



**WATER USE  
 STANDARD  
 SETTING**

**ENFORCEMENT**

**COMMERCIAL,  
 INSTITUTIONAL AND  
 INDUSTRIAL (“CII”)  
 REQUIREMENTS**



**COMPARISON OF LOCAL WATER SUPPLIER SPONSORED LEGISLATION  
 (AB 968 AND AB 1654) WITH THE OTHER WATER USE EFFICIENCY PROPOSALS**

LOCAL WATER SUPPLIER PROPOSAL (AB 968/1654 (Rubio))	OTHER PROPOSALS (AB 1668/1669 and Budget Trailer Bill 810)
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**PROVEN OPTIONS FOR LOCAL  
 WATER SUPPLIERS**

Builds on the success of California’s “20% by 2020” law by providing three proven options for water use standard setting. Maintaining these clearly defined options will allow water suppliers to leverage processes and programs already in place, and helps account for the state’s hydrologic, geographic, climatic, and economic diversity.

**INELIGIBILITY FOR STATE GRANTS AND  
 LOANS**

Maintains the current sanction of ineligibility for water grants or loans awarded or administered by the state. Disadvantaged communities can submit documentation to preserve their eligibility for grants and loans.

**COLLABORATIVE STAKEHOLDER  
 PROCESS TO DEVELOP CII  
 PERFORMANCE MEASURES**

Water suppliers, business representatives, academic experts, environmental organizations and other stakeholders would work with the State to recommend CII performance measures to the Legislature.

**STANDARDS SET BY STATE REGULATORS**

Allows only one mechanism, defined by the State Water Resources Control Board via emergency and permanent regulations, with no oversight from the Legislature.

**MISDEMEANOR PENALTIES, CIVIL FINES  
 AND CEASE-AND-DESIST ORDERS**

Makes it a misdemeanor and expands the SWRCB’s authority to impose fines of up to \$20,000 plus \$500/day for failure to meet standards. The State Water Board would also be authorized to issue cease-and-desist orders if any State Water Board regulation were violated.

**STATE WATER BOARD SETS CII WATER  
 USE STANDARDS**

Gives the State Water Board unrestricted authority to set and revise CII water use standards through regulations.



**WATER RIGHTS**

**DROUGHT PLANNING**

**DROUGHT RESPONSE**

**WATER INFRASTRUCTURE INVESTMENTS**



**LOCAL WATER SUPPLIER PROPOSAL**  
 (AB 968/1654 (Rubio))

**MAINTAINS EXISTING WATER RIGHTS PROTECTION**  
 Does not impact California's existing water rights system. Water rights holders retain their rights to the water they save.

**IMPROVED LOCAL DROUGHT PREPARATION**  
 Enhances the requirements for water suppliers to plan for and respond to drought.

**TARGETED LOCAL RESPONSE**  
 Maintains authority and responsibility for local water suppliers to define drought stages and actions, and decisions to declare emergencies.

**PROTECTS INVESTMENTS IN DROUGHT-RESILIENT SUPPLIES**  
 For water suppliers in compliance with requirements, no limitation on use of available emergency or drought-resilient water supplies, when those supplies are identified in the supplier's plan. This planning certainty incentivizes the continued development of drought-resilient supplies.

**OTHER PROPOSALS**  
 (AB 1668/1669 and Budget Trailer Bill 810)

**RISKS UNDERMINING ESTABLISHED WATER RIGHTS**  
 Creates new authorities for the State Water Board to limit water use that could undermine California's established system of water rights.

**ONE-SIZE-FITS-ALL STATEWIDE APPROACH**  
 Requires planning around fixed stages that may not reflect local conditions.

**EXPANDED STATE CONTROL**  
 Extends to one year the duration of State mandates during a declared emergency.

**STRANDS AND DISINCENTIVIZES INVESTMENTS**  
 State Water Board regulations limiting water use can be applied to all water supplies regardless of whether they are available for use. This uncertainty strands and disincentivizes investments in drought-resilient supplies.