

**DECENTRALIZED WATER POLICY COUNCIL**  
***LOCALIZING CALIFORNIA WATER***

RE: MANDATORY CONSERVATION ACHIEVING A 25% STATEWIDE REDUCTION IN POTABLE URBAN WATER USE – INPUT ON REGULATORY FRAMEWORK DEVELOPMENT

The Decentralized Water Policy Council (DWPC) is a multi-stakeholder group committed to water and energy conservation, climate protection and public health.

The Council is co-convened by the Occidental Arts and Ecology Center and the California Onsite Water Association at the behest of Environmental Health Regulators from around California. Current membership is over 45 and is made up of regulators, agency representatives, engineers, manufacturers, policy-makers, researchers and water advocates from around California.

These recommendations were collected from Council Members and compiled by the Council Steering Committee, they do not represent the views of our full membership. The DWPC will provide additional detailed comments on the implementation of the REGULATORY FRAMEWORK once released.

The DWPC formulated comments with a focus on concrete and useful approaches to quickly reduce potable water use. We recommend implementing permanent and widespread onsite water reuse, through an array of water reuse technologies using alternative water sources. As professionals in the fields of water and natural resources, we offer our experience and expertise afforded by few other organizations. By initializing concrete programs and mandates for alternative water sources, the State will create a tangible solution for water agencies and the public alike. This could lead to a snowball effect critical in this time of emergency toward the needed reduction in potable water demand. Our recommendations are summarized below under the relevant questions posed in the Mandatory Conservation Regulation FACT SHEET April 7, 2015.

**1. Are there other approaches to achieve a 25% statewide reduction in potable urban water use that would also impose a greater responsibility on water suppliers with higher per capita water use than those that use less?**

- a. The framework should require a mandate for instituting programs that promote the installation of alternative water uses, specifically for gray water, rain water, storm water, and black water. Retail water suppliers need tools to quickly implement widespread alternative water sources for irrigation, toilet flushing, cooling towers, boilers, and diverse industrial processes. These programs would feasibly involve establishing rebate programs, facilitating local permitting of alternative water use systems, and educating such as through demonstration systems. The results of such programs will be effective and longstanding solutions with a vast reduction of potable water demand.

- b. Establish a tiered rebate program to maximize landscape retrofits to drought tolerant species, as well as gray, rainwater, condensate (mechanical water), and stormwater reuse.
- c. Water Conservation Audit/Assessment rebates to support identification and prioritization of Best Management Practices for onsite water reuse and energy efficiency for water managers (residential units through commercial tracts, e.g., a condominium complex with one water meter, many condo units, and landscaping throughout is unable to know without such an assessment which changes should be made to optimize water reduction).
- d. Rebates for demonstration projects, primarily geared to the high water use private sector because that is where most water use occurs and few funding mechanisms are typically available other than commercial loans. These projects would feasibly support a variety of needs and solutions as proposed by the public (e.g., funding to support a joint graywater treatment system for a cluster of properties)
- e. Prohibit permitting agencies to change to use of gray and rain waters for toilet flushing and aboveground irrigation as allowed by the Alternate Water Sources section of the California Plumbing Code (Chapter 16). This section calls out treatment and disinfection to meet water quality standards set by NSF/ANSI Standard 350 R NSF.
- f. Rebates for graywater and rainwater harvesting installations modeled after the solar rebate program. Allow industry to exploit this opportunity for economic development and faster attainment of water reduction goals.
- g. Attractive rebates for rainwater tanks up to 10,000-gallon that include mandatory attendance at a training session on relevant health and safety issues.
- h. Signing into law Assembly Bill 1463 “Onsite Recycled Water” will establish tiers of treated water for decentralized and onsite black water recycling for even greater reductions in potable water demand per site and per gpcd.
- i. Waterless toilets are an essential element of a truly water resilient and stable future. Technologies for these systems have continued to advance and many such toilets are readily available and highly reliable and safe but prohibited by local building codes. Include removal of regulatory barriers to the use of composting toilets. Refer to the American Planning Association’s “Policy Guide on Planning for Sustainability” <https://www.planning.org/policy/guides/adopted/sustainability.htm>
- j. Mandating analysis through appropriate channels (CEQA, CA Subdivision Map Act, CalGreen, etc.) for all new discretionary land use projects. Require conditional language stating that stormwater and rainwater capture and gray water reuse are assessed as part of any improvement plans. For example, set up classes as follows:
  - (i) Class 1 – high water consumption, little or no reduction or conservation (0-10%)
  - (ii) Class 2 – medium water consumption, reduces water to near or at target goals (11-24%)
  - (iii) Class 3 – low water consumption meets or exceeds target goal of 25%.

**2. How should the regulation differentiate between tiers of high, medium and low per capita water users?**

Create a baseline price for the lowest tier (enough water for health and sanitation needs inside the home). Outside beneficial use, water prices should increase quickly and steeply, with options to waive steep fees for food producing landscapes only (e.g. backyard orchards, vegetable gardens, habitat restoration and other integrated uses).

**3. Should water suppliers disclose their list of actions to achieve the required water reductions?**

Yes, this peer-to-peer sharing can help water suppliers build off the successes of others.

**4. Should these actions detail specific plans for potable water use reductions in the commercial, industrial, and institutional (CII) sectors?**

Yes, they should also detail potable water use reductions attributed to onsite water reuse projects on residential and commercial properties. Many of these properties have large amounts of unused turf and other high water using plant schemes which should be removed or replaced as well as industrial or condensation waters that can be easily resourced for reuse.

**5. Should additional information be required in the monthly conservation reports for urban water suppliers to demonstrate progress towards achieving the required water reductions?**

Yes, the programs and projects supporting potable water use reductions from onsite water reuse projects on residential and commercial properties should also be listed.

**6. How and when should compliance with the required water reductions be assessed?**

Suppliers should submit monthly reports with their targeted reductions in their actual savings into a statewide database that is user-friendly, allow remote importing of data and capture critical seasonal data. This database would be a foundation for water management, modeling and prioritization for future resource management.

**7. What enforcement response should be considered if water suppliers fail to achieve their required water use reductions?**

In addition to “reporting”, “compliance assessment” and enforcement”, the framework should incorporate “education” as one of the programmatic components for success in reaching the 25% mandatory reduction. Both large and small water suppliers can require education and outreach. The water belongs to the people of the State, and as end-users, we all need to be educated about alternatives to potable water for non-potable uses.

As mitigation for penalties, use educational programs to support the conservation mandate. For example, water suppliers can create programs, as modeled in Santa Cruz County, where first time offending water wasters get a “ticket” and must go to a “water saving school”, much like traffic school. The program should include training in the use of alternative water sources. Refunds of the penalty for water waster could be provided to those who install an alternative water source system.

The Decentralized Water Policy Council deeply appreciates the opportunity to provide feedback to the Regulatory Framework. We look forward to bringing the full Council’s input on the details of the Mandatory 25% Statewide reduction in potable urban water use when the framework is released for further comment. If you have questions regarding the Council’s input you may contact the Council Facilitator and Steering Committee Member, Miriam Volat at [miriam@oaec.org](mailto:miriam@oaec.org) or one of our Steering Committee Members: James Johnson, Sonoma County Permit and Management Department, [James.Johnson@sonoma-county.org](mailto:James.Johnson@sonoma-county.org); Nick Weigel, California Onsite Water Association, [nweigel@northstareng.com](mailto:nweigel@northstareng.com); or Regina Hirsch, Sierra Watershed Progressive, [regina@sierrawatershedprogressive.com](mailto:regina@sierrawatershedprogressive.com).