

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING/HEARING
(Portion)

JUNE 2, 2015

Coastal Hearing Room - Second Floor
1001 I Street
Sacramento California 95814

Transcribed by: Kathryn Davis CSR No. 3808

kathryndavis | & associates
deposition reporting

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STATE WATER RESOURCES CONTROL BOARD

BOARD MEMBERS

- Chair Felicia Marcus
- Vice-Chair Frances Spivy-Weber
- Board Member Tam M. Doduc
- Board Member Steven Moore
- Board Member Dorene D'Amamo

1 PORTION OF TRANSCRIPT OF PROCEEDINGS

2 (3:53 - 24:32)

3 --oOo--

4 CHAIR FELICIA MARCUS: It is all about lawns and
5 leaks this summer.

6 BOARD MEMBER DORENE D'AMAMO: Lawns, leaks and
7 rural areas. So that was what I was wanting to bring up
8 today. So Stanislaus County, about a week and a half
9 ago, adopted an ordinance countywide restricting
10 watering to no more than two days per week.

11 And the leader or the advocate of this ordinance
12 is Supervisor Vito Chiesa, who is also president of
13 CSAC. And so he is interested in seeing if he can get
14 his colleagues throughout the state to adopt a county
15 ordinance. And what makes this one really important is
16 that they are providing for code enforcement. And also
17 including a position in Stanislaus County. I don't know
18 how much that is going to get, but they are interested
19 in also getting some folks out on the ground.

20 So I did sent this information to staff and I
21 would like to follow up with you on it to see what we
22 can do to coordinate with CSAC in getting this
23 information --

24 CHAIR FELICIA MARCUS: Associates of counties,
25 for folks who are --

1 BOARD MEMBER DORENE D'AMAMO: Yes. Getting
2 information on whatever counties already have
3 restrictions and seeing what we can do to get everybody
4 to get on board here.

5 MAX GOMBERG: Absolutely. And that brings up
6 another important point to mention, which is that the
7 Department of Water Resources, as part of implementing
8 the Executive Order, is updating the state's Model
9 Landscape Ordinance. And code enforcement will be an
10 important part of making sure that that ordinance has
11 full effect. And they are looking to get a draft out in
12 the mid part of this month. I think I saw June 12th.
13 So that's another thing to look at.

14 VICE-CHAIR FRANCES SPIVY-WEBER: To pile on --
15 as though you don't have enough to do already -- I have
16 been meeting with a number of various groups that are in
17 stages of excitement and terror over the requirements.

18 But one group in particular that you are
19 particularly able to work with are the CPUC-regulated
20 IOUs. They have expressed in several different venues
21 questions about how they go about doing their
22 enforcement because they don't have police powers and
23 they are not like other public agencies.

24 So I think it might be good over the next, I
25 don't know, few weeks anyway, to set up a phone call or

1 perhaps work with Romi on that at the CPUC to have just
2 a concentrated conversation with IOUs about what some of
3 their options are for dealing with this.

4 And Malibu was particularly concerned and she
5 said, "Well, we only have one person." And I said,
6 "Well, you have a Police Department and you have got a
7 Fire Department and you've got a City." And she said
8 "oh." And so I just think there is a need.

9 MAX GOMBERG: That is a good point. And we will
10 set that up. This also brings up that, you know, the
11 Governor in his proposals for the budget has included
12 enhanced enforcement authority for a wider range of
13 local governments and institutions. So that there may
14 be the ability, for example, for an investor on utility
15 that is within a wholesale water district's service area
16 to partner with that district on enforcement, assuming
17 that that legislation is approved.

18 BOARD MEMBER STEVEN MOORE: Maybe this is a good
19 time to bring this up. When I was in the Santa Ana
20 region, you know, I met with some folks locally, water
21 purveyors, and I was just so impressed and I feel like I
22 need to really highlight the leadership that I saw at
23 the local level.

24 In the Santa Ana region, you may not know this,
25 but actually a lot of their water supply is local. It

1 is sort of one of those things people don't realize that
2 with all of the recycled water use. 70 percent, plus or
3 minus in a given year, is local water supply. And yet
4 I'm seeing this kind of leadership.

5 This Saturday, June 6th, the City of Anaheim
6 public utilities, along with the Municipal Water
7 District of Orange County, is holding a "Save Water
8 Expo" at a major new facility called the Arctic, which
9 is a big regional transportation center. It is free for
10 the public. And the amount of time and effort to do
11 this is really impressive.

12 Anaheim has gotten together 26 private
13 companies, including Angel's Baseball Team, Disneyland.
14 Anaheim Home Depo, Anaheim Lowe's -- really pulling out
15 all the stops with these 26 private companies -- eight
16 water service providers.

17 So Anaheim is a big city, but there are many
18 cities that are water service providers. They are
19 providing the leadership and the site and then the other
20 water providers are joining. And two private utilities,
21 you know, invest your own utilities are involved; three
22 nonprofits, including U.C. Riverside, and Orange County
23 Coastkeeper.

24 This is just a major event. And it shows, you
25 know, at the state level, we want to do what we can. So

1 really to be successful, we are going to rely on
2 leadership at the local level to get the word out. And
3 the event is a fun event. It is a festival-type
4 atmosphere. It has all these entities -- including
5 showerhead providers, irrigation experts -- out there to
6 help, you know, take saveourwater.com to the booth level
7 for the citizens of the greater Orange County area that
8 are interested in learning specifically what they can do
9 to deal with lawns and leaks and other priorities for
10 this coming summer.

11 So I just want to recognize the efforts of
12 Anaheim and other partners at the local level. I
13 encourage you to generate this type of community
14 outreach and engagement because it is clear that
15 Californians clearly care about the challenge. And this
16 is a chance to reach out and create the teamwork. So I
17 just wanted to put a shout-out.

18 Oh, yes. As Board Member Dudoc noted, the
19 opposite side of the flier is in Spanish. So, again, it
20 increases the outreach value to Californians. I know
21 there are other languages, too.

22 So thank you very much. But thanks to our
23 partners for really taking this issue seriously.
24 Anaheim is not at one of those highest tiers. They are
25 just one example of many of true partners that are out

1 there.

2 CHAIR FELICIA MARCUS: Philosophy of kindness in
3 Anaheim, which is pretty interesting, actually.

4 Before we go to the speakers, I have one more
5 question that I meant to ask earlier. That is, as we
6 look at these numbers -- again, I know we don't know
7 whether the numbers went up because it was cooler in
8 some places or not because in some places it actually
9 was hotter when I looked at your chart or it was a
10 little wetter or not.

11 But anecdotally, are you hearing from people?
12 One of the things I've noticed -- and it could just be
13 the media moving it -- is that there are a lot of
14 communities stepping up and saying, "Yeah, we have to do
15 this." Even when we issued the last set of regulations,
16 although there were some folks who were very vocally
17 against it, there were a lot of people who said they
18 would do it. It would be hard but they would do it.

19 So I'm sort of feeling like the local
20 communities are stepping up in a way that they weren't
21 before. And I'm hoping that that's why we are starting
22 to see the uptick. The real challenge is we really have
23 to step it up for the summer months because of the fact
24 that half of water use is outside. If we miss the
25 summer, we are toast on this.

1 Do you have a sense, just from talking with
2 folks, how much of it is temperature and how much of it
3 is real effort?

4 MAX GOMBERG: Anecdotically, I think there is a
5 lot -- it is real effort. Well, when they saw the
6 Governor out on that dry meadow and saw what was in the
7 Executive Order, and realized, you know, it was really
8 time to step up, they started stepping up. The agencies
9 did. You know, people saw that the drought is going on
10 and, you know, really made the commitment. So I'm
11 optimistic that we will continue to see this
12 improvement.

13 CHAIR FELICIA MARCUS: All right. We have two
14 speakers. Sara Aminzadeh from the Coastkeeper Alliance.
15 Thanks for joining us.

16 SARA AMINZADEH: All right. Good morning, Chair
17 Marcus and Board Members. My name is Sara Aminzadeh and
18 I'm the Executive Director of California Coastkeeper
19 Alliance.

20 I just want to say a few words as these numbers
21 have come out. First, I want to thank the Board staff
22 for their hard work on this. I know it has been an
23 extremely heavy lift to report out on this data and to
24 make some helpful recommendations as to where we should
25 be going. So I just want to recognize that work.

1 I was absolutely thrilled to hear about the
2 waterways reporting portal. I understand that it will
3 be out in the next couple of weeks. And I think that,
4 you know, the figure of 22,000 reports from citizens
5 about water wasting was really powerful. And I think
6 that really underscores the importance and the need for
7 citizen enforcement and, sort of, self-regulation
8 implementation of these regulations. So I really look
9 forward to the launch of that portal and really
10 empowering citizen enforcement.

11 Chair Marcus, you noted that the water suppliers
12 have been reporting now for almost a year. And so we do
13 have a good amount of information already about use and
14 about compliance with the voluntary regulations which
15 will, of course, become mandatory next set of numbers.

16 And so I just want to ask that we can continue
17 to work together in the coming months. You know, that
18 we don't wait until the first mandatory regulation
19 compliance numbers come out. And that we really look at
20 the data that we already have before us to start to look
21 at enforcement targets and implementation.

22 You know, enforcement, from my perspective, is
23 not about punishment. I think it is really important to
24 communicate to Californians that we need to rethink our
25 water use. And we have seen that happening in a lot of

1 areas. There is a lot of community interest and
2 engagement, but there are some areas where it just
3 hasn't happened.

4 And I think to the extent that the Board can
5 take a proactive role in looking at, you know, what are
6 the top ten highest water users, based on almost a year
7 of data, and how did those compare to some of the other
8 areas.

9 You know, eight out of ten of the highest water
10 uses are in the South Coast, for example. So can we do
11 some concerted outreach and focus there? Board Member
12 Moore noted the Expo. But is there also a role at the
13 Regional Water Board staff level, and working with the
14 Board to really look at that and see what is going on
15 there and see what we can do before we get those first
16 numbers.

17 And I think to the extent that the Board can
18 communicate the enforcement strategy and the priorities
19 to water users and to the public, that will set us up
20 best for success. So are we looking at the most
21 populous regions? Are we looking at the highest gallons
22 per capita per day? Is there some acknowledgment or
23 sort of adjustment for temperature?

24 I think that will be really important because
25 there are a lot of communities that have been making

1 some deep cuts. And there is an equity argument here.
2 We do see some correlation of affluent areas that really
3 maintain a high-water use. I think it is important that
4 as a state, we make a statement about that and just say,
5 you know, we haven't come as far as we need to go. We
6 need to step it up. And here is our plan to get there.

7 So I just want to offer my assistance in doing
8 that. All the local waterkeepers are available as well.
9 Board Member Moore noted the importance of local
10 leadership. And so I just look forward to working with
11 you on that in the coming months.

12 CHAIR FELICIA MARCUS: Thank you -- as always.

13 David Bolland from the Association of California
14 Water Agencies. Thank you again for saveourwater.com.

15 DAVID BOLLAND: Chair Marcus, members of the
16 Board -- David Bolland, Association of California Water
17 Agencies. To echo the last kudos here for the staff's
18 hard work, we appreciate working with the staff and with
19 Board member leadership over the last couple of months
20 who really do this heavy lift on moving the dial on
21 conservation. We think that is happening and we are
22 appreciating the effort as showing up on the numbers.

23 We are in an outreach phase. ACWA has
24 cooperated with the administration and with the Water
25 Board to do a series of webinars. I wanted to quickly

1 advertise those for folks that might be tuning in. This
2 is really great content.

3 We had three different webinars, one on May
4 21st, one on the morning of May 26th, and another one in
5 the afternoon of May 26th. And they were targeted
6 toward water agencies primarily, but we also worked in
7 cooperation with the California Association of Counties
8 and the League of Cities. And we got a lot of folks
9 from particularly smaller agencies signing up for those
10 webinars.

11 The first one had a lot of information on tools,
12 funding, some of which Max mentioned in his
13 presentation. And I would encourage you to go to that
14 site to find detailed links to websites where there are
15 some tools available and some funding information from
16 the administration.

17 And then on the 26th, on the regulation itself
18 in the morning, targeting or the morning session on the
19 411 water agencies, the large agencies and this whole
20 regulatory structure here in just answering some
21 questions on that. And then on the 26th in the
22 afternoon, targeting the smaller agencies.

23 And that was a bit of an eye opener, I think,
24 for all of us is that a lot of participants weren't
25 aware that the smaller agencies are also having to do

1 some compliance here, focusing on 25 percent reduction
2 or reducing their irrigation outdoors to two days a
3 week; and that they need to implement that immediately,
4 starting yesterday.

5 So we have this information on our website. I'm
6 encouraging folks to go there and get it. It will be
7 valid for a long time to come, and it is worth wading
8 through because there is a lot of nuggets there for
9 folks to listen in on.

10 And then also the customer outreach in the CII
11 messaging -- commercial, industrial and institutional
12 messaging -- we have been contacted by a lot of trade
13 associations and others on a statewide scale on what are
14 water agencies -- or what are commercial entities
15 supposed to do? And, of course, our messaging is "get
16 back to your locals."

17 A lot of the action is at the local agency, in
18 terms of the rules, the specific rules and the specific
19 focus on the different sectors. And so we are
20 encouraging commercial and industrial and institutional
21 folks to contact our local provider, whether they be an
22 IOU or a public agency that is among the large ones or
23 even a small public agency, and try to get the
24 information on what they can do.

25 The main focus, of course, for all the sectors

1 is on outdoor irrigation and substantially cutting that
2 outdoor irrigation during the summer season. Many of
3 our agencies are releasing press releases now that are
4 focusing on 50 percent, recommending 50 percent
5 cutbacks, dropping irrigation to one day a week in many
6 cases, in some cases up to two days a week, but the idea
7 is to focus on outdoor irrigation.

8 The other couple things that came up during the
9 publications, we mentioned pools. One huge thing is
10 pool covers. You'd think everybody who has a pool would
11 have a pool cover just for safety reasons and for
12 evaporation. But significant losses to pools occur
13 during the summer, particularly during the hotter
14 climate, due to evaporations. So we would encourage
15 pool covers.

16 There are a couple of other ideas there that are
17 out in terms of different methods for saving water. And
18 a lot of those tips and tools are on our
19 [saveourwater.com](http://www.yeahwater.com).

20 So I would encourage consumers, as well as
21 commercial and industrial, as well as institutional
22 groundskeepers and other folks, to get to that site and
23 find good information. And go from that site to other
24 places out there in the world that have lots of tools
25 and tips available at this point.

1 So we are optimistic. I think about what we can
2 do in weeks to come. We do want to work on the work
3 group process. We think that there are a lot of good
4 ideas out there for additional ways of, I guess,
5 administering our conservation-mandatory targets in time
6 to come.

7 We are hopeful, of course, that we will be able
8 to run this particular 270 days out. And then we will
9 have torrential El Nino conditions in all parts of the
10 state that result in recharge but not flooding; and that
11 we get our reservoirs recharged.

12 But it will probably realistically be a long
13 time before we are back to a normal set of conditions
14 here. So we need to focus particularly on what we can
15 do the next weeks and short period of time, weeks and
16 months.

17 BOARD MEMBER DORENE D'AMAMO: And there may be a
18 new normal.

19 DAVID BOLLAND: That may be the case. And we
20 are seeing it happen on a weekly and monthly basis. So
21 it is very important to look at that temperature and
22 weather information as we look forward to the future.

23 CHAIR FELICIA MARCUS: Thank you, again, for all
24 of your work. I have a question for any of you --
25 including you.

1 Has anyone found the perfect resource for
2 helping people figure out how to spot leaks at home?
3 Max talked about it. But, to me, if there is one
4 message to get through to people for the summer or for
5 right now where you see the biggest potential reductions
6 is lawns and leaks.

7 And I just haven't seen -- I've heard pieces of
8 it. The food coloring in the toilet bowl and then go
9 fix the little flapper, the rubber gets hard and you
10 lose a seal. That is pretty easy to do yourself and
11 fix. And a huge amount of the time, hopefully, that
12 solves the whole problem.

13 But there is the refill valve on a swimming
14 pool, the automatic refill valve where people don't even
15 know it is leaking because they put in the refill valve.

16 Is there one source that we can send people to
17 do? I think that would be something to push in the next
18 few weeks, along with the lawns and, of course, you
19 know, noting the tremendous step that MET took in
20 putting \$350 million out for lawn rebates because the
21 demand is huge.

22 So, I know other communities are doing that as
23 well. Those are the two biggest things. But is there a
24 great resource on leaks that we can send people to right
25 now? It could be [saveourwater.com](http://www.yes.law.net/help) just for the how-to.

1 BOARD MEMBER DORENE D'AMAMO: One of the things
2 that I discovered, and I was surprised, I can go online
3 and track, if everything is shut off and things are
4 moving, that means I have a leak. So I think many
5 communities have that, but they are not advertising that
6 the retail customers have access to that information.

7 CHAIR FELICIA MARCUS: Right. If you turn off
8 your water and you have a meter that you can read -- I
9 am a multifamily so I can't -- but you have a meter that
10 you can read and it is moving when you've turned your
11 water off, that means you have a leak. Stuff like that,
12 sort of the top ten tips.

13 DAVID BOLLAND: I guess I would encourage
14 customers to contact their water agency. Look at your
15 bill. Look at whether your usage is higher than you
16 would think it should be, and then contact your water
17 agencies.

18 Many water agencies will, for free, come down
19 and actually look through the house. And they are the
20 experts. They can really spot leaks a long ways away.
21 Although listening to the sound, the toilet refill sound
22 that occurs periodically all night, that is a clue.

23 CHAIR FELICIA MARCUS: That is not a good sign.

24 DAVID BOLLAND: That is not a good sign. If you
25 are hearing hissing and, you know, strange noises from

1 your bathroom, that is likely a leak in the toilet.

2 And then just on the outdoor irrigation
3 situation, if you haven't irrigated a certain area and
4 you see some moist earth, that is a clue that maybe you
5 have a broken pipe. Another really common one is just
6 the sprinkler heads themselves get busted off or dinged
7 up. And if you are irrigating in the early morning
8 hours, before you even get up, with a controller you may
9 not notice that. So run your cycle some Saturday before
10 8:00 ideally, but when you are up and you can see how
11 your irrigation system is performing because you may
12 have a leaky emitters of various types.

13 (Whereupon, end of transcribed portion.)

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<http://www.yeslaw.net/help>

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REPORTER'S CERTIFICATE

State of California)
) ss.
County of Sacramento)

I certify that the statements in the foregoing hearing were transcribed in the within-entitled cause by audio; that said hearing was taken at the time and place therein named; that the testimony of said witnesses was reported by me, a duly Certified Shorthand Reporter of the State of California authorized to administer oaths and affirmations, and said testimony was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for either or any of the parties to said hearing, nor in any way interested in the outcome of the cause named in said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of September, 2015.

KATHRYN DAVIS
Certified Shorthand Reporter
Certificate No. 3808

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