years, and \$10,000 per day during declared drought emergencies and certain dry years.

These are just some of the many changes ushered in by AB 1668 and SB 606. As the new laws are implemented by SWRCB and DWR over the next several years, they will dramatically change how local water suppliers plan for, report and achieve water use efficiency and drought management within their service areas.

If you have any questions about AB 1668 and SB 606 or how they may affect your agency, please contact the authors of this Legal Alert listed to the right in the firm's [Water](#) and [Special Districts](#) practice groups, or your [BB&K attorney](#).

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