

Guidance for Requesting Variances and Temporary Provisions for the Making Conservation a California Way of Life Regulation

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Glossary of Frequent Abbreviations

- AMI - advanced metering infrastructure
- CII - commercial, institutional, and industrial
- DIMs - dedicated irrigation meters
- FY - State fiscal year July 1 to June 30
- Org ID – Two to four digit Organizational ID number also known as DWR ID
- TDS - total dissolved solids
- UWUO - urban water use objective

Quick Reference

It is strongly recommended to browse the entire document before submitting a request

Deadline:

- Requests can be submitted at any time.
- To be assessed for State Board approval for inclusion in the objective calculated in the January 1 UWUO annual report, requests must be submitted by the preceding October 1. See Question [#1](#) for more information.

Submit to:

- The State Water Board Conservation Unit:
waterconservation@waterboards.ca.gov

Submission checklist:

- See question [#3](#).

Avoid these common mistakes:

- Not including a separate existing tree prioritization description if requesting any outdoor variances or temporary provisions.
- Not submitting a methodology description or supporting documents.
- Not clearly describing the source or derivation of each data point in the calculation of the variance in the methodology.
- Requesting a variance when the supplier's objective is capped at its SBx7-7 target.

Have more questions? Email waterconservation@waterboards.ca.gov



Request Process and Content

1. When is the deadline to submit variance and temporary provision requests?

All variances and temporary provisions must be approved by the State Water Board before suppliers can include them in their Urban Water Use Objectives (UWUOs).

New variance and temporary provision requests should be submitted by **October 1** in order for suppliers to include the volumes in the UWUO report due by the following **January 1**.

For example, suppliers may include variance and temporary provision requests submitted by October 1, 2026, in the associated budget for the fiscal year ending on June 30, 2026 (FY 2025-26) and reporting period submitted in the January 1, 2027, UWUO report.

The State Water Board will review variance and temporary provision requests received between October 2, 2025, and October 1, 2026, for potential inclusion in the fiscal year 2025-26 reporting cycle (January 1, 2027, UWUO report).

2. How can a supplier submit a request for a variance or temporary provision?

Suppliers must submit all variance and temporary provision requests to the State Water Board in a machine-readable format for review and approval. To ensure completeness and compliance with specific requirements, it is recommended suppliers use the Variance Request Template provided by the State Water Board and any applicable tools provided by the Department of Water Resources (DWR).

To submit variance or temporary provision requests:

- Send the completed request package to waterconservation@waterboards.ca.gov with the subject line “Variance Submission for [ORG ID] [Supplier name] FY25-26”
- Attach a zip file titled “Variance_[ORG ID]_[Supplier name]_FY2526”
- If using alternative data or methodologies for variances, refer to [questions #18](#) and [#19](#).

3. What should a supplier include in its request package?

Requests for variances and temporary provisions must contain the applicable information required by California Code of Regulations, title 23, sections 967, 968, 969 or 975. Variance and temporary provision request packages should include:



- Completed Variance Request Template (Excel file)
- A typed narrative describing the source of each value entered in the Excel file, and the source or methodology used to derive it
 - The narrative should also substantiate the request [California Code of Regulations title 23 Section 968(j)]; for example, both providing context on the nature of the water use in the service area and the necessity of the variance or temporary provision.
- Other required documentation outlined in the Variance Request Template.
 - When labeling required documentation, use an easily identifiable file name (e.g., “Methodology_evap_coolers” rather than “ec2526” or “file2”).
- If submitting an outdoor variance or temporary provision request, a description of the supplier’s prioritization of existing trees.
 - For more information, see question [#5](#).

All supporting documents must be machine-readable, in formats including but not limited to: .csv, .xls, .doc, or .pdf file types. Suppliers should avoid scanned documents to the best of their ability, or, if available, use a software to convert the document to digitally readable after scanning (e.g., Adobe Acrobat “OCR” function).

4. What information should a supplier provide in the supporting methodology documents?

For each variance or temporary provision requested, suppliers should “show their work” (that is, substantiate the elements of and basis for the request) in a machine-readable document, separate from the Variance Request Template (Excel form). Suppliers should include information describing and supporting the methodology used to estimate the required components of each variance or temporary provision being requested.

Examples of supporting information could include:

- Sample size
- How and when the data was collected
- Why the method was chosen
- Datasets and other information to substantiate a robust methodology description

[Click here to view a methodology from an approved variance as an example.](#)

5. Is the description of efforts to prioritize water for existing trees required?

If the request includes **any outdoor** variances or temporary provisions, then the request must include a description of efforts to prioritize water for existing trees per California Code of Regulations, title 23, section 968(j). The description suppliers provide should be in addition to the variance or temporary provision methodology.

The regulation strives to increase water use efficiency while prioritizing trees that provide significant benefits to the environment and community. The description could



convey how conservation actions by suppliers, customers, or environmental stressors may inadvertently harm trees and any and all efforts such as ongoing programs, rebates, and outreach to prioritize water for existing trees.

Approval and Updates

6. Do variance and temporary provision data submitted in the January 1, 2025, UWUO report count for the 5-year approval window?

No. Because the Making Conservation a California Way of Life regulation was not yet in effect on October 1, 2024, variance and temporary provision data submitted in the January 1, 2025 (FY 2023-24) UWUO report did not go through the formal approval process. To include any variance or temporary provision data in UWUO reporting, suppliers should resubmit according to the process as explained in question #2.

7. How will variances be applied in future reporting cycles?

A supplier may include approved variances and temporary provisions in the associated budget for up to five years. Variance and temporary provision approval constitutes approval of both methodology and data. Unless otherwise specified in section 975, a supplier may use the same data for each year or update the data annually in accordance with the approved variance or temporary provision methodology.

A supplier may re-submit a request to update their data or methodology before approval expires.

8. How are variance eligibility thresholds calculated?

Eligibility thresholds for approved variances are automatically assessed using the final budget data submitted in the annual January 1 UWUO report for the associated reporting period. A variance request that has been approved may not actually be eligible for inclusion in a specific UWUO if, in a given reporting year, it does not satisfy the volumetric threshold.

9. How will a supplier know if its variance or temporary provision request has been approved?

After review, the State Water Board staff will email its determinations to the submitter and general manager. The State Water Board will update approved variances, temporary provisions, and supporting data on the Open Data portal linked on the [State Water Board conservation webpage](#). Approved variance and temporary provision data will auto-populate in locked fields on the January UWUO reporting form.



10. Will there be an opportunity to correct information after submission?

Yes. Suppliers must deliver submissions within the variance window specified in the regulation (California Code of Regulations, title 23, division 3, chapter 3.5, article 1) that [question #1](#) clarifies. The State Water Board will review any information received after October 1 as part of the subsequent reporting period.

11. Are there annual reporting requirements once a variance or temporary provision is approved?

For some approved variances and temporary provisions, there are values that are required to be recalculated and submitted to the State Water Board **annually** before January 1. Suppliers that have any of the approved variance or temporary provisions below should submit the listed values to waterconservation@waterboards.ca.gov. Annual update values do not need to go through the approval process, and do not need to be submitted within the Excel template form but may if the supplier chooses.

For the evaporative cooler variance, the following values must be calculated and submitted annually:

- The volume of water associated with the variance (V_{EC}) calculated pursuant to section 967(c)(1)
- The number of operating days (S_{days}) as described in section 967(c)(1)

For the seasonal population variance using AMI (1% method), the following values must be calculated and submitted annually:

- The volume of water associated with the variance V_{SP}
- The number of seasonal dwelling units N_{DU}
- Occupancy rate R_o

For the ponds and lakes variance, the following value must be calculated and submitted annually:

- The volume of water associated with the variance ($V_{wildlife}$)

For the irrigation of landscapes with high TDS variance using method A (TDS concentration), the following values must be calculated annually:

- The volume of water associated with the variance (V_{HTDS}) calculated pursuant to section 968(g)(5)(A)
 - Annual metered non-potable residential landscape irrigation demand, as reported to the Board pursuant to Health and Safety Code section 116530
-



For the residential agricultural landscapes variance (5% method), the following values must be calculated annually:	<ul style="list-style-type: none">• The volume of water associated with the variance (V_{Ag}) calculated pursuant to section 968(g)(3)• Reference evapotranspiration and effective precipitation data for the aggregated growing seasons associated with the crops grown on residential agricultural landscapes
For the residential agricultural landscapes variance (1% / crop-specific method), the following values must be calculated annually:	<ul style="list-style-type: none">• The volume of water associated with the variance (V_{Ag}) calculated pursuant to section 968(g)(3)(A)• The reference evapotranspiration and effective precipitation data associated with each crop's growing season
For the state and local emergency variance, the following values must be calculated annually:	<ul style="list-style-type: none">• The volume of water associated with the variance• The required documentation described in section 968(g)(4)
For the climate-ready trees temporary provision, the following value must be calculated and submitted annually:	<ul style="list-style-type: none">• The volume of water associated with the temporary provision (Pr_{trees})
For the qualifying landscapes temporary provision, the following value must be calculated and submitted annually:	<ul style="list-style-type: none">• The volume of water associated with the temporary provision (Pr_{land})

Additionally, for the existing trees variance that is available in 2040: the volume associated with the variance must be calculated and submitted annually.

Variance Request Template Form

12. How should a supplier use the Variance Request Template?

The Variance Request Template is for suppliers to indicate which variances or temporary provisions they are requesting, enter the required data fields for calculating the requested variances or temporary provisions, and verify the required additional information being submitted to the State Water Board.

Here are some pointers that may assist in the use of the Excel Variance Request Template:

- Please review and complete the first three tabs of the workbook, especially the README, before starting data entry.
- Green cells (and tabs) are fields that should be filled in, and gold cells (and tabs) are optional / as applicable. Blue and grey cells are auto-filled fields and calculations and cannot be edited. The remaining blue tabs at the back of the workbook are the source data that inform the pre-filled fields and cannot be edited. If using the no-VBA version of the workbook, crosshatched cells indicate they're not applicable when "no" is selected at the top.
- Gold cells in the "Supplier Notes" column are for the aid of the user. These fields are intended for internal use, such as supplier staff notes while using the workbook. They are not ideal for communicating important information or questions to State Water Board staff. Instead, include details about the variance or temporary provision in the supporting documentation attachments, and direct questions to our email inbox, waterconservation@waterboards.ca.gov.
- All green "component" (variables of the equation) fields in a variance module must have numerical values to be marked complete. Enter zeroes if there is no data to report in a required field.

13. Do suppliers need to complete the Residential Outdoor Components tab?

No, this tab is optional. The Variance Request Template calculates a *preliminary* residential outdoor budget using weather data from the fiscal year selected in the "Preliminary Budget" tab and landscape area data provided by DWR or approved alternative data, as published on [Open Data](#). The "Residential Outdoor Components" tab allows suppliers to *preliminarily* enter residential outdoor data not yet reviewed by DWR to assess the variance threshold that would apply if that data was accepted. The supplier will submit alternative landscape data, and any other non-variance related alternative data needing DWR / State Water Board approval separately from this package in order for them to use it in the final January 1 UWUO report.

14. Why are the budgets and the variance threshold checks preliminary?

The State Water Board is aware suppliers may not have their final data available for the reporting period ending on June 30, 2026, before suppliers submit variance and temporary provision requests by October 1. Suppliers may use the previous year's data or values in this template for provisionally assessing the variance threshold. The State Water Board will ultimately assess variance eligibility data and thresholds with the final budget data in the January 1, 2027, UWUO Report.



15. Why are the emergency and high TDS variances in a separate tab?

The emergency water use variance and the irrigation with high total dissolved solids (TDS) variance are on their own tab in the Variance Request Template Excel document because their threshold calculations are unique to the rest of the variances. The associated variance thresholds are a percentage of the sum of the outdoor residential and the commercial, institutional, and industrial (CII) landscapes with dedicated irrigation meters (DIMs) budgets.

16. Which fiscal year should a supplier source data from for the variance and temporary provision requests?

On the “Preliminary Budget” tab, suppliers can select what year’s data to use for each of the three budgets. To change, suppliers can select the state fiscal year (FY) from the dropdowns and **click “Refresh All” option under the “Data” ribbon at the top of the program.** If data is missing from FY 2025-26 (began July 1, 2025), suppliers should use data from the previous fiscal year, FY 2024-25 (began July 1, 2024).

Alternative data and methods

17. What variance components can a supplier submit alternative data and methods for?

For specific variances, suppliers may have data that are equivalent, or superior, in quality and accuracy than data provided by DWR. Suppliers may request DWR to review and approve alternative data and methodologies for the following variance components:

- Calculating the average air exchange rate of the evaporative cooler units (CFM)
- Calculating the average daily difference in hourly wet and dry bulb temperatures (ΔT_{Bulb})
- Calculating the number of dwelling units associated with seasonal occupancy (N_{DU})
- Calculating the average number of days households are seasonally occupied (S_{DAYS})

as well as alternative data sources for:

- The square footage of corrals or other animal exercise arenas (A_{corral})
- Tool used to calculate irrigation efficiency for residential agricultural landscapes

There are additional alternative data points available for request in the regulation that are not listed on the Alternative Data or Methodology tab of the Variance Request Template (e.g. evapotranspiration, effective precipitation, or irrigable irrigated area) because they are not specific to variances. For more information, see [questions #18](#) and [#19](#).



18. How can a supplier submit alternative data and methodologies for variances?

Suppliers can send variance-related alternative data and methodology requests directly to DWR at WUEstandards@water.ca.gov. DWR estimates it will need approximately 60 days to review alternative data and methodology requests. **Suppliers should indicate their submission status with DWR on the last optional (yellow) tab on the Excel Variance Request Template named “Alternative Data or Methodology.”**

[Click here for guidance for alternative data or method submission from DWR.](#)

19. How can a supplier use its alternative data and methodology in the Variance Request Template?

Suppliers can input alternative data or components using alternative methods in the appropriate cells in the Variance Request Template. They should then indicate the status of DWR’s review of those values on the “Alternative Data or Methodology” tab in the Variance Request Template. Suppliers should include the methodology and data source descriptions (what they sent to DWR) as part of their supporting documentation when they submit their variance request package.

State Water Board staff will review variance requests with alternative components after DWR grants approval for the alternative data or method. Approved variance and temporary provision data, including all approved alternative data, will auto-populate on the UWUO reporting form.

If suppliers wish to include alternative data for populated values that are not specific to variances (e.g., values used to calculate the residential outdoor budget such as evapotranspiration, effective precipitation, or irrigable irrigated area) in the Variance Request Template, they must first receive approval of the alternative values from DWR. Once DWR has approved alternative values, the State Water Board will update them on the Open Data portal, which will then enable suppliers to populate the Variance Request Template by refreshing the data tables (see [question #16](#)).



Specific Variances and Provisions

20. How can a supplier measure or collect the components for the variances and temporary provisions?

Unless the regulation specifies data sources and methods, suppliers have discretion in how they measure or collect the various components for variances and temporary provisions. For example, suppliers can conduct on-the-ground counting surveys, carry out customer surveys, or use publicly available data if available (e.g. evaporative cooler data in the [2019 CEC Residential Appliance Saturation Study](#)).

Suppliers may also refer to [DWR's variance recommendations](#) for possible variance measurement and collection methods.

21. Are there any tools to assist in calculating variances?

As part of Water Code requirements (WC §10609.14), DWR developed [recommendations for variances](#) for unique uses that can have a material effect on an urban retail water supplier's UWUO. From DWR's recommendations, two MS Excel based tools were developed to assist with calculating the water use of Seasonal Populations and the water use of Evaporative Coolers. If using these tools, please attach results and inputs as part of the methodology.

The seasonal population tool is available via the [WUE Data Portal](#) here: [Download SP tool](#) and DWR produced an accompanying [instructional video](#).

The evaporative cooler tool is available via the WUE Data Portal here: [Download EC tool](#). It is highly recommended to use the tool to determine ΔT_{bulb} component of the variance. Supplementary guidance for using this tool can be found in DWR's 2022 report to the State Water Board: [Recommendations for Variance for Significant Water Use of Evaporative Coolers, Methods of Calculation, and Supporting Data Requirements](#) (starting on page 69 of the PDF).

Have more questions? Email waterconservation@waterboards.ca.gov

Additional Resources

State Water Board: [Making Conservation a California Way of Life Regulation Webpage](#)
Department of Water Resources: [Recommendations for Variances](#)

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