December 3, 2015

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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 – Urban Water Conservation Workshop

Dear Chair Marcus and Members of the Board:

The California Urban Water Agencies (CUWA) appreciates the opportunity to provide input and recommendations for the State Water Board's consideration of the potential extension and modification of the Emergency Regulation for Statewide Urban Water Conservation.

Our member agencies are committed to making efficient water use a California way of life and providing reliable, resilient water supplies now and in the future. Our agencies' water use efficiency programs have focused on creating lasting changes and developing effective tools that we continue to apply.

Recent reporting efforts and performance measures have improved awareness and visibility—increasing the media's and the public's consciousness of water use and leading customers to largely embrace and implement conservation measures during the drought. Our agencies are committed to continued water use efficiency, whether or not mandated by the state.

We support a sustainable approach to managing droughts—by using integrated water management, and advancing both conservation and development of drought-resilient supplies. Below, we summarize our member agencies' shared recommendations to most effectively build on the state's ongoing drought response while effectively adapting to changing water supply conditions over this winter.

 Re-evaluate the need for continued statewide water use reduction mandates based on state, regional, and local supply conditions in April 2016

The Governor's November 13th Executive Order, calling for continued conservation through October 2016 "if drought conditions persist", provides flexibility for how the State Water Board proceeds in establishing statewide conservation targets.

In accordance with the Governor's Executive Order, CUWA supports extending the existing emergency regulation, with modifications, until April 2016 to allow time to assess evolving water supply conditions through the winter. If water supply conditions have improved by April, we recommend rescinding or modifying the conservation mandate to reflect regional and local

supply conditions. Statewide regulation of water use is appropriate only if California as a whole remains in a statewide emergency.

As the State Water Board assesses water supply conditions, we appreciate your efforts to clearly articulate the approach used to establish the conservation standards. This will allow agencies to fully understand and align our drought planning efforts with the state's approach.

Acknowledge and account for potential unintended consequences of conservation

We encourage the State Water Board to study, acknowledge, and take into account unintended consequences of unsustainable levels of conservation, such as long-term economic impacts (e.g., California business climate and residential property values), utility revenue stability, water affordability issues, disincentive for future capital investment to improve local reliability, as well as other potential long-term impacts.

Continue to use cumulative conservation as an evaluation metric

We recommend the State Water Board continue to use the cumulative conservation achieved when evaluating an agency's water use against its target. Cumulative reporting has been useful because it buffers the fluctuations of month-to-month variability, provides insightful perspective on an agency's longer-term trend, and recognizes seasonal fluctuations in water use due to California's climate.

Consider proposals for modification to the emergency regulation

We encourage the State Water Board to consider proposals for modification to the emergency regulation that provides for an equitable and sustainable approach to managing California's drought. It is also important to our agencies that modifications not result in redirected impacts to other agencies' targets. Though drought emergencies can spur some lasting increases in water use efficiency, it is also important to note that many current drought responses are short-term sacrifices that may not be sustainable for Californians and could cause lasting, adverse effects.

While we understand the need to move with urgency, the implications of this emergency regulation are far-reaching and impact many California residents and businesses. We appreciate your efforts to make this a transparent process through your established work group and encourage continued engagement of the water providers who will execute the emergency regulation. CUWA agencies are fully committed to continued water use efficiency and conservation, and welcome the opportunity to answer any questions or further discuss our recommendations.

We hope our comments are helpful. In the meantime, we continue to take action on many levels to sustainably manage California's water supplies. 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,

Cindy Paulson, Ph.D.

CUWA Executive Director

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CUWA Staff Engineer