

California drought: Gov. Jerry Brown says \$10,000-a-day fines for water-wasting cities are not 'bluster'

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SAN JOSE -- Gov. Jerry Brown on Friday said he won't back down on his threat to fine cities, water districts and private water companies \$10,000 a day if they fail to meet strict water conservation targets during California's relentless drought.

"You didn't expect me to offer bluster as a solution?" he said. "Yes, we are serious."

Speaking at a meeting of Silicon Valley water leaders at San Jose City Hall, Brown told reporters that although different parts of the state have different economies, political structures and levels of technology, he expects them to meet the targets set last month. But he plans to first use his high-profile office to nudge them to the goal.

San Jose Mayor Sam Liccardo, left, reacts as California Gov. Jerry Brown, center, answers questions regarding the drought and water-use issues after speaking to mayors from around the state at San Jose City Hall on June 5, 2015. (LiPo Ching/Bay Area News Group)

"When needed, that fine is definitely there to be used," Brown said. "But I am here today and I will go to other places -- Southern California next -- and I want to use the bully pulpit, the persuasive power of government, before I invoke the coercive power of government."

On April 1, in a dramatic announcement in a grassy Sierra Nevada meadow normally covered with five feet of snow, Brown announced an executive order imposing California's first-ever statewide mandatory urban water restrictions. The rules were intended to achieve a 25 percent savings from cities and towns compared to 2013.

A month later, the State Water Resources Control Board put those rules in place, approving a plan that assigns each of California's 411 largest cities, water districts and water companies a reduction target ranging from 8 percent to 36 percent, based on their per capita use.

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Cities like Hayward, Santa Cruz and San Francisco, which already have been conserving and have low per-capita water use, were given 8 percent targets. Cities such as Beverly Hills, Hillsborough and Bakersfield, which have been guzzling water, were told to cut 36 percent.

Some areas have shown little progress in putting in place local rules to achieve the targets, and it has been unclear whether the Brown administration will follow through with a provision in the rules that allows it to fine water providers \$10,000 a day for failing to meet the targets.



Brown praised Silicon Valley's progress in water conservation during and after the meeting, whose attendees included San Jose Mayor Sam Liccardo, and the mayors of Santa Clara, Palo Alto, Sunnyvale and Mountain View, along with leaders of the Santa Clara Valley Water District, San Francisco Public Utilities Commission, San Jose Water Company, California Water Services Company.

"This part of California is doing better than most," Brown said. "We're not at the level that we want to attain, but we are doing very good and better than most."

"The drought is serious. We have to take serious measures to respond."

In April, the 1 million customers of San Jose Water Company cut their use of water by 25 percent compared to April 2013, as did residents of Palo Alto. Mountain View cut water use 27 percent, and Santa Clara reduced it 11 percent.

By comparison, Los Angeles and San Diego reduced use just 10 percent and 4 percent, respectively, over the same time period. And Bakersfield actually used 1 percent more water.

Also Friday, Brown declined to say whether he will sign or veto several contentious bills moving through the Legislature, including one that would allow physicians to help the terminally ill end their own lives and another that would allow illegal immigrants to enroll in the state's Medi-Cal program.

Brown advocated for his controversial \$17 billion plan to build two giant tunnels under the Sacramento-San Joaquin River Delta to more easily move water from north to south. And he told the local leaders he supports their efforts to waive the California Environmental Quality Act, or CEQA, which requires lengthy environmental impact studies, for water recycling projects such as a South Bay effort to expand recycled water and pump it into local aquifers rather than just using it for landscape irrigation.

Asked whether a vaguely worded section in Trailer Bill 831, which would waive CEQA for water projects, would allow him to build the Delta tunnels without completing voluminous environmental studies, Brown said: "I doubt that."

"I don't think the Legislature would do that," he added. "We don't slip things in. We flagrantly and openly and transparently conduct our business in Sacramento."

The Sierra Club and other environmental groups oppose the bill. They've called it "an attack" on environmental protections that could allow the tunnels to be "sneakily approved without our voice."

Afterward, local mayors said they supported the bill, although they did not fully endorse the tunnel project, which critics call a Southern California water grab that could raise property taxes of Santa Clara County residents without a vote of the people if there are cost overruns.

"I have a lot more work to do to understand the impact of that project locally here, but ultimately the decision is being made in Sacramento," Liccardo said when asked if he supported the tunnels.

Paul Rogers covers resources and environmental issues. Contact him at 408-920-5045. Follow him at [Twitter.com/PaulRogersSJM](https://twitter.com/PaulRogersSJM)

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