

California Limits Daily Personal Water Use to 55 Gallons – Kind Of

The state's new per capita limit on indoor water use is groundbreaking, but there is no practical way to enforce it. Rather, it is intended to inspire more conservation and guide larger efforts by water utilities.

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Todd Snider of Benjamin Franklin Plumbing installs an ultra-low-flow toilet at a home in Novato, California. Justin Sullivan/Getty Images

CALIFORNIA HAS ALWAYS been America's leader on environmental policy, and water is no exception. So it was hardly surprising when the state made headlines across the nation in early June with a new policy on

residential water use: Californians will be limited to 55 gallons per person per day for their indoor water needs.

The rule is apparently the first of its kind in the nation. But lost in the excitement is the fact that water agencies have no way to measure how much water their customers use indoors. Homes have only one water meter, and it provides no information about where water is used or for what purpose.

In reality, it turns out, the 55-gallon limit is not a limit at all. It is merely an aspirational target meant to motivate customers to conserve.

“The statewide indoor water use standard is not enforceable on individual water users,” said Dave Bolland, director of state regulatory relations at the **Association of California Water Agencies**. “There is no provision [in the law] that requires individual households to meet a specific water use target.”

The pair of new laws that enacted the 55-gallon target, Assembly Bill 1668 and Senate Bill 606, set it as a goal that water utilities must meet by averaging across all their customers. Water agencies must create a “water budget,” aggregated across their entire service area, that includes indoor water consumption, water applied for landscape irrigation, commercial and industrial use and water lost due to system leakage.

The overarching goal is to create a culture of permanent water conservation, and to sustain the progress made by emergency measures during California’s five-year drought.

But even in the new aggregated water budgets, utilities have no way to know for sure how much total water is being used indoors by their customers. They’ll be guessing.

And water agencies are not required to ensure indoor water use hits the 55-gallon target, even as a system-wide average. Utilities only face a threat of fines by the state if they fail to live within their total water budget.



Rachel Garza, a water conservation technician with the East Bay Municipal Utility District, inspects a sprinkler system during a water conservation audit in Walnut Creek, California, in 2015. (Justin Sullivan/Getty Images)

“It will be up to the local urban water suppliers to determine how to meet these aggregate water budgets,” Bolland said.

So if the 55-gallon limit is not really a limit, and nobody even knows if it’s being met, what good is it?

Environmental groups supported the 55-gallon target as a public education tool.

“I think the reason the number is important is because it does provide a barometer against which to measure water usage,” said Sara Aminzadeh, executive director of the California Coastkeeper Alliance. “There’s a public awareness benefit. But I still would say the legislation is somewhat of a missed opportunity to make some deeper water conservation and efficiency gains.”

One reason, she said, is that 55 gallons is probably too generous.

During California's recent five-year drought, a number of cities reduced total residential water consumption well below 55 gallons per person per day. And that included landscape irrigation. Examples include San Francisco and Santa Cruz. Granted, these are coastal cities with mild climates, well-established water conservation campaigns and receptive citizens.

But per person indoor water use, by itself, probably doesn't vary much across the state. Everyone needs more or less the same amount of water for bathing, cooking and cleaning. This is especially true with the broad adoption of water-efficient appliances and fixtures.

What does vary a lot is outdoor water use, because it depends on individual landscaping choices and local microclimate.

"We feel that [55 gallons] is a standard that 90 percent of water suppliers are likely already meeting," Aminzadeh said. "I don't want to diminish the benefit of this legislation. It's great to see permanent water conservation legislation. But at the same time, I'm looking at a climate emergency around water scarcity issues, and really asking: Did we go far enough, and could we go further?"

The new legislation does require the target to be ratcheted downward, to 52.5 gallons in 2025, then 50 gallons in 2030. It also requires the state's Department of Water Resources and Water Resources Control Board to analyze progress on indoor water conservation, and report back to the legislature in 2021 with any recommendations to shrink the standard. So, if progress indicates the target should be lower, there's a process to make it happen.

Another issue overlooked in the excitement about the 55-gallon target is the fact that water budgets create a new record-keeping headache for water utilities. This is one reason the Association of California Water Agencies and a number of individual water utilities opposed the legislation. They support continued conservation progress, Bolland said, but they don't want the state telling them how to conserve water, because every region has unique conservation priorities.

For the San Diego County Water Authority, which opposed the legislation, one priority is economic growth. Dana Frieauf, the utility's

water resources manager, said her agency was concerned draconian conservation rules handed down by the state could discourage commercial and industrial businesses from locating in the area.

She said the aggregated water budgets, rather than a strict indoor or commercial requirement, give water agencies the flexibility they need to comply. But it still won't be easy, she said.

“We wanted to make sure whatever this objective is, it doesn't harm the continued economic growth within our region,” she said. “It's up to the water agency to decide how they want to achieve the savings. They could decide they want to achieve all the savings outdoors. It just depends.”

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