

From: [Brownlee, Sasha J.@DWR](mailto:Brownlee.Sasha.J@DWR)
To: [DWR Water Use Efficiency](#)
Subject: FW: NGO principles on Permanent Conservation Regulations
Date: Tuesday, October 18, 2016 10:44:52 AM
Attachments: [NGOs Permanent Conservation Framework_Final.pdf](#)

From: Brostrom, Peter@DWR
Sent: Thursday, October 13, 2016 5:40 AM
To: Brooks, Diana@DWR; Avila, Andria@DWR
Subject: FW: NGO principles on Permanent Conservation Regulations

Andria and Diana-

NGO comments.

Peter

From: Sara Aminzadeh [Sara@cacoastkeeper.org]
Sent: Wednesday, October 12, 2016 5:09 PM
To: Brostrom, Peter@DWR
Subject: NGO principles on Permanent Conservation Regulations

Hello Peter,

I offer the attached comments on behalf of my organization and my colleagues, at NRDC, Pacific Institute, Water Now Alliance, Climate Resolve, Community Water Center and Environmental Justice Coalition for Water. These principles reflect our priorities and focus as we continue work to develop specific recommendations and proposals through the Urban Advisory Group process.

Can you please share these with relevant folks at Department of Water Resources? Thank you for your consideration.

Best,
Sara

Sara Aminzadeh, Executive Director
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October 12, 2016

Chair Felicia Marcus and Board Members
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Sent via electronic mail to max.gomberg@waterboards.ca.gov

Cc: Kim Craig, Deputy Cabinet Secretary & Senior Advisor
Martha Guzman-Acevez, Deputy Legislative Secretary
Office of Governor Edmund G. Brown Jr.

Sent via electronic mail to: kim.craig@gov.ca.gov

Mark Cowin, Director

Peter Brostrom, Section Chief

Department of Water Resources

Sent via electronic mail to: peter.brostrom@water.ca.gov

RE: Framework for Permanent Conservation Regulations

Dear Chair Marcus and Board Members:

Climate change, population growth, and the need to restore freshwater ecosystems mean that California's water management challenges will become more intense and severe in the future. The permanent regulations called for by Executive Order B-37-16 to use water more wisely, eliminate water waste, and strengthen local drought preparedness are an important step in building the resilient and sustainable water systems that can meet these challenges over the next century. As the State Water Resources Control Board (State Board) and the Department of Water Resources (DWR) develop recommendations in the coming months, the undersigned organizations will endeavor to advance the following in permanent conservation regulations and water-shortage contingency planning:

1) Ensure Effective and Efficient Administration and Enforcement of Permanent Conservation

Regulations. The State Board, in cooperation with DWR, should adopt and administer water-use standards that include a numeric budget, a timeframe for compliance, and a framework for continued improvements in those standards over time. The establishment of an effective enforcement framework at the outset of permanent conservation and drought regulations will ensure the ultimate achievement of conservation targets. Recent experience with the emergency regulations indicates that successful implementation of conservation regulations will depend on at least three elements:

- 1) Early identification and description of enforcement priorities to provide clarity and equity to all involved.
- 2) Continued communication through the UAG and with the broader water agencies to relay the rationale and intent of new enforcement procedures and to support good faith local efforts.
- 3) Adequate resources and staff dedicated to enforcement.

2) Recognize the Human Right to Water and Direct Resources to Disadvantaged Communities. We urge the State Board and DWR to explicitly reference the human right to water in the forthcoming permanent regulations and to ensure that small and disadvantaged communities and rural populations are not ignored as the state collects data and allocates new resources. The State Board and DWR should provide financial and technical assistance to ensure that water efficiency standards, leak repair and other resiliency strategies are implemented in small communities to secure vulnerable water supplies. The State should further ensure that drought contingency plans are prepared and implemented for small communities and rural populations not served by urban water agencies so that they are able to access safe, adequate, and affordable water supplies.

3) Protect California's Aquatic Ecosystems. Executive Order B-37-16 recognizes that the drought has harmed fish, animals, and their habitats. It is worth recognizing, in developing the regulations anticipated by the EO, that making conservation a way of life should result in tangible benefits for California's aquatic ecosystems, including more water in rivers, wetlands, and estuaries, increased storage in reservoirs and aquifers for future use, and should provide benefits to fish and aquatic wildlife. We look forward to working with the agencies and stakeholders of the UAG process to identify programs and policies that can connect water conservation and ecosystem protection and restoration.

4) Address Financial Challenges for Utilities Associated with the Transition to Increased Water Efficiency. Meeting the objectives of the EO will require substantially increased investments at the utility level in order to realize the potential for urban water use efficiency and could result in reduced sales of water per customer as water use efficiency improves. The need for increased spending on conservation combined with reductions in water use present unique problems for utilities that have traditionally relied upon water sales as their primary source of revenue. The State Board and DWR should squarely recognize these challenges and propose a menu of incentives for addressing them, as well as the elimination of various barriers to financing for unconventional, innovative water supply and water quality solutions. The State Board and DWR should provide support and guidance for water agencies to implement rate structures that incentivize water conservation and assure affordability of basic service for low-income customers, while promoting revenue stability for the agencies.

5) Prepare for the Impacts of Climate Change on California's Water Supply, and Accelerate Sustainable Water Solutions to Build Climate Resiliency. The state has noted that, "The major impacts of climate change on California's water sector may be changes in the timing, form, and amount of precipitation, changed runoff patterns, increases in the frequency and severity of extreme precipitation events (floods and droughts), and sea level rise. These impacts can negatively affect both water supplies and water quality." (*Safeguarding California: Reducing Climate Risk*, CNRA, July 2014) Therefore, water shortage contingency plans should adequately integrate the impacts of climate change on drought frequency, severity, and duration. The contingency plans also should include standardized drought/water-shortage levels, triggers to corresponding actions, and assurances that specified water use reductions will be met.

Sincerely,



Sara Aminzadeh, Executive Director
California Coastkeeper Alliance



Heather Cooley, Water Program Director
Pacific Institute



Laurel Firestone, Co-Director & Attorney at Law
Community Water Center



Jonathan Parfrey, Executive Director
Climate Resolve



Cynthia Koehler, Executive Director
WaterNow Alliance



Tracy Quinn, Senior Policy Analyst
Natural Resources Defense Council

/s/

Conner Everts, Elder Advisor
Environmental Justice Coalition for Water