



CALIFORNIA URBAN WATER AGENCIES

December 17, 2014



Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Comment Letter – Urban Water Conservation Workshop

Dear Jeanine and State Water Resources Control Board members:

California Urban Water Agencies (CUWA) appreciates the opportunity to provide comments on additional actions that the State Water Board could consider to compel further urban water savings if drought conditions persist. The announcement for the State Water Board's December 17th workshop indicated an interest in receiving public input on several specific questions. CUWA would like to offer our feedback for each of these areas, as described further below.

What more should be done at the local and/or State level in the near-term to increase water conservation?

Provide state leadership to drive statewide behavior change. CUWA believes that more significant and lasting behavior change by the public is the next important step to continue meaningful progress on conservation. Individual agencies can support change in behavior, but state leadership and a statewide strategy will be needed to drive this change. Specifically, we ask that the state consider new overarching requirements to go further in changing public behavior, including continued improvements/updates to plumbing code, building code, and model landscape ordinance. With an expanded set of requirements in place, water agencies can facilitate further water savings with their customers by implementing various supportive programs.

Expand consistent statewide public messaging on conservation. Consistent, continued messaging at the state level is key to driving home a new set of expectations for public conservation behavior. CUWA asks that the state fund and implement an expanded statewide outreach campaign (e.g., press releases, media, and public service announcements on television, radio, and billboards). Coordinating the campaign across state agencies and with regional and local partners to provide consistent messaging to the public is critical to create a new statewide ethic of conservation. The state could leverage successful large-scale outreach campaign examples from places such as Australia and/or build on effective local programs.

Focus on outdoor savings. Outdoor water use represents the greatest potential for the next significant increment of savings. The existing model landscape ordinance is outdated, and a new version will be critical to guide the right actions to enable greater outdoor savings. The model landscape ordinance should apply to commercial/industrial areas as well as residential areas. We also suggest that it include specific limitations on ornamental turf (versus functional turf), recommendations to reduce or eliminate water-intensive plantings in favor of California-native plantings, and elements to promote healthy soils and watersheds. The DWR Independent Technical Panel (ITP) is currently focusing on landscape recommendations for its Year 2 report. The ITP's

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recommendations may provide a useful basis for the state's consideration of new measures and approaches for more efficient outdoor water use, but we would encourage the state to take action on a new model ordinance as soon as practicable. In addition to any specific outdoor measures considered, continued education to inform behavior change of landowners is also critical.

Engage land use agencies in conservation actions. AB 1881 (California's existing Model Water Efficient Landscape Ordinance) is not consistently enforced by land use planning agencies. In fact, some land use agencies currently impose local ordinances (e.g., requirements to maintain turf) that contradict water utilities' efforts to conserve water. The state should engage land use agencies in the conservation discussion and encourage collaboration with water utilities to send a consistent message to the public.

Do not set maximum indoor water use limits. Some are now pushing for quantification of an allowable indoor residential per capita use level. With new data collection and reporting requirements, our understanding of water use is growing. However, we still have much to learn about conservation potential in California, particularly to incorporate multi-family as well as single family use. Setting an arbitrary indoor use threshold at this point would serve to distract attention from outdoor use, which is most critical at this time. We encourage the state to initiate the research needed to establish a better understanding of maximum reasonable indoor water use and allow current efforts to focus on outdoor use. CUWA would be happy to work with the state and/or California Urban Water Conservation Council (CUWCC) to consider best approaches to achieve greater indoor use savings in the future.

What additional conservation requirements, if any, should the State Water Board consider adopting if dry conditions persist into the new year?

CUWA has developed a preliminary list of proposed additional measures, as summarized below. However, we would like to request that the State Water Board give us time to further develop a list that would be acceptable to a broad audience. Specifically, CUWA is interested in working with several NGOs to develop a package of additional measures that we can agree upon. This package could build on some of the recommendations included in the recent "Wetter or Not" report developed by NRDC and others. CUWA and CUWCC have discussed reaching out to interested NGOs to further explore the idea of working together.

The following preliminary list of proposed additional measures is organized into two categories, actions to achieve near- and long-term savings. Actions in the "long-term savings" category may be taken immediately, but the resulting demand reductions will not be reflected in water use for a period of time (i.e., months or years). However, these actions are important for preparing for future and potentially prolonged droughts.

Near-Term Savings

1. **Leak repair/and or leak notification** – Require customer-side leaks to be isolated upon discovery and repaired within 5 days, and/or require retail water agencies to implement a proactive effort to notify customers of potential leaks. This includes broken irrigation systems. Water supplying areas with measureable outdoor leaks should not be turned on until repairs are completed. (Note: Houseline and other select leaks, such as under driveways, can be costly and may require additional time to evaluate and schedule repairs.)
2. **Broader use of non-potable/recycled water** – Require use of non-potable/recycled water (where reasonably available) for irrigation, construction, soil compaction, and dust control.

3. **Water on request** – Require restaurant, hotel, café, cafeteria, or other public places where food is sold, to only serve drinking water upon customer requests.
4. **Hotel/motel laundry** – Require hotels and motels to give laundry options for guests regarding washing linens and towels and to implement these options.
5. **Pre-rinse spray valves** – Require restaurants to use water-efficient pre-rinse spray valves.
6. **No watering during periods of rain** – Require rain shutoff devices for irrigation to eliminate outdoor watering during periods of rain.
7. **Outdoor watering limits** – Require that water utilities set limits on outdoor watering schedule based on local conditions.
8. **Hotel/motel Irrigation** – Require hotels and motels to use recycled water for all outdoor irrigation, where possible and appropriate. Encourage California-native landscapes and replacement of overhead sprays with drip irrigation.
9. **Recycled water filling stations** – Provide regulatory support/approval and state funding to encourage water utilities that produce recycled water to offer filling stations for residential and CII customers during critical shortages.
10. **Limited operation of ornamental fountains** – Prohibit operating ornamental fountains or similar decorative water features with potable water. Because ornamental fountains are already required to recirculate water, this may not directly conserve water, but it could be a visual cue and public messaging opportunity.
11. **Stakeholder outreach** – Encourage water utilities to work with Chambers of Commerce, trade organizations, business development communities, turf councils, and other organizations to develop and apply new best practices and means to achieve market transformation.

Long-Term Savings

1. **New model landscape ordinance** – As noted above, create a new model landscape ordinance to set a framework for defining what is appropriate to plant in individual microclimates and to reduce or eliminate water-intensive plantings in favor of California-native plantings.
2. **Turf and water-intensive plants tax/native plant credit** – Create a tax on all sales of turf and other water-intensive plants in California and create a parallel State Tax credit for purchases of California-native plants. (Note: This would be a funded mandate.)
3. **Low impact development and watershed actions** – Continue to coordinate and expand programs to train and educate homeowners on native plantings, low impact development, and other actions that can be taken to improve soil health and water retention to better capture and use rainwater to maintain low water use gardens.

What can be done to compel poorer performing areas to increase conservation?

We encourage the State Water Board to consider assembling a team of water management specialists (potentially to include DWR staff and/or consultants) to evaluate water suppliers' drought response actions and water use data and establish a more rigorous methodology for classifying "poorer performing areas." Once a more consistent set of basic expectations has been established, then the same group could work together to determine how agencies needing help could improve.

What additional data should the State Water Board be collecting and how would it be used?

CUWA asks that the State Water Board consider collecting 2007 water use data as a benchmark for both 2014 and 2015 monthly production data. Because 2007 was the last "average" water year

before the economic downturn, it provides a more representative baseline than 2013. A comparison of 2014 and 2015 monthly data to 2007 water use would be more telling and could be used to guide more effective actions to achieve further reductions. Simply using the prior year, (e.g., 2013 or 2014) as a benchmark can be very misleading due to other confounding factors and could lead to actions that are less effective. CUWA strongly suggests not using 2014 water use data as a benchmark for 2015.

We hope our comments have been helpful. The CUWA agencies are fully committed to reducing water demands and would welcome the opportunity to work more closely with the State to implement any of our recommendations. In the meantime, we continue to take actions on many levels to manage California's water supplies in a more sustainable manner. Please contact Jenny Gain at (925) 210-2225 if you have any questions, would like further detail in any particular areas, or would like further assistance from CUWA in any way.

Sincerely,

A handwritten signature in black ink, appearing to read "Cyn Paul", with a long horizontal flourish extending to the right.

Cindy Paulson, Ph.D.
CUWA Executive Director

A handwritten signature in blue ink, appearing to read "Jenny Gain", with a long horizontal flourish extending to the right.

Jenny Gain, PE, QSD
CUWA Staff Engineer