



A Unified Voice for Water Desalination and
Salinity Management in the Golden State

December 2, 2015

To: commentletters@waterboards.ca.gov



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 Ms. Townsend:

CalDesal is a nonprofit association of water agencies and other entities that advances the responsible use of desalination, both ocean and brackish groundwater, as well as salinity management as important options for local and regional sustainable water supply reliability. CalDesal appreciates the opportunity to comment on the Emergency Regulations for Statewide Urban Water Conservation.

The State Water Resources Control Board’s (Board) current emergency regulation focuses exclusively on extraordinary conservation as a means to manage California’s severe drought. While extraordinary conservation is an excellent tool to achieve immediate savings, a more sustainable approach to managing droughts is through a combination of conservation and development of drought-resilient supplies including desalination, water recycling and stormwater capture.

A more diversified approach to meeting the demands of the drought allows water agencies to realize the benefits of their investments in sustainable water supplies – investments in self-reliance that are consistent with Governor Brown’s Water Action Plan. In particular, the Governor’s Water Action Plan specifically states “...The administration will review and propose measures to streamline permitting for local projects that make better use of local water supplies such as recycling, stormwater capture, and desalination of brackish and seawater as well as projects that provide multiple benefits, such as enhancing local water supplies while improving wildlife habitat.” (See page 7 of the Governor’s Water Action Plan). In light of that support for developing local water supplies, we submit that such recognition in the Governor’s Water Action Plan should be similarly applied to these emergency regulations.

The current emergency regulation takes a one dimensional approach to assigning the reduction level, without taking into account the sustainable supplies available to the urban water supplier. With the singular focus of just managing the drought through conservation, agencies and their customers are not allowed to benefit from investments in drought-resilient supplies.

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Several CalDesal members have submitted an alternative proposal to the current emergency regulations that provides that benefit and also provides an incentive for agencies to develop sustainable supplies.

The proposed alternative path to compliance method is a simple, straightforward approach where an urban water supplier may be allowed to achieve its reduction target through a combination of conservation and sustainable supplies. For example, an urban water supplier with a 100 acre-foot reduction target based on their assigned percent conservation standard would be allowed to meet its target through a combination of sustainable supplies (30 acre-feet) and conservation (70 acre-feet). Examples of sustainable supplies include, ocean desalination, brackish desalination or other supply source not impacted by California's current drought. To ensure a balanced approach to managing the current drought, an agency's required conservation savings cannot drop below a certain threshold, which is currently proposed at 8% during the emergency period.

Since an urban supplier's conservation standard is not modified, the state's total reduction target is not affected and no other urban water supplier's conservation standard would be impacted. A wholesaler has the ability to assign its sustainable supplies to the urban water suppliers they serve. To utilize the alternative path to compliance, an urban agency must provide written proof that identifies the long-term availability of the supply.

The imposition of demand reduction targets as the state's primary drought response places California at a competitive disadvantage in terms of business attraction and business expansion. Businesses are unlikely to relocate to, or expand their businesses in California under prolonged water use reduction mandates that ignore the availability of sustainable water supplies. These businesses and industries need to be convinced that the state is doing everything in its power to develop drought-resilient supplies to serve their businesses.

The current emergency regulation has also contributed to rising water rates for residents and businesses, as local water agencies are forced to meet their revenue requirements on lower sales. That enhances the level of frustration of all ratepayers who are upset by the concept of "paying more for using less," which undermines public support for ongoing conservation and continued investment in sustainable water supplies and infrastructure.

It is critical to maximize the water reliability benefits of drought-resilient and sustainable water supplies, such as the ocean desalination projects being developed in Monterey, Santa Barbara, Los Angeles County, Doheny and Carlsbad or the brackish desalination projects in currently underutilized ground water basins in the Inland Empire such as the Mediffee and Perris desalters, during drought conditions to help support California's economy and quality of life. Again this approach is entirely consistent with the diversified water portfolio approach found in the Governor's Water Action Plan that calls for more local and regional water supplies. Moreover, local water supply development reduces the pressure on environmentally impacted resources such as the San Francisco-San Joaquin Bay Delta or over used groundwater basins. With the recent adoption by the State Water Resources Control Board of the Ocean Plan amendments for



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intakes and brine disposal to be used by ocean desalination facilities new drinking water supplies from the ocean will be developed using 21st Century regulations based on the latest science.

CalDesal supports the modifications to the Emergency Regulation that would allow water agencies to meet reduction targets through a combination of conservation and sustainable drinking water supplies, such as ocean desalination, brackish desalination. This is a more balanced; more flexible approach to drought management will help save water now given our current supply challenge and better prepare California for future droughts.

Thank you for the opportunity to comment. Please feel free to contact me directly if you have any questions.

Sincerely,

Ronald Davis
Executive Director
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