



April 13, 2015

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

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State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Comment Letter – Recommendations on the Proposed Regulatory Framework to Achieve a Statewide 25% Reduction in Potable Urban Water Usage

Dear Ms. Bean:

California Urban Water Agencies (CUWA) appreciates the opportunity to provide recommendations that the State Water Board could consider to respond to Governor Brown's Executive Order Executive Order calling for a statewide 25% reduction in potable urban water usage. Our recommendations build on the discussion held during our meeting with Chair Marcus, Vice Chair Spivy-Weber, and State Water Board staff in early April, and follow below.

Establishing Tiers

We appreciate that the Executive Order and State Water Board intend to develop an approach that acknowledges the efficient use of water already achieved by some agencies, and we concur with the State Water Board's approach to using four tiers. However, the approach for establishing a basis for the tiers could be improved by looking at a longer trend in R-GPCD, as opposed to relying on results from any single month (including September 2014, as suggested in the proposed regulatory framework). For example, the State Board could consider using a 12-month average R-GPCD to give credit to agencies that have worked hard to reduce demands since the Governor's initial drought proclamation in January 2014. Though agencies have not yet reported 12 months of R-GPCD data for this baseline, the State Water Board could request this information. At a minimum, we encourage the State Water Board to consider using a 9-month average of R-GPCD data already submitted (June 2014 through February 2015).

Determining Baseline Water Usage and Evaluating Recent Water Use

As part of the emergency water conservation regulation, the State Water Board has been reporting monthly water use data dating back to June 2014. Comparing monthly results to a prior year can be confusing and misleading, as many variables influence fluctuations in water use, particularly climate. In fact, even if an agency is making great strides in reducing overall water use, it could be in violation during a hot, dry month in 2015 if being compared to a rainy month in 2013 (e.g., the month of January). To focus on better outcomes, we encourage the State Water Board to consider other approaches besides relying on monthly data for compliance and enforcement.

One way to buffer the fluctuations is to build a longer-term trend into the analysis by using 12-months of data for both the baseline and the metric for compliance. For example, since the Executive Order calls for achieving a statewide 25% reduction in potable urban water usage as compared to the amount used in 2013, an agency's baseline water use could be an average from

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calendar year 2013. Using a 12-month rolling average to measure progress toward meeting a target would enable a more insightful perspective of recent water use trends for compliance. This approach would also give credit to urban water suppliers that have effectively conserved in response to the Governor's previous calls for action.

Acknowledging Water Supply Reliability Investments

In addition to ongoing conservation efforts to address the current drought, parallel efforts toward local drought-proof supplies are critical to provide sustainable water supplies for California. As described in CUWA's Water Supply Reliability Report, CUWA agencies have been making investments in water supply reliability projects and programs that diversify supply portfolios. These reliability investments continue to be an important part of the solution.

The State Water Board's proposed regulatory framework does not acknowledge the investments made throughout the state in water supply reliability. All residents and water agencies in California are subject to the same limitations, though some have invested significantly to provide reliability during water shortages like the current drought. This may make it challenging to achieve ratepayer support in the future for reliability improvement projects. We encourage the State Water Board to consider giving credit to agencies or regions that have made substantial investments in water supply reliability to provide an incentive to increase regional self-reliance as called for in the Governor's California Water Action Plan. We urge the State Water Board to acknowledge and credit these investments made by water agencies and supported by ratepayers. Some of these early actions are already helping to lessen the impact of the current drought.

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 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,



Cindy Paulson, Ph.D.
CUWA Executive Director



Jenny Gain, PE, QSD
CUWA Staff Engineer