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PO Box 3156, Fremont, CA 94539
(510) 770 9764 www.cacoastkeeper.org

September 8, 2007

Tam Doduc, Chair and Members
State Water Resources Control Board
1001 I Street
Sacramento, California 95814

VIA ELECTRONIC MAIL: commentletters@waterboards.ca.gov

Re: SWRCB Meeting, September 18, 2007, Item #7: "Climate Change and Water Resources" Resolution, and Joint SWRCB/DWR Meeting, "Water Policy through a Carbon Lens," August 23, 2007 - COMMENTS

Dear Chair Doduc and Members of the State Water Resources Control Board:

On behalf of the California Coastkeeper Alliance and its 12 member Waterkeeper groups, which span the coast from the Oregon border to San Diego, we are pleased to submit these comments on the above Resolution and on issues raised at the above-described Climate Change and Water Resources joint meeting ("meeting"). We commend the State Water Resources Control Board and Department of Water Resources for holding a comprehensive hearing with excellent panelists who are experts in their fields. We attended the hearing and were encouraged by the consistently strong statements being made by a wide range of stakeholders and agencies in support of greenhouse gas reduction through efficient use of water resources.

With the passage of AB 32, all state agencies now must "consider and implement strategies to reduce their greenhouse gas emissions." Part of fulfilling this mission will involve the State and Regional Water Boards integrating climate change considerations into existing policies, regulatory responsibilities, and grant programs, and into coordination efforts with other local, state and federal agencies. Accordingly, we support the proposed Resolution's call for evaluation of strategies for action, and we **urge that the Resolution also incorporate clear language committing to the implementation of strategies selected through the evaluation process.** Language committing to implementation is currently missing from the Resolution, and is needed to acknowledge and support AB 32's mandate to "implement strategies" to reduce greenhouse gases. For example, a new paragraph could be added resolving that "**The State Water Board commits to implementation, on a set time frame, of strategies that will significantly reduce greenhouse gas emissions associated with the Water Boards' actions and the programs they administer.**"

As noted repeatedly at the meeting, provision of water and wastewater services account for 19% of California's energy demand. Even moderate changes to increase the efficiency of water use can yield significant reductions in greenhouse gas emissions. Moreover, according to the California Energy Commission, water conservation can yield energy savings at a fraction of the cost of actual energy efficiency programs. Water allocation and management, which of course are directly related to water quality, are a significant part of the Water Boards' workload.

However, at the meeting, the State Water Board questioned the relevance of greenhouse gas emission reductions to the Water Boards' mandates. In response, panelist after panelist testified that even aside from AB 32's mandate, greenhouse gas reduction has direct relevance to Water Boards' mandate to protect the beneficial uses of the waters of the state. By all reputable scientific accounts, beneficial uses will be significantly impacted by climate change, and can conversely be protected by actions to prevent climate change. For example, as Peter Gleick with the Pacific Institute noted, energy production uses and pollutes water, and water use requires significant energy. Mr. Gleick further testified that the Water Boards can and should integrate water conservation (and therefore energy conservation and greenhouse gas reduction) into actions to protect beneficial uses and water rights reviews.

The links between energy and water are undisputed, as is the relevance of energy to the Boards' water mandates. Accordingly, **we request that the Resolution be amended to recognize the clear energy-water links raised repeatedly at the meeting, and the Water Boards' ongoing role in impacting greenhouse gas emissions through its programs.** For example, paragraph 2 of the findings could be amended to state that **"The Water Boards recognize that their actions and the programs they administer contribute to current and future Green House Gas emissions and require adaptations to reduce the pace and impacts of climate change."**

The need to specifically acknowledge the Water Boards' ability to slow climate change through changes in existing programs, and the need to clearly commit to actually implementing those changes, is even more evident in light of the specific testimony at the meeting. As part of the implementation of the proposed Resolution, we recommend that the Boards investigate and implement as needed the following opportunities (among others) for reducing greenhouse gas emissions:

- Account for the energy burden associated with different water sources in guidance documents and permits for such sources, and support lower-energy sources as appropriate. For example, seawater desalination is by far the most energy intensive water source, and water reuse/recycling is among the least intensive. (*See, e.g.,* testimony of Prof. Bob Wilkinson, U.C. Santa Barbara and Peter Gleick, Pacific Institute.)
- Phase out irrigation, pollution, energy and other subsidies that promote wasteful use of water and energy. (*See* testimony of Peter Gleick, Pacific Institute.) For example, the State Water Board's upcoming Clean Water Act Section 316(b) Policy should set an aggressive timetable for phasing the existing subsidy of ocean water and resources that are propping up many energy-inefficient coastal power plants. In addition, weak and non-existent programs for controlling groundwater pollution and polluted runoff – particularly agricultural runoff – should be significantly improved to improve the quality

of the water that does exist for use (thereby avoiding development of more energy-intensive water sources). The lack of strong pollution programs allows activities such as water-wasteful agriculture to continue where it otherwise would not if faced with appropriate controls.

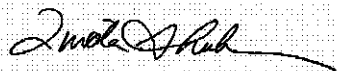
- Increase water recharge and reduce pollution through significantly increased use of low-impact development. (*See, e.g.*, testimony of Prof. Bob Wilkinson, UCSB; Jake Mackenzie, City of Rohnert Park, Sonoma County Water Agency). U.S. EPA reiterated this point, highlighting the utility of low-impact development in mitigating the impacts of climate change (*see* www.epa.gov/owow/nps/lid). Barry Nelson with NRDC added that this topic can unite water agencies and the regulated community facing stormwater controls. Specifically, he stated that the latter is focused on coastal pollution and the former on reusing and creating water and addressing flooding, and in fact the solutions could be same for both. Finally, Richard Atwater with the Inland Empire Utilities Agency recommended implementing “green” development standards for new housing based on the Ahwanhee Water Principles, as a related way of using land use to address the impacts of climate change.
- Re-evaluate permits for compliance with actual storm events. As noted by Greg Zlotnik of the Santa Clara Valley Water District, projects designed for the historic 1% storm event now may need redesign, as the amount and frequency of storms change.
- Investigate and take advantage in the Governor’s 2008 budget the significant opportunities provided by bond money, by writing criteria to prioritize proposals that address global warming. (*See* testimony of Richard Katz). These opportunities run across the 2006 bonds and are not limited to Proposition 84.
- Increase groundwater monitoring and metering, to create a solid baseline for tracking and reducing harmful groundwater use. (*See* testimony of Peter Gleick, Pacific Institute.)
- Create “community based water plans” that increase the amount of water developed locally (*e.g.* through recycling/reuse, conservation, etc.), which reduces the carbon footprint of water. This can be accelerated by careful use of IRWMPs, which the Water Board should be coordinating more closely on with DWR. (*See, e.g.*, testimony of comments of Rich Atwater, Inland Empire Utilities Agency). For example, Mr. Atwater noted that 71% of the electricity use for water system components in Southern California is associated with imported water supply, as opposed to 9% for local distribution.
- Create standards for and/or address emerging contaminants and salts, which are becoming increasingly problematic for smaller agencies trying to recycle water. This is also an issue for the private sector; for example, Stuart Rupp with NUMMI testified that “increased hardness will cause an estimated 30% increase in water use due to treatment loss.” As noted above, weak and non-existent polluted runoff and groundwater pollution programs add to this problem.

This of course is not an exhaustive list, and we expect that additional steps and initiatives will be developed as the Boards begin to implement AB 32’s mandate, and the Resolution, more actively. We believe that Mr. Katz and Ms. Sutley summed up the goal of this effort well, in stating that the Water Boards need to look at their programs through a “carbon lens” with an eye to multiple benefits. The Water Boards need not be limited by a narrow interpretation of the letter of their mandates; their intent and the overarching mandate to protect water health provides

sufficient authority to implement initiatives that will improve water health by reducing actions that produce greenhouse gases.

In a world increasingly impacted by climate change, and the still-unknown water challenges that it will bring, California can afford no more delays in fully implementing all of the tools available to protect the life and health of its waters and residents. We commend the State Water Board for taking on this critical task, and we look forward to working with the Water Boards to implement a Resolution that reflects AB 32's mandate to "consider and implement strategies to reduce [the Water Boards'] greenhouse gas emissions." Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Sheehan", written over a light gray dotted rectangular background.

Linda Sheehan
Executive Director
lsheehan@cacoastkeeper.org