

December 17, 2014

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



*Via Email Only*

Comment Letter – Urban Water Conservation Workshop

Ms. Townsend:

I appreciate the opportunity to provide comments to the State Water Resources Control Board (SWRCB) on Urban Water Conservation. As an engineer working in the field of environmental regulations for over 26 years, and as an elected water official for the past 11 years, I know this is a very important subject for California. I offer the following comments for consideration:

Water conservation should target areas where most gains can be made. Urban use is 20% of the total in the state. SWRCB actions only targeted public water agencies.... an even smaller portion. A 20% mandate on 20% of the water is, at best, 4% of California's water. Efforts would be better spent on larger uses such as large irrigated areas and agriculture. It is judgmental and distracting to focus on urban landscape when deserts are literally being irrigated for water intensive crops. Urban users dwarf agricultural interests in terms of contributions to the state's jobs and economy and in many areas invest far more for water. The choice of urban users to grow plants, and pay for water projects to do so, should have no more scrutiny than the hospitality and recreation industry's golf courses and parks, or industrial farmers growing rice and strawberries in areas with overdrafted groundwater tables. If SWRCB focus is solely on urban public agencies, a sledgehammer approach is being used to strike a pushpin of a problem.

Emergency regulatory actions do not allow for full public process. There could indeed be negative environmental impacts from watering restrictions. In arid southern California, wildlife at the urban interface depends on irrigation water runoff. Irrigation supports trees that reduce cooling costs and energy demand and support bird populations. The real estate market, gardening and landscape industry, land development, and business users of water can suffer greatly with cutbacks and water supply uncertainty. The emergency action left a much larger group of water users (agriculture) completely unaffected, though many of their areas have the worst overdraft and supply problems. Because of lack of water system connectivity and the structure of water investments, "saving" water in urban areas did nothing to help the areas having shortages, but it appears the public did not understand that. Thorough discussion of equitable public policy, environmental and economic impacts in a proper rulemaking process is necessary.

These actions were unfunded mandates, so little to no budget was available for implementation of a program that reduces water sales and negatively affect our balanced budgets that cover things like capital improvements, maintenance, and debt service.

The public elects public water officials to represent them on water supply. Many officials have engineering, law, finance or water industry backgrounds and work diligently to provide water for their communities. The State Water Resources Control Board should not change governance authority on water supply. Many agencies do quite well at planning for their areas and carefully invest in supplies and long term projects. They should not be treated the same as areas that did not manage their supply well. This is similar to people who have put away retirement savings versus those that did not....it is not fair to dictate actions upon those who have planned appropriately just because some did not.

These actions did not necessarily reduce water use. As customers quickly figured out, the SWRCB mandate for watering day restrictions meant people could water twice as much as long as they did it on

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their allowable days. Other factors such as weather, demographics and economic issues all affect water usage. Neither the governors' 20% mandate or the emergency regulations considered what was achievable in the short or long term. Many urban areas have invested in both supplies and conservation planning. It is irresponsible to set public expectations at immediate 20% conservation and then follow that with repeated public criticism in the media. SWRCB and the associated RWQCBs can facilitate good long term water planning through reasonable recycled water policy and realistic scientifically based TMDLs that take into account water reuse needs as an important beneficial use. SWRCB and RWQCB can also assist in streamlining the process for other water supply projects, including water storage, considerations of environmental water needs, stormwater capture and recharge projects, etc. It is my understanding that different areas have different policies and uniform policies would help water planners.

SWRCB is legally and structurally in no position to take over the complex world of water supply planning. They should work with water agencies to discuss the feasibility of their desired goals. It may be appropriate, as the emergency regulations alluded to, that SWRCB establish minimum standards for water availability from a health and welfare standpoint, if that is within their regulatory authority. Public agencies (and private suppliers) can then prove how they will meet those standards, similar to how the new state groundwater regulations have been formatted.

In conclusion:

- Do not distract the public by targeting certain uses (urban landscape) when other uses dwarf that in water demand. Water conservation and supply planning need to be equitable, achievable, and logical.
- Work with all water suppliers (public, private, commercial and individual) and set realistic, non-judgmental targets and a good database of information that supports conservation and water reuse. Databases must consider mitigating factors such as weather and business mixes to be useful for comparative purposes.
- Allow flexibility for areas that have invested in their water supplies and have solid long term plans built on public input and economic investments. A one-size-fits-all approach is not appropriate.
- Participate in partnerships rather than be dictatorial and contrary to existing efforts. If SWRCB can support, through its water quality programs, innovative conservation and water reuse projects, that would be much more helpful than a negative, finger-wagging approach.

Thank you for your consideration of these comments.



**Maria Gutzeit**  
Chemical Engineer, Business Owner  
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Current Board Vice President, speaking on my own behalf only

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