RESOLUTION 9323

RESOLUTION OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA ENCOURAGING THE BAN OF IRRIGATION OF NON-FUNCTIONAL TURF WITH POTABLE WATER

WHEREAS, The Metropolitan Water District of Southern California and Its Member Agencies are Local and Regional Water Entities Responsible for Distributing, Managing, and Developing Supplies to Meet Current and Future Water Demands Within Their Respective Service Areas and throughout Southern California.

Metropolitan is comprised of 26 member agencies, all of which are public entities, including 14 cities, 11 municipal water districts, and one county water authority, which collectively serve the residents and businesses of more than 300 cities and numerous unincorporated communities.

Metropolitan estimates that approximately 18.7 million people live in Metropolitan's service area.

Metropolitan's 2020 Integrated Water Resources Plan shows expected population growth of approximately 17 percent in Metropolitan's service area between 2010 and 2035.

WHEREAS, Long-term and Short-term Trends Suggest that Metropolitan's Imported Water Supplies May Be Constrained by Drought, Climate Change, and Other Environmental Factors.

The Colorado River system has been continuously in drought since 2000. Lake Mead and Lake Powell were near full in 2000; however, both reservoirs are now at their lowest historical levels since initial filling.

In June 2022, the U.S. Bureau of Reclamation Commissioner, Camille Touton, announced that Colorado River water users need to reduce use by two- to four million acre-feet per year.

Extended drought and increased regulatory constraints have resulted in an average 35 percent allocation of Table A contract supplies from the State Water Project over the last 10 years. During the previous 10-year period, Metropolitan received an average 68 percent allocation from the State Water Project.

Combined deliveries of allocated water from the State Water Project during the past three years are lower than in any other three-year period in the history of the SWP.

The California Department of Water Resources (DWR) classified water years 2020 to 2022 (October 1, 2019, through September 30, 2022) as dry or critically dry, and it projects these three water years will be the driest on record in California for statewide precipitation.

In addition to reduced precipitation since 2020, California's climate is transitioning to a warmer setting in which historical relationships among temperature, precipitation, and runoff are changing. In addition, precipitation in the Colorado River Basin was near 100 percent normal in 2022, but runoff was only at 62 percent of normal. In 2021 precipitation was at 87 percent of normal while runoff was at 32 percent of normal.

WHEREAS, Governor Newsom Has Declared a State of Emergency to Exist in All California Counties Due to These Severe Drought Conditions.

On October 19, 2021, Governor Gavin Newsom declared a state of emergency to exist in all California counties due to worsening drought conditions. This proclamation follows other increasingly expansive drought declarations and executive orders that have been issued since April 2021.

Governor Newsom has called on Californians to re-double their efforts to reduce water use by 15 percent and for local and regional water agencies to implement their Water Shortage Contingency Plans (WSCPs) "at a level appropriate to local conditions that takes into account the possibility of a third consecutive dry year."

California has declared a State of Emergency due to severe drought conditions three separate times since 2007.

On August 11, 2022, Governor Newsom issued his California Water Supply Strategy which includes a long-term commitment to replace 500 million square feet of turf with drought tolerant landscaping by promoting programs and policies that incentivize turf conversion.

WHEREAS, Water Conservation and Demand Management Play a Critical Role in Ensuring Supplies Meet Demands in Metropolitan's Service Area.

Water conservation and demand management increase resiliency in the event of drought and extend the availability of current and future water supplies.

Metropolitan has invested $2.3 billion in present value dollars in conservation, local water recycling, and local groundwater recovery since 1990, resulting in nearly 7.6 million acre-feet of water conserved and new supplies.

Local water suppliers and communities have also made multi-billion-dollar strategic and forward-looking investments in water conservation (within and outside the MWD service area), water recycling, stormwater capture and reuse, groundwater storage, seawater desalination and other strategies to improve drought resilience.

Water conserved throughout the service area, among other things, has helped preserve storage in Metropolitan's diverse storage portfolio and meet demands during these dry conditions.

WHEREAS, a Permanent Ban on Irrigation of Non-functional Turf and Commitment to Converting These Areas to California Friendly Landscaping through Local Ordinances and Regulations Would Result in a Significant Reduction in Potable Water Demand.

Amending local ordinances and other land use planning regulations to further prevent non-functional turf from being irrigated with potable water, installed in new construction, or maintained in existing construction will contribute to more sustainable demands within Metropolitan's service area.

Irrigation of turf grass represents the single largest application of consumptive use of potable water in Southern California and reducing the amount of turf represents a significant water conservation opportunity.

The removal of non-functional turf and replacement with drought-tolerant landscaping reduces water usage on a given site by up to 80 percent.

Approximately 96 million square feet of non-residential non-functional turf have been removed through Metropolitan's turf rebate programs, which results in water savings today of approximately 13,000 acre-feet per year.

Since the SWRCB issued an emergency regulation temporarily banning the irrigation of non-functional turf with potable water, commercial applications for the turf replacement program have tripled since the emergency regulation went into effect. Therefore, local ordinances permanently banning the irrigation, installation, and maintenance of non-functional turf would likely lead to an even greater increase in turf replacement projects.

Regulations addressing irrigation, installation and maintenance of non-functional turf may be adopted as local governmental codes and ordinances by Metropolitan member agencies and in local jurisdictions throughout Metropolitan's service area, as permitted by each jurisdiction's legal authority.

NOW, THEREFORE, BE IT RESOLVED that The Metropolitan Water District of Southern California Board of Directors supports the adoption and promotion of the following principles throughout Metropolitan's service area:

1. Potable water should not be used to irrigate non-functional turf on non-residential properties.
2. Non-functional turf should not be installed at any new or existing non-residential properties, including at any commercial or industrial properties, public buildings, or facilities, or HOAs. Non-functional turf also should not be installed in any new residential properties.
3. Non-functional turf should not be installed in public spaces, including in medians.
4. Non-functional turf should be removed from all non-residential properties, both public and private, including HOAs, by a date certain in the future.

BE IT FURTHER RESOLVED that the Board of Directors strongly recommends that all Member Agencies and local jurisdictions within Metropolitan's service area amend their regulatory codes and ordinances, as appropriate, to implement these principles in a manner consistent with each jurisdiction's legal authority. A model ordinance consistent with these principles is attached for reference and potential use.

Judy A Dodo

Secretary of the Board of Directors
of The Metropolitan Water District
of Southern California

Model Ordinance Language

Section X: Definitions

(A) As used in this section:

(1) "Non-functional turf" means turf that is not regularly used for human recreational purposes or for civic or community events.

(2) "Turf" means any narrow-leaved grass species that form a uniform, long-lived ground cover that can tolerate traffic and low mowing heights (usually two inches or below). Such grasses include, but are not limited to, annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, Tall fescue, Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustine grass, Zoysiagrass, Buffalo grass, and their associated hybrids.

Section XX: Permanent Water Conservation Requirements

(A) Prohibition on irrigation of non-functional turf

(1) After the effective date of this ordinance, non-functional turf shall not be irrigated using potable water with the sole exception of turf at residential properties that was present prior to the effective date of this ordinance.

(B) Prohibition on installation of non-functional turf

(1) After the effective date of this ordinance, non-functional turf shall not be installed at any new or existing commercial, industrial, or public properties or facilities, including parks, playgrounds, medians, greenbelts, and HOAs. In addition, non-functional turf shall not be installed in any new residential properties.

(C) Removal of non-functional turf

(1) No later than [DATE CERTAIN], non-functional turf shall be removed from commercial, industrial, or public properties or facilities, including parks, playgrounds, medians, greenbelts, and HOAs.

Section XXX: Penalties and Enforcement

[TO BE DETERMINED BY ADOPTING JURISDICTION]