Water Use Efficiency Rule

Impact of Supreme Court Ruling on Municipal Water Law

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What the Supreme Court Ruling Says

On October 28, 2010, the Supreme Court ruled unanimously that the 2003 Municipal Water Law is constitutional. What this means is:

- The definitions of municipal water supplier and municipal water supply purposes as written in the 2003 law are valid.
- Municipal water suppliers may use their existing water rights to expand their service areas to supply water to growing communities.

More information about the Municipal Water Law court ruling is available online.

How the Supreme Court Ruling Affects Your Water System

Any privately owned Group A community water system with 15 or more residential connections, such as homeowners' associations, will see the biggest change. These systems are once again considered municipal water suppliers. They will receive the benefits of the law—they also need to comply with the Water Use Efficiency (WUE) rule.

How the Supreme Court Ruling Affects Your Water Rights

If you hold a water right for municipal water supply purposes, you will be able to use those water rights to serve a growing community by expanding your service area. The water rights will also be exempt from relinquishment, which means there is less risk that the state will take those water rights away due to non-use.

What to do if the WUE Deadlines Have Passed

If you are a privately owned water system, you need to become familiar with the WUE requirements. Even if you have very little or incomplete information, you must submit your first annual WUE report by July 1, 2011. This will let us know you are working to come into compliance with the WUE requirements.

How to Prepare for the July 2011 WUE Repor?

There are three important things you need to do to prepare for the 2011 report.

1. Start collecting metered data from your water source(s) and your customers. Every year, you will need to provide annual data on the amount of water pumped from

your sources and what your customers consumed. If your customers' water use isn't metered, develop a plan to have meters completely installed no later than January 22, 2017.

2. Hold a public meeting to establish water efficiency goals for your customers. If you don't have customer meters, then establish a goal based on your source meter for now. For example, your goal could be "Reduce annual source meter production by five percent by 2015." For help, see our publication *Setting Goals to Use Water Efficiently* 331-402 (PDF).
3. Develop a plan for installing meters for your customers. In the 2011 WUE report, you will need to explain your meter installation plan and any progress you've made so far.

How to Establish a Customer Goal That Fits Your Water System's Budget

We understand you may need to initially focus your budget on reducing leaks and installing meters; however, you must establish a goal for your customers. Many water systems rely entirely on education and outreach to achieve their customer goal.

Instead of sending your customers the same old "save water" tips, help them understand how installing WaterSense certified fixtures and appliances saves water while saving them money. Check out our latest publication *Stop Water Waste* 331-450 (PDF).

What You Need for Your Small Water System Management Program to Complete the WUE Planning Requirement

You need to complete a comprehensive WUE program within your planning document; however, you don't need to send it to the state unless we request it. Our *Water Use Efficiency Guidebook* 331-375 (PDF) has information to help you meet this requirement. Chapter 5 and Appendix A contain the complete overview of these requirements.

How to Submit Your Annual WUE Report

We developed an online reporting form. You must submit your report to us electronically. Visit our WUE Report website, enter your water system ID number, and click on "Start."

How WaterSense Can Help

EPA's WaterSense program is a great tool to help you achieve your customer goal without spending a lot of money.

Help your customers make water efficient choices by looking for the WaterSense label.

Products carrying the WaterSense label perform well, save money on utility bills, and lend a hand in achieving your WUE goal.

For more information, visit the WaterSense contact webpage.

Where to Find More WUE Information

Information on our Water Use Efficiency website can help you develop your WUE program.

You can also contact staff at wue@doh.wa.gov.

For More Information

Find more resources on our Publications and Forms webpage.

Go to our Contacts and Office Location page where you'll find program email addresses, and an interactive map with county assignments. Our Staff Directory page lists staff by program.

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