

The 2010 Georgia Water Stewardship Act

In light of recent severe water resource management challenges in Georgia, including rapid growth and droughts, the General Assembly enacted the **Georgia Water Stewardship Act** during the 2010 legislative session.

Based on recommendations from the 2009 Governor's Water Contingency Task Force, the legislation begins a process for developing new fresh water supply sources while also reaffirming *"the imminent need to create a culture of water conservation in the state of Georgia."*

Key provisions of the Act include:

- ❖ Required Actions by **Local Governments** –
 - By **January 1, 2011**, adopt or amend local ordinances to uniformly restrict outdoor water use for landscapes between 10 a.m. and 4 p.m. daily.
 - After **July 1, 2012**, enforcement of updated plumbing code specifying:
 - High-efficiency flow specification for plumbing fixtures, including toilets, urinals and showerheads.
 - Sub-meters installed in new multi-unit buildings, including residential, commercial and light industrial facilities.
 - High-efficiency cooling towers in new construction.
- ❖ Required Actions by **Public Water Systems** –
 - Completion of annual water loss audits by systems serving 10,000 or more people by **January 1, 2012**, and by systems serving 3,000 or more people by **January 1, 2013**.
 - Submission of annual water loss audits to the GAEPD within 60 days of audit.
- ❖ Required Actions by **State Agencies** –
 - Collaboration between those agencies that deal with water to enhance programs and incentives for voluntary water conservation.
 - Submit annual reports to the General Assembly summarizing programmatic changes implemented to encourage conservation and enhance water supplies.
 - Review and revise state water-related policies, procedures, regulations and programs by **August 1, 2010**.

Implementation of these provisions will require significant action over the next several years. This publication provides an overview of the Water Stewardship Act's major provisions and obligations for local governments, public systems and state agencies.

The **Water Stewardship Act** is intended to demonstrate Georgia's deep commitment to the conservation of critical freshwater supplies. Given the context of multi-state negotiations over the allocation of water resources and the potential return of severe drought conditions, it is incumbent upon Georgia's state agencies and local governments to implement the new law's provisions in a timely and efficient manner. Effective planning and cooperation towards these ends will help to ensure that Georgia's water supply system can sustainably meet the needs of economic development in the state, while also maintaining adequate flows that satisfy instream and downstream needs in both Georgia and its neighboring states.

An electronic copy of Georgia Senate Bill 370 (As Passed) can be found online at:

http://www.legis.state.ga.us/legis/2009_10/sum/sb370.htm

Required Actions by Local Governments

The **Water Stewardship Act** substantially revises local government authority for establishing outdoor watering restrictions, and includes amendments to the state minimum standard plumbing code for new construction projects.

Outdoor Watering Restrictions

Before **January 1, 2011**, local governments must adopt or amend their ordinances to restrict outdoor irrigation using publicly supplied water to the hours between **4 p.m.** and **10 a.m.** The time restrictions for outdoor irrigation do not apply to the use of any water obtained from private wells, or from reuse water sources such as cooling system condensate, storm water, gray water and reclaimed wastewater. The following uses are also *exempted* from the time restrictions:

- Commercial agricultural and horticultural operations
- Turf on athletic fields, golf courses and other public recreation areas
- Turf being planted and established through hydro-seeding techniques
- Newly installed plants, seeds or turf during a 30-day establishment period after the initial planting date
- Personal food gardens
- Drip and soaker hose irrigation systems
- Hand watering with a hose that has an automatic cutoff nozzle, or with hand-held containers
- Irrigation system installation, repair or calibration

The Water Stewardship Act extends previous requirements for local governments to obtain approval from EPD for more stringent outdoor watering restrictions, but specifies that such approval must now be obtained for stricter limitations during non-drought periods as well. The Act authorizes the director of EPD to take enforcement actions against local governments not in compliance with state water use policy.

Plumbing Codes

The Water Stewardship Act calls on state agencies to amend the state plumbing code to require the following high-efficiency fixtures be installed in new construction granted a building permit after **July 1, 2012**.

These specifications provide that:

- **Toilets**, whether dual flush or single flush, must not exceed an average of 1.28 gallons per flush
- **Water-based urinals** must not exceed 0.5 gallons per flush
- **Showerheads** must have a flow of less than 2.5 gallons per minute
- **Bathroom faucets** must have a flow of less than 1.5 gallons per minute
- **Kitchen faucets** must have a flow of less than 2.0 gallons per minute

Sub-Metering

Property owners have traditionally measured water use in many multi-unit buildings (such as apartments, office buildings and light industrial facilities) through centralized meters for the entire building. The use and total costs are divided among the building tenants using an allocation formula. By contrast, sub-metering provides a system in which water use in each unit is directly measured and each tenant is billed for their use.

To provide greater awareness of personal water use and an incentive to reduce that use, the Water Stewardship Act requires sub-metering of each new multi-unit residential building and certain retail and light industrial buildings granted a permit for construction after **July 1, 2012**. Tenants in these new buildings are to be charged for water and wastewater use based on the measured usage. Installation of sub-meters is also encouraged, but not mandated, in existing multi-unit buildings and for any office components of newly constructed multi-unit buildings. Local government ordinances will need to be consistent with these new requirements.

Required Actions by State Agencies

The **Water Stewardship Act** directs the following state agencies to collaborate and identify opportunities to enhance programs and incentives for voluntary water conservation and water supply:

- Department of Natural Resources (**DNR**), including the Environmental Protection Division (**EPD**)
- Environmental Facilities Authority (**GEFA**)
- Department of Community Affairs (**DCA**)
- Georgia Forestry Commission (**GFC**)
- Department of Community Health (**DCH**), including the Division of Public Health (**DPH**)
- Department of Agriculture (**AGR**)
- Soil and Water Conservation Commission (**GASWCC**)

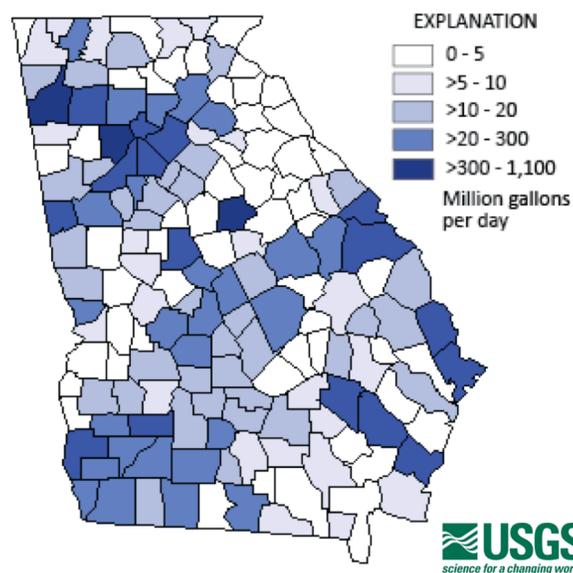
Review of General Directives for Program Enhancements

Under the new law, state agencies must complete a thorough review and, as appropriate, revise their water-related policies, procedures, regulations and programs by **August 1, 2010**. The act mandates that these reviews and revisions must achieve the following water conservation and supply enhancement goals:

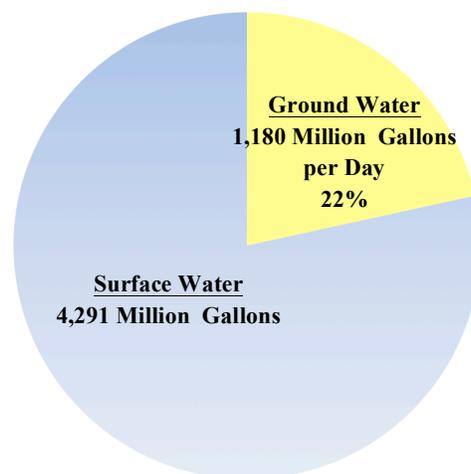
- ✓ Include water conservation measures in local comprehensive plans.
- ✓ Encourage water-efficient plumbing retrofits and practices in existing residential and commercial buildings.
- ✓ Promote reuse of rainwater and gray water (wastewater produced from laundry, bathing and dishwashing) for non-potable uses.
- ✓ Support statewide public outreach programs that promote voluntary water conservation.
- ✓ Examine the financial impacts of conservation on water utilities and water users.
- ✓ Provide incentives for public water systems to implement conservation pricing and full cost accounting, as well as assist those systems in reducing water losses associated with system leakage.
- ✓ Conduct feasibility studies and obtain appropriate funds for reservoir dredging and other water supply enhancement measures.

Beginning **January 1, 2011** and continuing through **January 1, 2015**, the agencies must submit annual reports that describe implemented program changes, goals for further encouraging water conservation, and plans for further enhancing the state's water supply.

Total water withdrawals, 2005



Total water withdrawals, Georgia, 2005



Required Actions by Public Water Systems

As water providers for much of Georgia's population, the public water system operators will be involved with implementing many aspects of the **Water Stewardship Act**. The act contains specific requirements for public water systems with regard to water loss audits and the allowable fees that can be levied for installation of sub-meters.

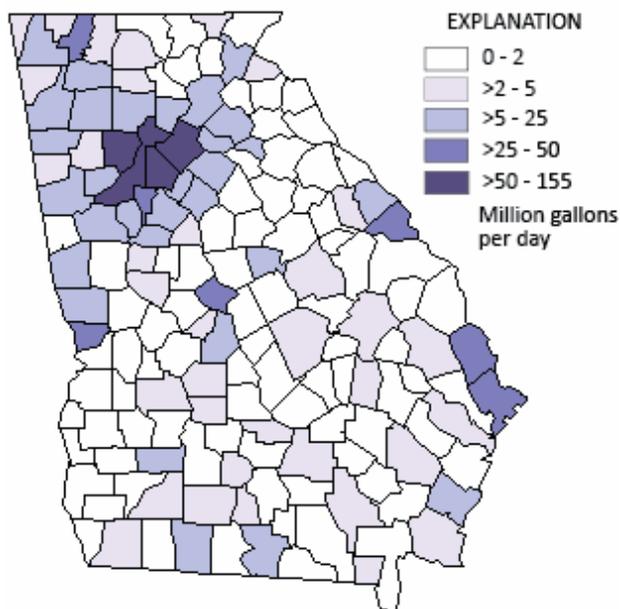
Water Loss Audits

Before **January 1, 2011**, the Board of Natural Resources must adopt rules that establish a best practices program and minimum standards for minimizing water loss in public systems serving 3,000 or more individuals.

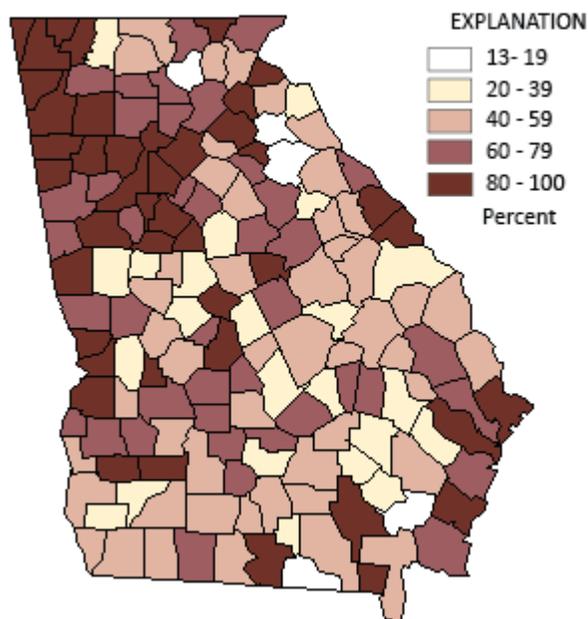
The program includes requirements for annual water loss audits following IWA/AWWA methodology, implementation of a water loss detection program, establishment of an infrastructure leakage index, and development of a technical assistance program for public water systems. Requirements will be phased in based on the size of public water systems.

Public water systems serving 10,000 or more people must conduct a water loss audit by **January 1, 2012**. All other public water systems serving at least 3,000 individuals have to complete an audit by **January 1, 2013**. Systems must submit results from all water loss audits to EPD within 60 days of completion, and the agency will post the results on its website.

Public supply water use, 2005



Population served by public-supply water systems, 2005



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