

# Jerry Brown faces fight over mandatory water cuts

Representatives of urban water suppliers and advocacy groups from across the state have criticized a plan from state water regulators that would force some to cut water consumption by as much as 35% over the next year.

In more than 200 letters to the State Water Resources Control Board released Wednesday, some agencies urged state officials to reconsider how they would implement the mandatory statewide water-use cut that Gov. Jerry Brown ordered this month.

Many communities called on the board to consider its previous water conservation efforts when setting a reduction target. Other cities said their population data was skewed by an influx of seasonal residents. A few questioned whether their reduction targets were fair, even amid a persistent drought.

[William Shatner's solution? A pipeline from Seattle to California](#)

Caption William Shatner's solution? A pipeline from Seattle to California

William Shatner's solution? A pipeline from Seattle to California

Drought renews thirst for desalination plants

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The city of Beverly Hills needs to cut water usage by 35% under the state board's current plan. In his letter to officials, Beverly Hills interim City Manager Mahdi Aluzri said meeting that target would take time, adding that the board "should delay any formal enforcement actions until water suppliers have been given an opportunity to develop and fully implement new conservation measures."

"The city recognizes that further conservation measures will be required to achieve the Governor's conservation mandate," Aluzri wrote. "However, the city is concerned that achieving a 35% conservation standard in such a short time may ultimately be infeasible."

A document outlining the state water board's proposed framework says it will "assess suppliers' compliance for both monthly and cumulative water usage reductions."

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Writing on behalf of the Los Angeles Department of Water and Power, Senior Assistant General Manager Marty Adams said that because water usage fluctuates due to varying temperatures and precipitation levels, the monthly water-use numbers reported by the state are "meaningless."

"The use of these numbers for compliance will result in failure by the water agencies," Adams wrote.

Instead of using a "one-month snapshot," DWP recommended using a "12-month rolling average" to assess compliance and perform enforcement.

An official in the City of Compton wrote to the state with another perspective.

Deputy Director of Public Works Chad Blais wrote that residents “simply can’t afford” many basic services such as water, electricity and gas. Under the state’s framework, Compton residents are credited with using only 65 gallons per person per day, which Blais said is “a direct reflection of ... economic hardship” rather than proof that the community has changed its water-use habits.

Still, 65 gallons per capita means Compton would have to cut 20% of its overall water usage over the course of the next year.

“If you drive through the city of Compton most of the front yards are brown,” Blais wrote. “Therefore, the prospect of achieving an additional 20% reduction from this community is not feasible.”

Desert Water Agency General Manager David K. Luker urged the water board to “take a position on outdoor landscaping rather than laying blame at the feet of local agencies.” He wrote that a 35% water-use reduction would result in a \$10.1-million loss in revenue for the water supplier, which serves resort communities in the Coachella Valley such as Palm Springs.

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“A customer came to our office this week and asked us who he should file suit against when his property value decreases because the landscaping that he has invested tens of thousands of dollars in has died,” Luker wrote.

Cities and water agencies in San Diego County followed the lead of the county water authority in protesting that the proposed reductions do not give credit to areas that have already begun reducing water usage and finding new sources of water.

The water authority is investing in a \$1 billion-desalination plant under construction in Carlsbad that, by year’s end, is expected to begin providing 7% to 10% of the county’s water needs, decreasing the demand for water from northern California and the Colorado River.

Potable water use in the county was 12% lower last year than in 1990 despite an increase in population of 700,000, according to the water authority.

A customer ... asked us who he should file suit against when his property value decreases because the landscaping that he has invested tens of thousands of dollars in has died. - David K. Luker, Desert Water Agency general manager, in a letter

The proposed percentage cutbacks “punish those who have conserved and reward communities that did not make such early and sustained commitment to conservation,” said Kimberly Thorner, general manager of the Olivenhain Municipal Water District in northern San Diego County.

Also, farmers said their businesses would be “devastated” by the percentage cutbacks that would treat San Diego County farming areas like urban districts rather than with the same exemption as water districts serving farmers in the Central Valley. The county has a \$2 billion a year farming economy.

“We cannot just turn off water at 20-35% and expect the trees and bushes to thrive,” wrote Neil Nagata of Nagata Bros. Farms in San Luis Rey near Oceanside. “If I do not produce a crop I will not have any income to continue farming at all.”

A different perspective came from Dan Singer, city manager in Vista, who suggested that public schools and college campuses “be subject to the mandatory water use reductions” imposed on cities.

“Frequently school districts override local building and zoning codes,” Singer wrote.

The state water board's preliminary plan places the heaviest conservation burden on cities and towns with the highest rates of per-capita water consumption during one month in 2014. The 135 communities facing the largest water usage cut include small rural communities as well as affluent enclaves such as Newport Beach and Beverly Hills.

Cities that had the lowest per-capita water use in September 2014 — including Santa Cruz and Seal Beach, and the community of East Los Angeles — would be required to cut just 10%.

Most communities would be required to cut water use by 20% to 25%, including Los Angeles, San Diego, Long Beach, Santa Ana, San Jose and Anaheim.

The conservation targets were part of a framework the state board unveiled to comply with Gov. Jerry Brown's historic order requiring a 25% cut in water use in cities and towns statewide over the next year. The proposal assigns targets to more than 400 local water agencies, though not all of them submitted input.

Under the preliminary framework, the state will measure whether each community hits its target by comparing overall water use over the next year with 2013 levels.

Agencies that don't comply with the rules could face fines of up to \$10,000 a day.

"State Water Board staff are currently working on a set of draft emergency regulations intended to reflect the thoughtful comments we receive to the framework issued last week," board spokesman George Kostyrko said in an email.

Those draft regulations are due out Friday, according to a schedule previously set by the water board.

**Twitter:** [@bymattstevens](#)

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## UPDATES

**5:40 p.m.:** This post was updated to include comments from a representative of the city of Compton.

**5:20 p.m.:** This post was updated to include comments from a representative of the Los Angeles Department of Water and Power.

This article was first posted at 4:54 p.m.