

January 6, 2016



Felicia Marcus, Chair  
State Water Resources Control Board  
And Members  
c/o Kathy Frevert  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

**Subject: Update for Emergency Regulation for Urban Water Conservation**

Dear Chair Marcus:

Thank you for the opportunity to comment on the State Water Resources Control Board's (Board) extended emergency regulations for Urban Water Conservation. Conservation is the most affordable method of saving water in the state, and should be expanded wherever possible to preserve what water we can in both this drought and going forward as a long-term management tool. For too long, California has not maximized conservation and has instead encouraged wasting water for uses that will be unreasonable in a climate-challenged future. We need a culture of conservation to combat climate change's effects.

The Board has the opportunity to continue regulations to cut water use. Our existing practices allow for using far more than any one person needs per day, and this attitude must change. The Board should resist any calls to continue to modify these goals in a way that would be inconsistent with the emergency context of the regulations and the long-term goal of advancing conservation.

We believe that these regulations should continue to press individual Californians to evaluate their water use and cut back where appropriate for the emergency setting. In doing so, these regulations will continue to highlight areas where individuals can do more with less. Cutting back residential water use should be based on residential gallons per capita per day. Those who use more should conserve the most, regardless of location or climate in the state.

These regulations should also not be weakened based on any long-term supply investments that a water agency has taken. Emergency conservation in a drought context is needed now. As the Public Policy Institute of California has noted, eighteen species of fish are under threat of extinction and the human right to water is being neglected in communities throughout the state. We need conservation. Long-term investments in supply are not an excuse to avoid a call to action. Moreover, many investments in supply are environmentally destructive and far too expensive and unnecessary to be practical in lieu of conservation.

**Climate Adjustment**

Staff proposes allowing climate adjustments for warmer regions of the state. We believe this is a backwards approach. Water use should not be allowed to increase simply because people live in regions where evapotranspiration is higher. Instead, those uses that are unsuitable for these regions should cease. The commonly cited problem is inland areas where larger lots require more water for lawns due to size and heat.

This is entirely unsustainable, and the Board should not allow these ornamental landscapes to escape cuts in consumptive use when a long-term replacement of lawns with drought tolerant plants would both decrease water for this drought and future droughts. The Board should continue to reject adjustments for climate, and instead require people to adapt to the climate they live in.

### **Drought Resilient Sources of Supply Credit**

We oppose the staff proposal to reduce conservation needs based on the use of drought resilient sources of supply. Conservation of water represents a cheaper and more environmentally conscious alternative than indirect potable reuse and desalination of water. There is no evidence that conservation serves as any sort of impediment towards developing these sources of water, and should continue as a portfolio approach to handling water management.

Conservation needs to be a way of life for Californians, and we cannot just send a message that agencies can spend their way into unsustainable uses. This will only needlessly increase the cost of water for the public, when smarter approaches through conservation exist. We support indirect potable reuse as a smart means of increasing water supply, but these projects should only be prioritized once individual water use is at a sustainable level through conservation. Desalination of seawater should not be promoted by the Board, as it is environmentally devastating and increases overall greenhouse gas emissions greatly.

Conservation, not expensive new treatment plants, are the priority of these regulations. In this emergency context, conservation is needed to reduce demand now. The Board should not provide credits to avoid conservation due to any ongoing supply created.

### **Non-Probable Recycled Water Use Credit**

We support staff's rejection of any credits for non-potable recycled water. Non-potable recycled water is not counted when factoring in the use of water as is, so its use as a credit could actually incentivize using more water than before.

### **Groundwater Credits**

We support the staff recommendation to refuse credits for groundwater use. Again, a broad cultural change is necessary for water use in the state. While groundwater is best utilized as a long-term drought supply, this does not mean this groundwater can be used recklessly. The staff recommendation correctly notes that there is too little information on groundwater extraction and use to fully ensure that creating a credit for its use would not harm the state.

### **Elimination of Commercial Agriculture Exclusion**

We oppose any exclusion of commercial agriculture from conservation regulations. All sectors should conserve water, regardless of the agency that supplies the water. Agriculture should not be exempted when there are numerous efficiency improvements and other methods available to curtail use. Precise irrigation

and delivery of water can be used to decrease consumptive water use. An exemption will discourage responsible water use.

The Board should continue its efforts to maximize conservation. The impressive savings we have achieved so far should be built upon so that drought impacts can be less severe than they otherwise could be.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KJ', is positioned above the typed name.

Kyle Jones  
Policy Advocate