

GENERAL EXEMPTION and ENERGY AND ENVIRONMENT COMMITTEE REPORT relative to amending the City's Emergency Water Conservation Plan Ordinance to create a two-day-a week watering schedule, add new watering restrictions, and modify other language to clarify meaning.

Recommendations for Council action:

1. FIND that amending the City of Los Angeles Emergency Water Conservation Plan Ordinance is exempt pursuant to the General Exemption described in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) in that General Exemptions apply in situations where it can be seen with reasonable certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. CONCUR with the Board of Water and Power Commissioner's (Board) action of April 23, 2015, Resolution No. 015-198, recommending proposed amendments to the City of Los Angeles Emergency Water Conservation Plan Ordinance as detailed in the April 27, 2015 Board report and Resolution No. 015-198, attached to the Council file.
3. REQUEST the City Attorney to prepare and present an Ordinance to amend Chapter XII, Article I of the Los Angeles Municipal Code (LAMC) to clarify prohibited uses and modify certain water conservation requirements of the Water Conservation Plan of the City of Los Angeles as detailed in the April 27, 2015 Board report, attached to the Council file.

Fiscal Impact Statement: None submitted by the Los Angeles Department of Water and Power (LADWP). Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On May 6, 2015, your Committee considered an April 27, 2015 Board report and Resolution No. 015-198 relative to amending the City's Emergency Water Conservation Plan Ordinance to create a two-day-a week watering schedule, add new watering restrictions, and modify other language to clarify meaning. According to the Board, on October 14, 2014, the Mayor issued Executive Directive No. 5 (ED5) calling on Los Angeles to increase conservation in light of the drought. ED5 calls for a reduction in per capita potable water use by 20 percent by 2017, a reduction in the LADWP's purchase of imported water by 50 percent by 2024, and the creation of an integrated water strategy that increases local water supplies.

In the directive, the Mayor is asking residents to heed the call for conservation by voluntarily decreasing outdoor watering to two days per week. The directive states that if the 20 percent reduction in per capita water use by 2017 is not met, the Mayor will instruct the Board to propose new mandatory water restrictions which limits watering to two days per week.

On April 1, 2015, the Governor directed the first ever statewide mandatory water use restrictions following the lowest snowpack in recorded history. The Governor's actions include enforcement requirements, expedited approvals for drought response actions, and investments in new water efficiency technologies. Since 2013, the State of California has been experiencing one of the driest

periods on record. In December 2013, Governor Brown formed a Drought Task Force consisting of four state agencies including the State Water Resources Control Board (SWRCB).

On January 17, 2014, the Governor issued a Statewide Drought Emergency declaration. As conditions worsened, on April 25, 2014, the Governor issued an Executive Order to redouble statewide drought actions calling for all Californians to reduce their water use by 20 percent, and for SWRCB to adopt emergency drought regulations.

On July 15, 2014, SWRCB approved Statewide Emergency Water Conservation Regulations, which were subsequently adopted by the California Office of Administrative Law on July 29, 2014. The current regulation requires water purveyors to implement an outdoor watering schedule of two days per week maximum, or an alternative measure that will produce an equivalent amount of water savings. Phase II of the City's Ordinance has fulfilled all of SWRCB's regulatory requirements.

With the continuing drought conditions, on March 17, 2015, SWRCB approved extension of the Emergency Water Conservation Regulations and added some additional water reduction mandates. SWRCB collects monthly data from water suppliers to assess their level of compliance with the Emergency Water Conservation Regulations, and to determine if permanent regulations or reporting are necessary.

In response to the increasing severity of the drought, the additional water use restrictions directed by the Governor, and the call for additional conservation by the Mayor, it is recommended that the City adopt an additional phase in its Ordinance to allow for outdoor watering two days a week. This would become the Ordinance's new Phase III; the existing Phase III, which allows outdoor watering one day a week, would become the new Phase IV. This added flexibility will provide the City with more options to implement increasingly stringent outdoor watering restrictions and fulfill present and anticipated future Statewide Emergency Water Conservation Regulations.

The proposed amendments to the Ordinance are intended to create an additional phase for two-day-a-week outdoor watering schedule, add new watering restrictions, and modify other language to clarify meaning. The purposes of these amendments are to improve the City's ability to respond to the ongoing drought conditions and comply with recently adopted State Emergency Water Conservation Regulations.

After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of Resolution No. 015-198 and further requesting the City Attorney to prepare and present an Ordinance making the necessary changes to the LAMC. This matter is now submitted to Council for its consideration.

A handwritten signature in blue ink, appearing to be 'M. Z.', is written over a faint circular stamp.

Respectfully Submitted,

ENERGY AND ENVIRONMENT COMMITTEE

MEMBER	VOTE
FUENTES:	YES
BLUMENFIELD:	ABSENT
LABONGE:	YES
HUIZAR:	YES
KORETZ:	YES

ARL
5/6/15

-NOT OFFICIAL UNTIL COUNCIL ACTS-