

## State Water Board Proposes Water Conservation Regulation

On November 2, 2017, the State Water Resources Control Board ("State Water Board") published a notice of a proposed water conservation regulation that would permanently prohibit individuals, businesses, and cities, among others, from engaging in certain "wasteful" water practices. The regulation would be part of a new chapter in the California Code of Regulations entitled "Conservation and the Prevention of Waste and Unreasonable Use." See Cal. Code Regs. tit. 23, §§ 640 et seq.

Though the proposed regulation is new, it is consistent with existing emergency regulations put into place by Governor Brown in response to the State's recent drought that are set to expire on November 25th. The regulation is part of broader efforts to protect water supplies, reduce the wasteful and unreasonable use of water (as required by Article 10 of the California Constitution), and promote water conservation across the State.

Overall, the proposed regulation bans certain water practices, establishes penalties for violation of these prohibitions, and imposes specific requirements on hotels and motels. Specifically, it bans the following:

- The application of water to outdoor landscapes in a way that causes runoff onto other property, non-irrigated areas, walkways, roads, lots, or structures;
- The use of hoses to wash motor vehicles, unless a shut-off nozzle or similar device is on the hose;
- The application of potable (drinking) water on driveways or sidewalks;
- The use of potable water in fountains or similar decorative features, unless the water is recirculated;
- The irrigation of turf or ornamental landscapes within 48 hours of at least 1/10th of an inch of rain;
- The service of drinking water in eating or drinking establishments, unless service is upon request; and
- The irrigation of turf in publicly owned or maintained areas, unless the turf serves a community or neighborhood function.

The State Water Board expects the regulation to have various positive effects, including increased water efficiency, reduced greenhouse gas emissions due to lower energy use, potentially



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improved water quality, increased awareness about the importance of water conservation, and increased economic security for sectors such as agriculture and electricity. The Board also believes long-term Statewide economic impacts will be minimal.

Before the regulation goes into effect, there will be a written comment period until December 26, 2017, and a public workshop on November 21, 2017.

You can find more information on the proposed regulation [here](#). If you would like more information on the State Water Board's water conservation efforts overall, you can find it [here](#).

For more information, please contact:

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