



- Report on progress of local Water Conservation Ordinances adoption

### Summary

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This report highlights the efforts toward adopting effective water conservation ordinances throughout Metropolitan's service area. Member Agencies have made considerable progress in adopting water conservation ordinances in hopes of savings 200,000 acre-feet of water. As of June, 92 percent of the member agencies submitted a water conservation ordinance or a pledge to adopt an ordinance. Of the nearly 19 million residents in Metropolitan's service area, about half are now covered with adopted ordinances and an additional one-third reside in jurisdictions that have pledged to adopt ordinances by July 1. Details of the submitted and pledged ordinances are provided as [Attachment 1](#).

### Attachments

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#### [Attachment 1 – Member Agency Ordinance/Pledge List](#)

### Background

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In June 2008, following the Governor's proclamation of a statewide drought, Metropolitan adopted a Water Supply Alert Resolution (Resolution). Among other provisions the Resolution encouraged cities, counties, local public water agencies, and retailers to adopt and enforce local water conservation ordinances (ordinances). To facilitate ordinance adoption Metropolitan compiled a library of available ordinances, developed a Model Water Conservation Ordinance, and hosted several ordinance workshops. In January, the Board adopted conservation ordinance prerequisites for participation in certain extraordinary conservation programs. To be eligible for the extraordinary conservation programs, member agencies had to provide one of the following:

- An adopted ordinance(s) and implementation plan;
- A pledge to adopt an ordinance by July 1, 2009; or
- An alternative method to demonstrate five percent water savings over existing use.

### Member Agency Submittals

Over the past four months, member agencies have made considerable progress toward adopting and implementing ordinances. Twenty-four member agencies submitted either a water conservation ordinance or pledge to adopt ordinances. Non-retailer member agencies helped collect ordinances or pledges from their various jurisdictions. Some agencies have reported delaying submittals of conservation ordinances until they can submit ordinance updates, water supply implementation plans, and their new landscape ordinances together. Direct contact with local jurisdictions, in cooperation with our member agencies, helped achieve a higher level of submittals. Jurisdictions that had pending Phase II Public Sector projects had greater response levels in submitting an ordinance or pledge.

#### *Adopted Ordinances and Implementation Plans*

Staff reviewed 72 ordinances for compliance with Metropolitan's ordinance prerequisite criteria. Of these 72 ordinances, 58 complied with the Board adopted criteria. To meet the prerequisite, an ordinance had to be submitted with an accompanying plan of public communication and had to contain the following:

- Restriction on washing down paved surfaces;
- Requirement to fix leaks within a reasonable time;
- An irrigation restriction;
- Restriction on excessive water flow or runoff; and
- An enforcement and penalty provision.

Several cities adopted Metropolitan's model ordinance. Several regulated water companies submitted Public Utility Commission rules as ordinances, which staff accepted as compliant. Most ordinances contained additional

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water use restrictions on car washing and restaurant water service. Some of the unique provisions contained in the ordinances included requiring the use of recycled water, irrigation set backs from hardscape, and conservation based rate structures. Many ordinances contained water waste provisions that are only mandatory under water supply allocations. Overall, 80 percent of the ordinances reviewed met the prerequisite.

To meet Metropolitan's prerequisite; ordinances had to be submitted with an implementation plan for public communication. The implementation plan was expected to specifically identify the applicable ordinance restrictions, explain the local enforcement, describe how the ordinance is publicly communicated, and, if applicable, identify the current water shortage stage being enforced. Staff guided some member agencies with expectations and options to comply. Several jurisdictions developed implementation plans that start with low level enforcement by mailing warnings and educational materials to customers before penalties would be initiated. Public communication methods for the ordinances frequently include staff presentations at community events, press releases, newsletters, web sites, bill stuffers, and door hangers. In April, progress reports were received from six member agencies describing additional public communication and enforcement actions. Progress reports from member agencies are expected in October 2009, and annually thereafter. Staff will continue to monitor progress on ordinance implementation.

### *Pledges to Adopt Ordinances*

Seven member agencies covering approximately six million people pledged to adopt local ordinances. This pledge maintained their eligibility for extraordinary conservation programs while finalizing ordinances. Four of the pledges were submitted by Metropolitan Member Agencies to cover local jurisdictions within their service area that were evaluating existing ordinances. Agencies submitting pledges were requested to provide timelines for meeting specific milestones including informing local jurisdictions, drafting the ordinance, and enacting the ordinance by July 1, 2009. Some agencies pledged to amend their ordinances if their current ordinances did not meet Metropolitan prerequisites. In April, progress reports were received from four of the seven member agencies regarding progress. From the sample, it appears that while progress is being made, those local agencies will need to make a substantial amount of progress in June to be complete by July.

### *Alternative Methods*

In addition to ordinances and pledges, member agencies were provided an option to submit an alternative method or strategy to achieve a five percent water savings over 2008 use. Staff discussed this option with several agencies but none chose to use it.

### **Results**

Staff estimates that adoption and enforcement of local water conservation ordinances by all member agencies could save 200,000 or more acre-feet a year. That is about five percent of regional demand. With half of the service area population now covered by ordinances, and another third covered by pledges the service area is making steady progress. Recent overwhelming public response to conservation incentive offerings is further evidence that the messaging efforts to become more efficient have taken root.

Based on working with the member and retail agencies this far, staff has reached the following conclusions:

- Financial incentives motivate agencies to adopt ordinances;
- Ordinances can be adopted in 6 months;
- Multiple implementation strategies are possible;
- Collaboration is important to the success of the ordinance; and
- Water supply conditions are being communicated to retail customers.

Member Agencies with Phase II Public Sector applications generally submitted adopted ordinance and implementation plans more quickly than other agencies. Over half of the ordinances submitted to meet the prerequisites had been adopted or amended in the last few months, supporting the conclusion that ordinances can be adopted in 6 months. As illustrated by Western Municipal Water District, even member agencies with large or complex jurisdictional boundaries can adopt ordinances within six months. Some of the delays adopting ordinances can be attributed to discomfort with modifying recently adopted ordinances or modifying existing

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ordinances slated to be amended in the near future to incorporate water supply allocation plans or new landscape ordinances. Several agencies reported that they were waiting to amend ordinances until other amendments could be incorporated at the same time.

From the implementation plans received, it is apparent that many different public communication and implementation methods are available to stimulate conservation including the Los Angeles mayor's concerted communications to residents to curtail water use and San Diego's 20-gallon challenge. Collaboration between local jurisdictions and departments is important in the development and effective implementation of ordinances. Collaboration helps common approaches and messaging, and establishes regional implementation plans that reduce customer confusion in neighboring jurisdictions. Greatly increased visits to the bewaterwise website and the overwhelming applications for conservation rebates support the conclusion that water supply conditions are being communicated to retail customers.

**Attachment 1 – Member Agency Ordinance/Pledge List**

<b>Member Agency</b>	<b>Ordinance Received</b>	<b>Ordinance Complete or Incomplete</b>		<b>Pledge Received</b>	<b>Total Ordinances and Pledges Received</b>
Anaheim	Yes	1			1
Beverly Hills	Yes	1			1
Burbank	No			No	1
Calleguas	Yes		2		2
Central Basin	Yes	1	1	24 Cities*	24
Compton	No			No	0
Eastern	Yes	1		1	2
Foothill	Yes	1			1
Fullerton	Yes	1			1
Glendale	Yes	1			1
Inland Empire UA	Yes	6		2	8
Las Virgenes	Yes	1			1
Long Beach	Yes	1			1
Los Angeles	Yes	1			1
MWDOC	Yes	5		23 Cities*	28
Pasadena	Yes	1			1
San Diego CWA	Yes	22			22
San Fernando	No			No	0
San Marino	No			Yes	1
Santa Ana	Yes		1		1
Santa Monica	Yes	1			1
Three Valleys	Yes		4	1	5
Torrance	Yes	1			1
USG Valley	Yes	4	1	19 Cities*	24
West Basin	Yes		1	16 Cities*	17
Western	Yes	1	2		3

\* Pledge covers entire Member Agency service area until individual ordinances are completed