



CALIFORNIA URBAN WATER AGENCIES

December 21, 2017

Delivered by e-mail to: commentletters@waterboards.ca.gov

The Honorable Felicia Marcus, Chair
and Members of the State Water Resources Control Board
c/o Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Subject: Comment Letter – Prohibiting Wasteful Water Use Practices

Dear Chair Marcus and Members of the Board:

The California Urban Water Agencies (CUWA) is a nonprofit corporation of 11 major water supply agencies that provide drinking water to over two-thirds of California’s population, or about 26 million people in the Bay Area, Southern California, and metropolitan Fresno. Water delivered by our agencies is a lifeline supporting California’s urban populations and the state’s \$2.6 trillion annual economy.

CUWA shares the Board’s commitment to Making Conservation a California Way of Life. Water use efficiency (WUE) is a fundamental component of CUWA’s mission and an expanding part of our agencies’ long-term water supply reliability efforts for meeting future water demands. When properly designed and implemented based on a holistic analysis of the urban water cycle, long-term WUE programs can result in sustainable water demand offsets that support the economy, environment, and communities.

The following comments on proposed water use prohibitions reflect CUWA’s commitment to advancing WUE through flexible approaches that protect public health, acknowledge local ordinances, and allow for practical implementation. Our comments are organized in two parts: (1) responses to the State Water Board’s questions posed in the Notice of Opportunity for Public Comments and (2) additional input on other elements of the proposed regulation.

Part 1 – Responses to the State Board’s specific questions

- CUWA does not suggest additional water use prohibitions at this time.
- CUWA supports hospitality prohibitions, as they are an important public communication tool.
 - Providing hotels/motels guests an option to have towels and linens laundered is a good, common business practice. Most chains are already doing this.
 - Many communities across the state currently have local ordinances and municipal codes in place to prohibit serving drinking water other than upon request. However, the State Board should exclude the statewide “drinking water upon request” requirement and allow water agencies to reserve this measure as a local water shortage emergency action/communication to “ratchet up” shortfall urgency depending on local conditions. Not only is this measure difficult to enforce, but it also provides a strong public visual and call to action

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during a water shortage emergency. Furthermore, enabling customers to drink water at eating establishments is a beneficial use (not a waste), supportive of water agency messaging to “drink from the tap”, and a healthy and cost-effective beverage.

- Regarding the prohibition of turf irrigation on public street medians and parkways, to be successful, this regulation must result in conversions from turf grass to well-maintained California-friendly landscaping to demonstrate statewide that “water-wise” can be beautiful. On the other hand, if this regulation results in medians with dead turf grass and/or trees, it will likely have the opposite effect.

Given that this permanent regulation will impact most cities and counties in the state of California, the State Water Board should coordinate with land use planning agencies, such as California State Association of Counties (CSAC) and League of California Cities, and directly with cities and counties to solicit their input and support for implementation.

CUWA suggests the following changes related to prohibiting irrigation of turf on public street medians and parkways:

- Clearly define “turf” such that it is not confused with bunch grass or other non-mowed grass, which provide functional value such as water quality enhancements.
- Remove parkways (i.e., “landscaped area between the street and sidewalk”) from the proposed prohibition of turf irrigation. These landscaped areas are often maintained by private businesses or homeowners even though the property is owned by the local municipality. Further complicating the issue, these landscape areas are often irrigated on the same system as the landscaping in front of the business or residences. In addition, parkways can provide community/neighborhood functional uses.
- Allow provisions to support the health of trees in public street medians with turf. As the proposed regulation current stands, communities that cannot afford costs of retrofitting irrigation systems and landscape would likely shut off irrigation systems to comply, resulting in loss of trees and associated adverse impacts to public safety, human health, communities, and the environment.

Part 2 – Additional input on other elements of the proposed regulation

- Health and safety exemptions should be clearly specified within the list of prohibitions up front (rather than a separate list that follows). The list of prohibitions has been widely distributed and is the content media tends to highlight. Section 963(b)(2)(A) of the proposed regulation mentions that water use is not prohibited “to the extent necessary to address an immediate health and safety need.” CUWA requests removing the word “immediate” from this sentence to provide local agencies with more flexibility in how they address health and safety needs that may be unique to their service areas.
- CUWA supports a general guideline that the public can understand for measurable rainfall rather than a specific quantity. Instead of specifying one tenth of one inch of rain, we suggest that the prohibition on irrigation of turf and ornamental landscapes be in place “during and within 48 hours after measurable rainfall.”

Thank you for your time and consideration. We hope our comments are helpful. Please contact Jenny Gain at 925.210.2225 with any questions, for further detail related to our comments, or additional assistance from CUWA in any way.

Sincerely,

A handwritten signature in blue ink that reads "Cindy Paulson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cindy Paulson, Ph.D.
CUWA Executive Director

A handwritten signature in blue ink that reads "Jenny Gain". The signature is cursive and includes a small flourish at the end.

Jenny Gain, PE, QSD
CUWA Staff Engineer