



Media Release

State Water Board releases draft emergency regulations prohibiting wasteful water use

Public comment sought; board vote scheduled for January 7, 2022

November 30, 2021

SACRAMENTO – As California continues to face severe drought conditions exacerbated by climate change, today the State Water Resources Control Board (State Water Board) released a draft emergency regulation to prohibit water waste and bolster water conservation. Members of the public can comment on the draft before the State Water Board considers it for adoption early next year.

If passed, the regulation will make wasteful water practices, such as excessive irrigation causing runoff, using potable water for street cleaning, or irrigating landscapes within 48 hours of measurable rainfall, a violation for all Californians, including businesses and institutions.

Local water districts would be expected to enforce the regulations, and violations could result in fines. In addition, the regulation would allow the State Water Board to prevent homeowners associations from restricting water conservation measures, like installing drought-tolerant landscaping.

The emergency regulation draws on Governor Newsom's October [drought proclamation](#), which directed the State Water Board to consider and adopt the prohibitions if necessary.

How to submit written comments on the draft emergency regulations:

Members of the public can provide feedback on the draft regulation **no later than noon P.S.T., Thursday, December 23, 2022**, as follows:

Email comments to: commentletters@waterboards.ca.gov, with a courtesy copy to Christopher.Hyun@waterboards.ca.gov, or send comments via mail or hand delivery addressed to:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (by mail)
1001 I Street, 24th Floor, Sacramento, CA 95814 (by hand delivery)

Background:

California and the entire Western United States are facing a significant drought in the wake of one of the driest periods on record. Climate change is making droughts more frequent and severe. The current drought has already caused significant impacts to ecosystems, agricultural production, and municipal water supplies across the state. Although Californians have maintained lower water use from conservation actions taken during the last drought, there is still significant statewide conservation potential, and conservation is the quickest and least costly way to stretch water supplies.

On October 19, 2021, the Governor issued a statewide drought proclamation that enabled the State Water Board to ban wasteful water practices. The prohibited practices proposed in the draft regulation published today are listed in full below:

- The application of potable water to outdoor landscapes in a manner that causes more than incidental runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
- The use of a hose that dispenses water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- The use of potable water for washing sidewalks, driveways, buildings, structures, patios, parking lots, or other hard surfaced areas, except in cases where health and safety are at risk;
- The use of potable water for street cleaning or construction purposes, unless no other method can be used to protect the health and safety of the public;
- The use of potable water for decorative fountains or the filling or topping-off of decorative lakes or ponds, with exceptions for those decorative fountains, lakes, or ponds that use pumps to recirculate water and only require refilling to replace evaporative losses;
- The application of water to irrigate turf and ornamental landscapes during and within 48 hours after measurable rainfall of at least one fourth of one inch of rain. In determining whether measurable rainfall of at least fourth of one inch of rain occurred in a given area, enforcement may be based on records of the National Weather Service, the closest CIMIS station to the parcel, or any other reliable source of rainfall data available to the entity undertaking enforcement of this subdivision; and
- The use of potable water for irrigation of turf on public street medians or publicly owned or maintained landscaped areas between the street and sidewalk.

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment, public health and all beneficial uses, and to ensure proper resource allocation and efficient use for the benefit of present and future generations.