



SCV Water Agency Public Outreach and Legislation Committee Meeting

Thursday, November 16, 2023
Committee Meeting Begins at 5:30 PM

Members of the public may attend by the following options:

IN PERSON

Santa Clarita Valley Water Agency
Engineering Services Section
Boardroom
26521 Summit Circle
Santa Clarita, CA 91350

BY PHONE

Toll Free: 1-
(833)-568-8864 Webinar
ID: 160 166 5112

VIRTUALLY

Please join the meeting from your
computer, tablet or smartphone:
scvwa.zoomgov.com/j/1601665112

Have a Public Comment?

Members of the public unable to attend this meeting may submit comments either in writing to ekang@scvwa.org or by mail to Eunie Kang, Executive Assistant, Santa Clarita Valley Water Agency, 26501 Summit Circle, Santa Clarita, CA 91350. All written comments received before 4:00 PM the day of the meeting will be distributed to the Committee members and posted on the Santa Clarita Valley Water Agency website prior to the start of the meeting. Anything received after 4:00 PM. the day of the meeting will be made available at the meeting, if practicable, and posted on the SCV Water website the following day. All correspondence with comments, including letters or emails, will be posted in their entirety. (Public comments take place during Item 2 of the Agenda and before each Item is considered. Please see the Agenda for details.)

This meeting will be recorded and the audio recording for all Committee meetings will be posted to yourSCVwater.com within 3 business days from the date of the Committee meeting.

Disclaimer: Attendees should be aware that while the Agency is following all applicable requirements and guidelines regarding COVID-19, the Agency cannot ensure the health of anyone attending a Committee meeting. Attendees should therefore use their own judgment with respect to protecting themselves from exposure to COVID-19.

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Date: November 9, 2023

To: **Public Outreach and Legislation Committee**
Maria Gutzeit, Chair
Kathye Armitage
Beth Braunstein
Ed Colley

From: Steve Cole, Assistant General Manager *SC*

The **Public Outreach and Legislation Committee** meeting is on **Thursday, November 16, 2023 at 5:30 PM at 26521 Summit Circle, Santa Clarita, CA 91350 in the Engineering Services Section (ESS) Boardroom.** Members of the public may attend in person or virtually. To attend this meeting virtually, please see below.

IMPORTANT NOTICES

This meeting will be conducted in person at the addresses listed above. As a convenience to the public, members of the public may also participate virtually by using the **Agency's Call-In Number 1-833-568-8864, Webinar ID: 160 166 5112 or Zoom Webinar by clicking on the scvwa.zoomgov.com/j/1601665112**. Any member of the public may listen to the meeting or make comments to the Committee using the call-in number or Zoom Webinar link above. However, in the event there is a disruption of service which prevents the Agency from broadcasting the meeting to members of the public using either the call-in option or internet-based service, this meeting will not be postponed or rescheduled but will continue without remote participation. The remote participation option is being provided as a convenience to the public and is not required. Members of the public are welcome to attend the meeting in person.

Attendees should be aware that while the Agency is following all applicable requirements and guidelines regarding COVID-19, the Agency cannot ensure the health of anyone attending a Committee meeting. Attendees should therefore use their own judgment with respect to protecting themselves from exposure to COVID-19.

Members of the public unable to attend this meeting may submit comments either in writing to ekang@scvwa.org or by mail to Eunie Kang, Executive Assistant, Santa Clarita Valley Water Agency, 26501 Summit Circle, Santa Clarita, CA 91350. All written comments received before 4:00 PM the day of the meeting will be distributed to the Committee members and posted on the Santa Clarita Valley Water Agency website prior to the start of the meeting. Anything received after 4:00 PM the day of the meeting, will be made available at the meeting, if practicable, and will be posted on the SCV Water website the following day. All correspondence with comments, including letters or emails, will be posted in their entirety.

MEETING AGENDA

<u>ITEM</u>		<u>PAGE</u>
1.	<u>PLEDGE OF ALLEGIANCE</u>	
2.	<u>PUBLIC COMMENTS</u> – Members of the public may comment as to items within the subject matter jurisdiction of the Agency that are not on the Agenda at this time. Members of the public wishing to comment on items covered in this Agenda may do so at the time each item is considered. (Comments may, at the discretion of the Committee Chair, be limited to three minutes for each speaker.) To participate in public comment from your computer, tablet, or Smartphone, click the “raise hand” feature in Zoom. You will be notified when it is your turn to speak, please unmute when requested. To participate in public comment via phone, dial *9 to raise your hand. When it is your turn to speak, dial *6 to unmute.	
3. *	Discussion of the 2024 Legislative Platform and Advocacy Process	1
4. *	Review of the Public Outreach and Legislation (POL) Committee Scheduling and Calendar Planning	11
5. *	Communications Manager’s Report	17
6. *	Committee Planning Calendar	63
7.	Committee Requests for Future Agenda Items	
8.	Adjournment	
*	Indicates Attachment	
◆	Indicates Handout	

NOTICES:

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Eunie Kang, Executive Assistant, at (661) 297-1600, or email to ekang@scvwa.org or by writing to Eunie Kang, Santa Clarita Valley Water Agency, 26501 Summit Circle, Santa Clarita, CA 91350. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Committee less than seventy-two (72) hours prior to the meeting will be available for public inspection at the Santa Clarita Valley

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Water Agency, located at 27234 Bouquet Canyon Road, Santa Clarita, CA 91350, during regular business hours. When practical, these public records will also be made available on the Agency's Internet Website, accessible at yourSCVwater.com.

Posted on November 9, 2023.

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COMMITTEE MEMORANDUM

DATE: November 16, 2023
TO: Public Outreach and Legislation Committee
FROM: Steve Cole
Assistant General Manager *SC*
SUBJECT: Discussion of the 2024 Legislative Platform and Advocacy Process

SUMMARY

Each year, the Board of Directors adopts a Legislative Platform to direct staff and advocacy consultants when evaluating proposed legislation that may impact SCV Water. The Platform provides direction to staff, who in turn can direct Agency legislative advocates. This allows timely response to requests, for example, for letters of support or opposition to fast-moving legislation or other regulatory action. The Platform is intended to provide a clear understanding of our objectives in general, a solid foundation for our work going forward, and allow the Agency to engage in legislative actions in a timely manner in order to carry out the mission of the Agency.

DISCUSSION

The 2024 Draft Legislative Platform is attached. Typically, few circumstances arise during the year which are not covered by the Platform. Staff and advocates have not identified any additional topics for the coming year.

Advocacy Process

The Legislative Platform is the foundation for a nimble and responsive advocacy program. As an example of the Platform in action, the following outline describes the process. Keep in mind that this refers only to legislation with potential impact on SCV Water, which could be as a water provider, employer or an entity otherwise subject to the provisions of the proposed bill. Typically, this process only occurs at the state level, and not at a federal level.

1. A bill is introduced in the State Assembly/House or the State Senate/Senate.
2. The bill is identified by any of several entities which bring it to staff's attention. This could be California Advocates (SCV Water's state lobbyist), the legislative affairs staff of the Association of California Water Agencies (ACWA), California Special Districts Association (CSDA), Southern California Water Coalition, State Water Contractors Association or through other contacts and relationships through Agency staff and/or directors.
3. A decision is made whether to take action.
 - a. Does the bill address any of the issues in our Legislative Platform?

- b. If so, do we want to take action in support or opposition to the bill, in accordance to the Platform?
 - c. Do we want to request amendments? (i.e., “oppose unless”)
 - d. Are any industry organizations or coalitions taking action through a joint letter that we wish to add our logo to?
4. Only after this evaluation, and with the adopted Platform as authorization and guidance, will staff take action or direct California Advocates to take action.
5. The action is then reported at the next Public Outreach and Legislation Committee meeting, with any letters attached to the agenda packet.

It’s important to note that while sometimes the Agency may directly issue a letter of support or opposition, most often we participate as part of a coalition. This is an accepted best practice in legislative advocacy, as those coalitions or industry organizations often have a higher profile and greater impact in the process.

STRATEGIC PLAN NEXUS

The Legislative Platform supports Goal A of the Strategic Plan to "Implement policies supporting the social, quality of life, and environmental values of the community," specifically Strategy A.4 - Engage in statewide and federal water legislative and policy issues.

FINANCIAL CONSIDERATIONS

None

RECOMMENDATION

That the Public Outreach and Legislation Committee recommends that the Board of Directors adopt the 2024 Legislative Platform.

Attachment: Redline Draft 2024 Legislative Platform



2024 LEGISLATIVE PLATFORM

Approved December 5, 2023

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SCV WATER 2024 LEGISLATIVE PLATFORM

APPROVED: **DECEMBER 5, 2023**

1.0 **PURPOSE**

The SCV Water Legislative Platform provides statements and positions which have been adopted by the Board of Directors and/or are included in other adopted policies or plans. The Platform provides direction SCV Water staff and SCV Water's legislative advocates when evaluating proposed legislation that may directly or indirectly impact SCV Water or its customers. Legislation that meets or fails to meet the principles set forth in the Platform may be supported or opposed accordingly. This allows timely response in support or opposition to fast-moving legislation or other regulatory action.

Legislation that does not meet the principles set forth in the Platform, or that has potentially complicated or varied implications, will not be acted upon by staff or the legislative advocates and will instead be presented to the Board directly for guidance in advance of any position being taken. Additionally, legislation is presented to the Board for action when a Board vote is necessary to strengthen SCV Water's position on a bill. Following these guidelines allows staff to respond to legislation in a timely manner.

2.0 **IMPORTED WATER SUPPLY**

It is SCV Water's policy to support:

- 1) Development of a long-term state water plan that balances California's competing water needs amongst environmental restoration, agriculture, and urban water management, and results in a reliable supply of high-quality water for the Santa Clarita Valley.
- 2) Implementation of a long-term, comprehensive solution for the Sacramento-San Joaquin River Delta (the Delta) that:
 - a) Provides reliable water supplies to meet California's short- and long-term needs.
 - b) Improves the ability to transport water across the Delta either for, or in supplement to, State Water Project deliveries, and addresses Delta levee stability cost effectively and efficiently.
 - c) Improves the quality of water delivered from the Delta.
 - d) Addresses the Bay-Delta's ecological health in a balanced manner that takes into account all factors that have contributed and are contributing to the Delta's degradation.
 - e) Encourages cost-effective water-use efficiency measures.

- f) Increases storage, ~~particularly both north and~~ south of the Delta, in a manner that does not detrimentally impact the water supply availability and reliability of the State Water Project.
- 3) Implementation of measures that enhance the cost-effective and efficient operation of State Water Project facilities, including opportunities to facilitate the collection and reporting of data to better inform decision making.

It is SCV Water's policy to oppose:

- 1) Legislation that would make urban water supplies less reliable, or would substantially increase the cost of imported water without also improving the reliability and/or quality of such water.
- 2) Revisions to the federal Central Valley Project (CVP) Improvement Act that would jeopardize the Delta's environmental integrity, compromise State Water Project supply availability and/or reliability and/or limit the ability of urban agencies to transfer and/or bank CVP water.

3.0 LOCAL WATER RESOURCES

It is SCV Water's policy to support legislation that:

- 1) Provides federal and state funding for water conservation efforts, improvements in technology, water recycling, groundwater recovery and recharge, desalination, climate change studies and surface water development projects.
- 2) Authorizes and/or facilitates expanded use of local water resources including water recycling and stormwater capture.
- 3) Authorizes local governmental agencies to regulate the discharge of contaminants to the sewer collection system that may adversely affect water recycling and reuse.
- 4) Facilitates public understanding of and support for programs and projects that enhance the quality, reliability and supply of local water resources.
- 5) Encourage and/or funds watershed-based integrated water resources management and planning.
- 6) Removes barriers that restrict ability of local government to develop recycled water.
- 7) Facilitates the sustainable management of groundwater resources.

It is SCV Water's policy to oppose legislation that:

- 1) Restricts the ability of local governmental agencies to develop their local resources in a cost-effective, efficient and environmentally sensitive manner.

4.0 ENERGY

It is SCV Water's policy to support legislation that:

- 1) Assists water agencies in obtaining reliable energy at reasonable costs.
- 2) Aids utilities in achieving energy efficiency improvements.
- 3) Provides for consistency in renewable energy pricing.

It is SCV Water's policy to oppose legislation that:

- 1) Imposes additional regulatory burdens on the State Water Project, water agencies and their power providers that reduces energy availability and/or reliability or increases energy costs.

5.0 WATER USE EFFICIENCY

It is SCV Water's policy to support legislation that:

- 1) Ensures accurate reporting of the implementation of water efficiency measures such as the urban Best Management Practices.
- 2) Sets cost-effective efficiency standards for water-using devices.
- 3) Provides loans and grants to fund incentives for water conserving devices or practices.
- 4) Provides federal and state funding to improve water use efficiency technologies.
- 5) Provides flexibility in available methods for water agencies to meet state water conservation goals.

It is SCV Water's policy to oppose legislation that:

- 1) Fails to ensure balance in the implementation of water efficiency practices and requirements for both urban and agricultural use.
- 2) Results in measures that would not be cost-effective for the Santa Clarita Valley.

6.0 WATER QUALITY

It is SCV Water's policy to support legislation that:

- 1) Protects and/or improves the quality of surface water and groundwater.
- 2) Provides funding to help agencies meet state and federal water quality standards.

- 3) Establishes and/or implements standards for water-borne contaminants based on sound science and with consideration of cost-effectiveness.

It is SCV Water's policy to oppose legislation that:

- 1) Could compromise the quality of surface water and groundwater supplies.
- 2) Establishes and/or implements standards for water-borne contaminants without regard for technical feasibility, sound science or consideration of cost-effectiveness.

7.0 SUSTAINABLE WATER RESOURCES MANAGEMENT PRACTICES

It is SCV Water's policy to support legislation that:

- 1) Advances science relating to impacts of climate change on precipitation patterns and the manner in which operation of existing water resources infrastructure may be optimized.
- 2) Expands opportunities to increase and make cost effective use of renewable energy.

8.0 WATER TRANSFERS

It is SCV Water's policy to support legislation that:

- 1) Encourages and facilitates voluntary water transfers.
- 2) Streamlines the permitting and approval process for implementing transfers.
- 3) Provides appropriate protection or mitigation for impacts on the environment, aquifers, water-rights holders and third parties to the transfer, including those with interests in the facilities being used.
- 4) Encourages transfers that augment existing water supplies, especially in dry years.
- 5) Encourages use of available capacity in existing facilities to advance voluntary transfers of water.

It is SCV Water's policy to oppose legislation that:

- 1) Detrimentially impacts the operations and maintenance of conveyance systems.
- 2) Interferes with the financial integrity of sound water management practices.

9.0 ADMINISTRATIVE AND FISCAL POLICY

It is SCV Water's policy to support legislation that:

- 1) Requires the federal and state governments to provide a subvention to reimburse local governments for all mandated costs or regulatory actions.

- 2) Maintains the multi-county ERAF (Education Revenue Augmentation Fund) exemption.
- 3) Fosters public understanding of government activities and decision-making processes while not imposing unreasonable administrative or financial burdens.

It is SCV Water's policy to oppose legislation that:

- 1) Is inconsistent with SCV Water's current investment policies and practices.
- 2) Pre-empts SCV Water's ability to impose or change water rates, fees, or assessments.
- 3) Impairs SCV Water's ability to maintain reasonable reserve funds.
- 4) Impairs SCV Water's ability to provide service at reasonable costs to its retail purveyors.
- 5) Makes any unilateral reallocation of SCV Water revenues, or those of its retail purveyors.

10.0 ENVIRONMENTAL POLICY

It is SCV Water's policy to support legislation that:

- 1) Enhances the environment of the state of California in a balanced, cost-effective manner.
- 2) Enhances the environment of the Santa Clarita Valley in a balanced, cost-effective manner.
- 3) Protects the quality and quantity of California and the Santa Clarita Valley water supplies.

It is SCV Water's policy to oppose legislation that:

- 1) Imposes unreasonable additional costs, bureaucracy or legal obligations on water suppliers to meet environmental regulations.

11.0 WATER RATE ASSISTANCE

It is SCV Water's policy to support legislation that:

- 1) Is relevant to developing a Statewide approach to water ratepayers' assistance programs. Preference is for state-administered programs with an identified funding source.

12.0 LAND USE AND GROWTH MANAGEMENT

Refer specific legislation, whether of local or statewide interest, to the Board of Directors.

13.0 INITIATION OF LEGISLATION

Legislation relevant to the interests of SCV Water shall be initiated at the direction of the Board of Directors in coordination with the appropriate legislative advocate.

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COMMITTEE MEMORANDUM

DATE: November 16, 2023
TO: Public Outreach and Legislation Committee
FROM: Steve Cole
Assistant General Manager *SC*
SUBJECT: Review of the Public Outreach and Legislation (POL) Committee Scheduling and Calendar Planning

SUMMARY

SCV Water's Public Outreach and Legislation (POL) Committee currently meets on the Third Thursday of each month to receive reports from legislative advocates at the federal, state, and local levels. The POL Committee also hears from the Agency's Communications Manager on updates and information regarding public outreach and engagement, including current and upcoming public relations campaigns, social media strategy and metrics, and advertising.

Each month, the Committee receives updates on proposed legislation in Sacramento and Washington, D.C., and communicates with advocates regarding legislation, grant funding and other programs available to advance the Agency's priorities. Additionally, the Committee is responsible for the annual review and recommendation of the Agency's Legislative Platform to the full Board of Directors for adoption.

DISCUSSION

A Proposed 2024 POL Committee Calendar is attached. The proposed calendar was developed by staff after consultation with the Agency's legislative advocates to identify times of the year when holding Committee meetings would be most beneficial for reviewing proposed legislation and milestones during the legislative session. The proposed calendar includes descriptions for these milestones and sets the legislative consultant reports to every other month. California Advocates has provided input on a schedule that works best for the state's legislative session. Van Scoyoc Associates (federal) has requested that legislative consultant reports continue monthly.

In consideration of the anticipated length of each meeting, the proposed calendar also lists planned presentations for the intervening months. These topics include the Public Outreach Operating Budget, an Outreach Year in Review, quarterly Social Media Metrics, and more.

STRATEGIC PLAN NEXUS

The work of the Public Outreach and Legislation Committee supports Goal A of the Strategic Plan – Implement and communicate policies supporting the social, quality of life, and environmental values of the community.

FINANCIAL CONSIDERATIONS

None

RECOMMENDATION

- A) That the Public Outreach and Legislation Committee adopt the Proposed 2024 POL Committee Calendar; or
- B) That the Public Outreach and Legislation Committee adopts the Proposed 2024 POL Committee Calendar with changes; or
- C) That the Public Outreach and Legislation Committee make no change to its current meeting format and calendar.

Attachments:

Proposed 2024 POL Committee Calendar
Summary of Committee Meeting Topics and Actions Taken (2022-23)



**PUBLIC OUTREACH AND LEGISLATION COMMITTEE
AGENDA PLANNING CALENDAR 2023-2024**

PROPOSED

December 5, 2023 Board Meeting

1. Adoption of the 2024 Legislative Platform

December 21, 2023 Committee Meeting – Canceled

January 18, 2024 Committee Meeting

1. Legislative Consultant Reports
 - a. California Advocates (Overview of January 10 budget and early reviews on legislation introduced in December 2023 and January 2024)
2. Communications Manager's Report
 - a. Q4 2023 Social Media Report
3. Committee Requests for Future Agenda Items

February 15, 2024 Committee Meeting *(last days for bills to be introduced)*

1. Outreach Year in Review Presentation
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

March 21, 2024 Committee Meeting

1. Legislative Consultant Reports
 - a. California Advocates (Discussion of legislation introduced following February deadline)
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

April 18, 2024 Committee Meeting

1. Social and Digital Media Metrics and Highlights Presentation
2. Presentation of the FY 2024/25 Public Outreach Operating Budget
3. Communications Manager's Report
 - a. Q1 2024 Social Media Report
4. Committee Requests for Future Agenda Items

May 16, 2024 Committee Meeting

1. Legislative Consultant Reports
 - a. California Advocates (Critical month – Legislation is through policy committees and into fiscal review. The May revise of the budget will likely be out for discussion by this date.)
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

June 20, 2024 Committee Meeting *(last days for Senate/Assembly to pass bills)*

1. Campaigns and Engagement Highlights Presentation
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

July 18, 2024 Committee Meeting

1. Legislative Consultant Reports
 - a. California Advocates (Post-budget and post-second house policy review)
2. Communications Manager's Report
 - a. Q2 2024 Social Media Report
3. Committee Requests for Future Agenda Items

August 15, 2024 Committee Meeting

1. Legislative Affairs Analyst Priorities Presentation
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

September 19, 2024 Committee Meeting *(last days for Senate/Assembly to pass bills)*

1. Legislative Consultant Reports
 - a. California Advocates (Legislative session recap)
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

October 17, 2024 Committee Meeting

1. Grant Program Overview
2. Communications Manager's Report
 - a. Q3 2024 Social Media Report
3. Committee Requests for Future Agenda Items

November 21, 2024 Committee Meeting

1. Review of the 2025 Legislative Platform
2. Legislative Consultant Reports
 - a. California Advocates (Election discussion and preparation for 2025)
3. Communications Manager's Report
4. Committee Requests for Future Agenda Items

December 3, 2024 Board Meeting

1. Adoption of the 2025 Legislative Platform

December 19, 2024 Committee Meeting

1. Communications Manager's Report
2. Committee Requests for Future Agenda Items

2023						
Meeting Date	Status		Action Items		Input Received	NOTES
	Met	Cancelled	Y/N	# of Items		
1/18/2023		X		N/A		RESCHEDULED
1/19/2023	X		N	0		Year in Review of Outreach Efforts in 2022
2/16/2023	X		N	0		Discussion of Crisis Communications Plan
3/16/2023	X		N	0		Discussion of Staffing Considerations (no action)
4/20/2023	X		N	0		Discussion of FY 23/24 and FY 24/25 Public Outreach and Legislative Budget (no action)
5/18/2023		X		N/A		RESCHEDULED
5/22/2023	X		Y	1		Discussion of Local Legislative Advocate Position (consensus recommendation to Board to approve)
6/15/2023	X		N	0	Guidance on Agency participation in local non-profit events, as well as when to set up water station at public events	Discussion of 2023 Customer Survey (no action)
7/20/2023	X		Y	1	Discussion of role of Digital Media Consultant and advertising strategies in light of Customer Survey. Feedback on Scout Day program and expansion possibilities to groups outside of Scout troops/packs. Provided feedback on social media version of "Distilled" Board Meeting recaps to improve engagement online.	Recommend Authorizing the General Manager to Enter into an Agreement with Kennedy/Jenks Consultants to Provide Grant Administration Services for the Proposition 1 Round 2 Integrated Regional Water Management Implementation Grant
8/17/2023	X		N	0	Feedback of Grant Tracking updates to Committee	Review of FY 22/23 Grant Acquisition and Management Activities (no action)
9/21/2023		X		N/A		CANCELLED
10/19/2023	X			0		Education Presentation - Review of 2022-23 School Year
Nov						
Dec						

2022						
Meeting Date	Status		Action Items		Input Received	NOTES
	Met	Cancelled	Y/N	# of Items		
1/20/2022	X		Y	1		Discussion of the 2022 Legislative Platform and Advocacy Process (consensus recommendation to present to Board)
2/17/2022	X		N	0	Provided input on outreach and community engagement, asked for futher updates on strategy in the future.	Status Update on Comm and Engagement Gap Analysis Efforts
3/17/2022	x		N	0	Provided input on the development of the Water Academy, with recommendations on purpose, audience and structure.	Discussion of Water Academy Program
3/24/2022	x				Gave direction that any legislative bill updates will be part of regular monthly POL meetings as a discussion item.	CA Legislative Bill Workshop
4/21/2022	X		N	0		Discussion of Draft Board Resolutions and Initial Implementation Action from the Engagement Gap Analysis
5/19/2022		X	N	N/A		Presentation of Public Outreach, Education and Legislative Advocacy Budget FY 22/23
6/16/2022	X		Y	1	Consensus to recommend approval of Legislative Advocacy Contract renewals to the Board for July 5, 2022. Also explore other options for local advocacy for future consideration.	Discussion of Legislative Advocacy Contract Renewal Presentation: Drought Messaging Action Plan (also presented at 7/5/22 Board meeting)
7/21/2022	X		Y	1	Consensus to recommend the draft resolution and potential implementation action plan for Board approval on August 2, 2022.	Discussion of Draft Resolution and Initial Implementation Action from the Engagement Gap Analysis Presentation: Overview of School Education Program
8/18/2022	X		N	0		
9/15/2022	X		N	0		
10/20/2022	X		Y	1	Bring back Gladbach Scholarship item on November 17. Supported implementation of the proposed Water Academy pilot program.	Discussion of Jerry Gladbach Scholarship and/or Internship Discussion of Water Academy Pilot Session Agency's New Website Status Report
11/17/2022	X		Y	1	Consensus recommendation to put this item on the Board agenda for December 6, 2022.	Discussion of Jerry Gladbach Scholarship
12/15/2022	X		Y	1	Consensus recommendation to put this item on the Board agenda for January 3, 2023.	Discussion of the 2023 Legislative Platform and Advocacy Process

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COMMITTEE MEMORANDUM

DATE: November 16, 2023

TO: Public Outreach and Legislation Committee

FROM: Kevin Strauss
Communications Manager KS

SUBJECT: Communications Manager's Report

SUMMARY

The Communications Manager will provide brief updates on current projects and efforts, which could include legislation tracking, sponsorship and events, social media reporting and others.

Expected items to be updated this month include:

- Communications Awards Recap
- Fall Water Academy Recap
- Light Up Main Street

STRATEGIC PLAN NEXUS

The work of the Outreach Department supports the overall Strategic Plan through education, public engagement, marketing and other internal and external methods of communication.

FINANCIAL CONSIDERATIONS

None

RECOMMENDATION

For information only. No action to be taken.

Attachments:

Grant Funding Efforts Summary
Legislative Tracking Summary
Sponsorship Tracking Summary

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**SANTA CLARITA VALLEY WATER AGENCY
GRANT / FUNDING EFFORTS SUMMARY**

Grant	Start Date	End Date	# of SCVWA Projects within Grant	SCV Water Project Name	SCVWA PROJECTS ONLY				% Grant Share Billed on Funder Approved Invoices**	Cost of Application
					Total Project Cost	Grant Funding/Loan	Required Funding Match (Non-State/Federal Share)	Other Non-State/Federal Share		
DWR Prop 84 Round 1 Implementation <i>*Fundable portion of grant complete; grant completion and retention release est. September 2023</i>	4/10/2012	3/31/2022*	4	1. Grant Administration 2. SCV Water Use Efficiency Plan 3. Santa Clara River Sewer Truck Line Relocation 4. Recycle Water Project Phases 2B & 2D	\$ 14,057,107	\$ 6,264,551	\$ 4,110,280	\$ 7,792,556	92%	\$37,700
DWR Prop 1 Sustainable Groundwater Planning (includes Prop 1 SGWP & Prop 68 SGP grants) <i>Prop 1 Grant Agreement Date: 12/5/2018 Prop 68 Amendment Date: 5/14/2020</i>	12/5/2018	12/31/2023	3	a. Grant Administration b. Planning Activities c. Monitoring	\$ 2,047,434	\$ 1,307,265	\$ 740,169	\$ -	90%	Prop 1 - \$24,778 Prop 68 - \$29,822
DWR Prop 1 Round 1 IRWM Implementation <i>Grant Agreement Date: 7/6/2021</i>	9/24/2020	3/21/2026	2	1. Grant Administration 2. Recycle Water Phase 2C 3. Santa Clara Honby PFAS Remediation	\$ 20,674,288	\$ 6,216,800	\$ 10,751,205	\$ 3,706,283	40%	\$99,192 Cost share between project proponents
CA State Water Resources Control Board <i>Grant Agreement Date: 2/3/2022</i>	4/8/2021	3/31/2024	1	LARC Ranch Water Pipeline Project	\$ 4,811,991	\$ 3,931,991	\$ 880,000	\$ -	9%	\$0 State Assigned Grant Consultant / DAC Proj
BOR WaterSmart Drought Response Program <i>Grant Agreement date: 8/11/2022</i>	8/11/2022	6/30/2025	1	Rosedale Phase 2 Wells Project* <i>*Total project cost does not include cost to purchase well sites or easements.</i>	\$ 2,921,191	\$ 1,458,987	\$ 1,462,204	\$ -	0%	Included in annual On-Call Grant Consulting Agreement (FY2022 \$69,725 Final)
BOR WaterSmart Water and Energy Efficiency Grant <i>Agreement date: 9/16/2022</i>	9/16/2022	6/30/2025	1	Automated Metering Infrastructure (AMI) Project (SCV Water Phase 1)	\$ 8,428,289	\$ 2,000,000	\$ 6,428,289	\$ -	54%	Included in annual On-Call Grant Consulting Agreement (FY2022 \$69,725 Final)
FY 2023 WaterSmart BOR Drought Response Program <i>Grant Agreement date: 05/30/2023</i>	5/30/2023	12/31/2026	1	S-Wells PFAS Treatment and Disinfection Facilities (Phase 1)	\$ 16,412,500	\$ 5,000,000	\$ 5,000,000	\$ 6,412,500	1%	Included in annual On-Call Grant Consulting Agreement (FY2022 \$69,725 Final)
WaterSmart BOR Water Energy Efficiency Grant FY2023 <i>Preliminary Award: April 2023 Grant Agreement in negotiation</i>	TBD	TBD	1	Water Efficiency Program	\$ 7,242,900	\$ 2,000,000	\$ 5,242,900		0%	Included in annual On-Call Grant Consulting Agreement (FY2023 \$52,687 Final)
DWR Prop 1 Round 2 IRWM Grant Total Funding - \$10.95M awarded <i>Grant Agreement Date: 10/27/2023</i> (IRWM App contains 5 projects total, incl City and LA County projects)	TBD	12/31/2027	3	1. Grant Administration 2. Sand Canyon Sewer Line Relocation 3. T&U Wells PFAS Treatment	\$ 21,756,527	\$ 3,625,529	\$ 10,753,264	\$ 737,734	0%	\$55,757.50 Total SCVWA Application Cost Share \$27,878.75
DWR Prop 1 Sustainable Groundwater Mgmt Implementation Grant_ Round 2 <i>Award accepted: 10/18/2023 Awaiting Draft Grant Agreement</i>	TBD	TBD	4	1. Grant Administration 2. Existing GSP Contracted Implementation 3. Monitoring Wells 4. Domestic Well Survey	\$ 5,304,640	\$ 5,304,640	\$ -	\$ -	0%	\$16,790
CA Budget Act of 2022 Earmark (AB102) <i>Award: June 2023 Agreement in negotiation</i>	TBD	TBD	1	Arundo Removal and Management	TBD	\$ 1,000,000	\$ -	\$ -	0%	Staff submitted

**Based on Funder approved invoices for ALL PROJECTS within the grant. Receipt of payment may be delayed in Funder's normal course of business.

SUBMITTED APPLICATIONS UNDER CONSIDERATION - PENDING									
Grant	Start Date	End Date	# of SCVWA Projects within Grant	SCV Project Name	Total Project Cost	Requested Grant/Loan Funding	Required Funding Match (Non-State/Federal Share)	Other Non-State/Federal Share (Funding Match)	Cost of Application
BOR WaterSmart Drought Response Grant <i>Application Submitted: ~11/1/2023</i>	Est 10/2024	Est 10/2027	1	Newhall Wells (N11, N12, N13) Groundwater Treatment Improvements	\$ 20,680,000	\$ 5,000,000	\$ 15,680,000		Included in FY2024 On Call Grant Writing Agreement (\$50K)
BOR WaterSmart Applied Science Grant <i>Application Submitted: 10/17/2023</i>	Est. 4/2023	Est 9/2026	1	Groundwater Model Refinement and Calibration Project	\$ 726,748	\$ 363,374	\$ 363,374		Included in FY2024 On Call Grant Writing Agreement (\$50K)
SWRCB Water Recycling Funding Program <i>Grant up to 35% of Project Costs; grant request capped at approx. \$3.2M due to \$3M funding under DWR Prop 1 Round 1 IRWM Grant Submitted: ~4/12/2023; awaiting award notification</i>	TBD	TBD	1	Recycled Water Phase 2C (Reach 1)	\$ 12,276,660	\$ 3,200,000	TBD		Included in annual On-Call Grant Consulting Agreement (FY2023 \$52,687 Final)
SWRCB Drinking Expedited Drinking Water Grant Program <i>100% Grant Funding for installation of distribution system for 70 existing homes within SCV Water Service Area Application: In process</i>	TBD	TBD	1	New Mint Association Water Distribution System	\$ 4,300,000	\$ 4,300,000	\$ -	\$ -	\$0 State Assigned Grant Consultant through SWRCB
CA State Water Resources Control Board Grant <i>Incentive Grant Funding re LARC Ranch DAC Project Application Submittal: FEB 2023</i>	TBD	TBD	1	PFAS Remediateion Projects T & U Wells (Phase 1 Project)	\$ 18,148,436	\$ 1,130,000	\$ -	\$ -	\$0 State Assigned Grant Consultant due to LARC Ranch DAC Proj
CA State Water Resources Control Board Grant <i>Bipartisan Infrastructure Law - EPA Emerging Contaminants Funding SCV Water's PFAS Projects are listed in SWRCB FY2022-23 Fundable List; may reduce/offset DWSRF Loan amount Application Submitted: FEB 2023</i>	TBD	TBD	1	PFAS Remediateion Projects T & U Wells (Phase 1 Project)	\$ 18,148,436	\$ 5,000,000	TBD		
CA Drinking Water State Revolving Fund Loan <i>Includes \$10M 0% Interest Incentive Loan re LARC Ranch DAC Project, with balance at standard SRF Rates; Application Submitted: FEB 2023</i>	TBD	TBD	1	PFAS Remediateion Projects T & U Wells (Phase 1 Project)	\$ 18,148,436	\$ 10,000,000	\$ -	\$ -	

**Cumulative funding limit across all BOR FY2023 WaterSmart Grant Programs is \$5M
Cell groupings bordered " - - - - " indicate a programmatic funding strategy

APPLICATIONS IN PROCESS - TO BE SUBMITTED									
Grant	Start Date	End Date	# of SCVWA Projects within Grant	SCV Project Name	SCVWA PROJECTS ONLY				Cost of Application
					Estimated Total Project Cost	Estimated Requested Grant/Loan Funding	Required Funding Match (Non-State/Federal Share)	Other Non-State / Federal Share (Funding Match)	
CA Drinking Water State Revolving Fund Loan <i>Includes ~\$960K 0% Interest Incentive Loan re LARC Ranch DAC Project, with balance at standard SRF Rates; Possibility of additional EPA Emerging Contaminants funding through Congressional Earmark/EPA Est. Application Submittal: Fall/Winter 2023</i>	TBD	TBD	1	PFAS Remediateion Projects S Wells (Phase 2 Project)	TBD	TBD	\$ -	\$ -	\$0 State Assigned Grant Consultant due to LARC Ranch DAC Proj

CLOSED / COMPLETED GRANTS										
Grant	Start Date	End Date	# of SCVWA Projects within Grant	SCV Water Project Name	SCVWA PROJECTS ONLY				% Grant Share Billed on Funder Approved Invoices*	Cost of Application
					Total Project Cost	Grant Funding	Required Funding Match (Non-State/Federal Share)	Other Non-State/Federal Share		
DWR Prop 84 Round 2 Implementation <i>(Complete - DWR official notification of closed grant received on 5/11/2021)</i>	6/17/2014	12/31/2020	4	1. Grant Administration 2. CLWA SCV WUE Program 3. SCWD WUE Programs 4. Foothill Feeder Connection	\$ 7,804,002	\$ 4,003,399	\$ 3,800,603		99.79% FINAL	\$84,175
DWR Prop 84 2014 Drought Grant <i>(Complete - DWR official notification of closed grant received on 5/11/2021)</i>	7/20/2015	12/31/2020	3	1. Grant Administration 2. RRB/CLWA Banking Program 3. CLWA/SWSD Extraction & Conveyance	\$ 15,616,780	\$ 11,535,067	\$ 4,081,713		99.68% FINAL	\$80,000
American Rescue Plan Act of 2021 through CA DDW - CA Water and Wastewater Arrearage Payment Program	Immediate	1/31/2022	1	Arrearage Payment Program (customer bills arrearage payment forgiveness)	\$ 671,520	\$ 671,520	\$ -	\$ -	100%	\$0 Staff Submitted
ACWA-JPIA	3/1/2022	6/30/2022	1	Emergency Preparedness (Communications Equipment)		\$ 10,000	\$ -	\$ -	0%	\$0 Staff Submitted
CalOES-FEMA Public Assistance Program FEMA-4482-DR-CA (Project 1)	7/31/2020		1	COVID-19 Assistance (PPE & Sanitation Supplies)		\$ 34,380	\$ -	\$ -	100%	\$0 Staff submitted
Community Power Resiliency Allocation - Special Districts Program - CalOES subaward Closeout: 4/24/2023	3/12/2021	3/31/2022	1	Generator Replacement at Earl Schmidt Filtration Plant	\$ 249,854	\$ 249,854	\$ -	\$ -	100% allocated funds received	\$0 - No charge from Consultant
CalOES-FEMA Public Assistance Program FEMA-4482-DR-CA (Project 2)	6/12/2020	5/8/2023 <i>awarded</i>	1	COVID-19 Assistance (Sanitation of Agency Facilities)		\$ 40,900	\$ -		100%	\$0 Staff submitted

UNSUCCESSFUL APPLICATIONS									Cost of Application
Grant	Start Date	End Date	# of SCVWA Projects within Grant	SCV Project Name	Total Project Cost	Grant Funding	Required Funding Match (Non-State/Federal Share)	Other Non-State/ Federal Share (Funding Match)	
DWR 2022 Urban Community Drought Relief Grant Submittal Date: 12/9/2022 Phases 1-4 awarded; DWR may fund additional rounds, but unlikely	TBD	12/31/2026	2	1. Saugus 3 & 4 Well Equipping Project 2. S Wells PFAS Treatment/Disinfection	\$ 26,720,434	\$ 5,982,109	\$ 1,495,527	TBD	Included in annual On-Call Grant Consulting Agreement (FY2023 \$52,687 Final)
DWR Prop 84 IRWM Round 3 Grant Submitted: 8/7/2015	N/A	N/A	2	1. Grant Administraton 2. CLWA Res & Comm Turf Removal 3. Santa Clara River Trunk Sewer Line Project Phase II (NCWD?) 4. Valencia WRP Advanced Water Treatment Facilities	\$ 40,565,007	\$ 16,229,000	\$ 24,427,007		\$110,000 Cost Share between Project Proponents on a pro-rata basis
WaterSMART Water and Energy Efficiency Grants BOR-DO-21-F001 Submitted: 9/17/2020	N/A	N/A	1	Automated Metering Infrastructure (AMI) Project (SCV Water Phase 1)	\$ 3,475,860	\$ 500,000	\$ 500,000	\$ 2,475,860	Included in annual On-Call Grant Consulting Agreement (FY2022 \$69,725 Final)
WaterSMART Drought Response Program BOR-DO-20-F002 Submitted: 8/5/2020	N/A	N/A	1	Saugus Wells 3 & 4 Equipment and Site Improvement Project	\$ 3,744,829	\$ 1,500,000	\$ 1,500,000	\$ 744,829	Included in annual On-Call Grant Consulting Agreement (FY2022 \$69,725 Final)
CA DWR 2021 Urban and Multibenefit Drought Relief Grant Program Submitted: 1/12/2022	N/A	N/A	1	Saugus Wells 3 & 4 (Replacement Wells) Well Equipment and Site Improvement Project	\$ 8,300,000	\$ 2,500,000	\$ -		Included in annual On-Call Grant Consulting Agreement (FY2022 \$69,725 Final)
CA DWR 2021 Urban and Multibenefit Drought Grant to be reconsidered under Round 3 Submitted: 1/12/2022	N/A	N/A	1	Santa Clara/Honby PFAS Groundwater Treatment Improvement Project INCLUDED AS SUBSTITUTE PROJECT IN PROP 1 ROUND 1 IRWM GRANT ABOVE	\$ 11,750,000	\$ 4,000,000	\$ -		\$5,736
BOR WaterSmart - Title XVI WIIN Water Reclamation and Reuse Program FY2022 Submitted: 3/15/2022	N/A	N/A	1	Phase 2C Recycled Water Project	\$ 24,010,000	\$ 6,002,500	\$ 15,007,500	\$ 3,000,000	Included in annual On-Call Grant Consulting Agreement (FY2022 \$69,725 Final)
FEMA-CalOES Hazard Mitigation Grant Program (Under DR-4683) Did not submit application due non-competitive scoring on FEMA Benefit Cost Analysis tool	est 2026	TBD	1	Seismic Retrofit for SCVWA Steel Reservoirs (5 reservoirs)	TBD	TBD	TBD		Est \$45K (~\$35K application costs reimbursable if grant is awarded)

REQUIRED DOCUMENTATION / FUNDING APPLICATION PREPARATION			
Document / Program	Explanation	Start Date	Est. Completion
Local Hazard Mitigation Plan (LHMP)	An approved LHMP is an eligibility requirement for funding under FEMA and/or other federal grants opportunities.	FEB 2021	Completed FEMA Approved 1/14/2023
Bureau of Reclamation - Title XVI Feasibility Study	Feasibility Study required to qualify for federal WIIN Act funding for Phases 2A and 2C Recycled Water Projects was approved by BOR on 4/28/2022.	JAN 2021	Completed Accpeted by BOR

Last Update: 11/1/2023



LEGISLATION TRACKING

Letters of Support/Opposition

Date	Bill/Initiative	Title	Stand	Notes	Leg. Policy*	Status
1/3/2023		Support letter for Habitat Enhancement and Restoration Program Funding for Bouquet Canyon Creek Restoration Project	Support	Letter submitted to Wildlife Conservation Board	10.0	Letter sent 1/3/2023
2/18/2023		Support letter for Temporary Urgency Change Petition (TUCP)	Support	Signed on to coalition letter from The State Water Contractors (SWC)	7.0	Letter sent 2/19/2023
3/21/2023	AB 1594 (E. Garcia)	Medium - and heavy-duty zero-emission vehicles: public agency utilities	Support	Letter submitted to Assembly Committee on Utilities & Energy	4.0 & 10.0	Letter sent 3/21/2023
3/21/2023	Assemblywoman Pilar Schiavo	Budget District Request Letter	N/A	Letter submitted to Assemblymember Schiavo providing a list of three funding priorities for SCV Water	9.0	Letter sent 3/21/2023
3/22/2023	Senator Wilk	Budget District Request Letter	N/A	Letter submitted to Senator Wilk providing a list of three funding priorities for SCV Water	9.0	Letter sent 3/22/2023
3/27/2023	AB 1337 (Wicks)	State Water Resources Control Board: Water Shortage Enforcement	Oppose	Signed on to coaliton letter from ACWA	9.0	Letter sent 4/11/2023
3/29/2023	SWC Comment Letter	Proposed Endangered Listing of the Longfin Smelt Bay-Delta DPS		The State Water Contractors (SWC) comment letter	10.0	Letter sent 3/9/2023
4/6/2023 6/13/23	SB 366 (Caballero)	California Water Plan: long-term supply targets	Support	Sent own letter to Chair Dave Min, Senate Natural Resources and Water Committee Signed on to coalition letter from SJWD Signed on to coalition letter from ACWA	7.0	Letter sent 4/6/2023 Coalition letter sent 4/21/2023; ACWA Coalition letter sent 6/13/2023
4/7/2023	ACWA Comment Letter	Proposed Regulation Order Advanced Clean Fleets (ACF) Regulation State and Local Government		Signed on to coaliton letter from ACWA	4.0 & 10	Letter sent 4/7/2023 & 4/20/2023
4/11/2023	SB 389 (Allen)	State Water Resources Control Board: Determination of Water Rights	Oppose	Signed on to coaliton letter from ACWA	9.0	Letter sent 4/11/2023
4/11/2023	AB 460 (Bauer-Kahan)	State Water Resources Control Board: Water Rights & Usage: Interim Relief: Procedures	Oppose	Signed on to coaliton letter from ACWA	9.0	Letter sent 4/11/2023
7/7/2023	AB 1631 (Schiavo)	Water Resources Permit to Appropriate: Application Procedure: Mining Use	Support	Sent own letter to Chair Dave Min, Senate Natural Resources and Water Committee	10.0	Letter sent 7/7/2023
7/27/2023	Assemblywoman Pilar Schiavo	Budget District Allocation Letter	N/A	Budget Allocation Confirmation: \$1,000,000 to SCV Water, for Arundo Removal & Management	9.0	Letter received
10/17/2023	AB 1668 and SB 606	Proposed Draft Making Conservation a California Way of Life Regulation - Comment Letter	N/A	Signed on to coaliton letter from ACWA and sent own letter to State Water Resources Control Board	5.0	Letters sent 10/17/2023 (Attached)

Updated: Nov 8, 2023

*ACWA: Association of CA Water Agencies

Represents changes since last distribution.

DEFINITIONS:

When a bill passes both houses of the Legislature, it is ordered enrolled. In enrollment, the bill is again proofread for accuracy and then delivered to the **enrolled:** Governor.

The portion of the Daily File containing legislation that is ready for floor consideration, but, for a variety of reasons, is dead or dormant. An author may **inactive file:** move a bill to the inactive file and subsequently move it off the inactive file at a later date.

Presentation of a bill before the House by reading its title. The Constitution requires a bill's title to be read three times in each House prior to its passage.

reading: A bill is either on First, Second, or Third Reading until it is passed by both Houses.

chaptered: A bill is "chaptered" by the Secretary of State once it passes both houses and has been signed by the Governor or becomes law without the Governor's signature

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ACWA

ROA



CAMROSA WATER DISTRICT

CITY OF BREA



CITRUS HEIGHTS WATER DISTRICT

PUBLIC WORKS

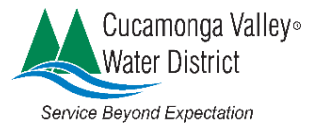


CITY OF REDDING CALIFORNIA

SD Public Utilities

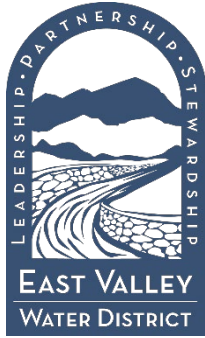


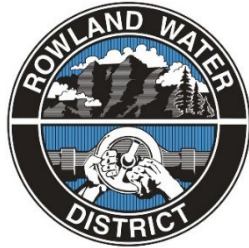
City of SACRAMENTO



DESERT WATER







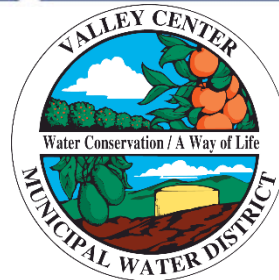
San Diego County Water Authority
And Its 24 Member Agencies



SOUTH COAST WATER DISTRICT
Partnering With The Community



Tahoe City Public Utility District



October 17, 2023

Submitted via: commentletters@waterboards.ca.gov

Courtney Tyler
Clerk to the State Water Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Comment Letter — Proposed Making Conservation a California Way of Life Regulation

Dear Ms. Tyler,

The Association of California Water Agencies and the undersigned organizations appreciate the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the Draft Making Conservation a California Way of Life Regulation (Regulation). This comment letter (Comment Letter) is intended to provide constructive and comprehensive recommendations to the State Water Board to meaningfully advance water use efficiency, address urban retail water suppliers' constraints and concerns, and build on local and regional successes. We respectfully request the State Water Board's thoughtful consideration of our comments and recommendations, as supported by agency specific oral and written comments. We ask for the opportunity to work collaboratively with the State Water Board over the duration of the rulemaking to revise the draft Regulation to incorporate input from interested parties to support successful local and regional implementation.

This comment letter includes an Appendix with detailed suggested redline changes to the draft Regulation. We recognize the suggested redlines are one of many ways in which the draft Regulation could be modified to address suppliers' concerns. ACWA and the undersigned parties are committed to working with the State Water Board on revisions that support both the State's goals and water suppliers' successful implementation of a final Regulation. This Comment Letter is organized as outlined below:

SECTION 1. STATE & LOCAL PARTNERSHIP

SECTION 2. OVERARCHING POLICY CONCERNS & RECOMMENDATIONS

- I. Set Reasonable Timelines
- II. Recognize Data Errors & Limitations
- III. Provide Alternative Compliance
- IV. Align CII Performance Measures with Local Success
- V. Adhere to Legislative Requirements

SECTION 3. TECHNICAL CONCERNS & RECOMMENDATIONS

- I. Outdoor Standards
- II. CII Performance Measures
- III. Methodologies & Variances
- IV. Reporting

SECTION 4. APPENDIX: SUGGESTED REDLINE RECOMMENDATIONS

SECTION 5. CLOSING REMARKS

SECTION 1: STATE & LOCAL PARTERSHIP

Water suppliers are on the front lines of managing the impacts of climate change to ensure a reliable water supply for California’s diverse beneficial uses. The actions that suppliers take will vary across California depending on local and regional supplies and conditions. As water suppliers implement diverse projects to advance existing and new supplies, they have also long recognized water use efficiency as an important tool for climate resilience.

Over the past several decades, water suppliers have been pioneering local and regional programs to advance efficiency and improve drought planning and response. These programs have been complemented by statewide efforts to standardize drought planning and response and set statewide water conservation targets. The Water Conservation Act of 2009 directed the State to achieve a 20% reduction in per capita water use by 2020. The Department of Water Resources (DWR) Report to the Legislature on the Status of the 2020 Urban Water Management Plans (UWMPs) found that “California surpassed the 20% reduction and reduced per capita urban water use by 32%. Of the 386 Urban Retail Water Suppliers that submitted retail UWMPs, 374 of these (97%) achieved their targeted 2020 water use reduction.”¹ While significant achievements have been made to use water wisely, the water community recognizes a continued effort toward greater efficiency is needed to prepare for more frequent and prolonged droughts and a hotter and drier climate.

As the State finalizes this new regulatory program to advance long-term water use efficiency, we ask that it recognizes water suppliers as a key partner to the State’s success. Compliance with the regulation will fall solely on water suppliers and their ratepayers. The ability of water suppliers to implement the Regulation successfully and cost-effectively will determine California’s success in advancing long-term water use efficiency. **We ask that the State Water Board work with ACWA and the water supplier community to address the policy and technical concerns outlined in this Comment Letter.**

Additionally, we ask for the State’s leadership to secure resources to support cost-effective compliance with a final Regulation. Given the timelines of the CII Performance Measures (PMs) and broader water use objectives, we encourage the State to provide technical resources, data, and funding as soon as possible. We believe that increasing flexibility and reducing reporting burdens in the draft Regulation can help reduce costs. However, the State should allocate dedicated resources to support water suppliers and Californians’ compliance. Additionally, the State should recognize and promote regional and statewide partnerships as a mechanism for suppliers to comply with the Regulation, particularly regarding the CII PMs. This will help leverage suppliers’ limited resources and advance local capacity.

SECTION 2: OVERARCHING POLICY CONCERNS & RECOMMENDATIONS

I. SET REASONABLE TIMELINES

We have significant concerns that the timelines proposed in the draft Regulation are not reasonable, do not support cost-effective compliance, and would not achieve the multi-benefits desired. The timelines proposed for both the outdoor water use standards and the CII PMs are problematic. In order to successfully implement programs that require long-term customer behavior change and significant

¹ [Status of 2020 Urban Water Management Plans \(ca.gov\)](https://www.water.ca.gov/legislation/status-of-2020-urban-water-management-plans). A Report to the Legislature pursuant to Section 10644 of the California Water Code. January 2023.

investments, water suppliers require adequate time to: analyze existing water use efficiency programs; plan for cost-effective compliance with the standards, objectives and performance measures; budget for and staff programs; partner with customers and build partnerships, including targeted programs for disadvantaged communities (DACs); and allow for technology advancements. Furthermore, we are concerned that these timelines could have unintended consequences, such as impacts to urban tree health and disproportionate impacts to DACs and water affordability.

We anticipate the State Water Board will consider adoption of the draft Regulation August 2024 and the final Regulation would go into effect October 2024.² Starting 2025, within three months of the Regulation’s expected effective date, 42% of suppliers would need to achieve a water reduction. By 2030, 74% of suppliers would need to achieve reductions (with a third by greater than 20%); and by 2035, 82% of suppliers would need to achieve reductions (with over 40% of suppliers by greater than 20%).³ Suppliers’ water use objectives, and the associated required reductions, could change if suppliers obtain variances. However, we are concerned the timeline also unreasonably limits suppliers’ ability to collect and submit the required data to obtain the variances.

Table 1: Urban Retail Water Suppliers by Percent Reduction

Reductions needed to meet proposed objective	2025	2030	2035
	% of urban retail water suppliers		
No Reduction	58%	26%	18%
Less Than 5% Reduction	10%	9%	9%
5-10% Reduction	9%	10%	11%
10-20% Reduction	13%	23%	21%
20-30% Reduction	7%	16%	20%
Greater Than 30% Reduction	3%	16%	21%

Additionally, all suppliers would be required to begin compliance with comprehensive CII PMs beginning January 1, 2025: suppliers would be required to identify all disclosable buildings by January 1, 2025 and notify building owners; ban the irrigation of non-functional turf on all CII Landscapes by July 1, 2025; classify all CII customers (20% by 2026); identify CII large landscapes with mixed-use meters (MUMs) and either install dedicated irrigation meters or employ in-lieu water technologies (20% by 2026); and design and implement best management practices (BMPs) by January 1, 2025 (20% of the top 20% of CII classification by 2026)(see Table 1). The currently proposed completion of all CII PMs within a five-year period, beginning 2025, would require significant resources and create implementation challenges. For example, it is unclear how suppliers would accurately implement BMPs for the top 20% of each classification while classifying CII customers. The compressed timeline is unnecessary and further increases costs to suppliers.

² Enacted legislation directed the State Water Board to adopt the Regulation by June 30, 2022. We recognize that there are factors beyond the State Water Board’s control as to the current status of the draft Regulation. However, currently proposed compliance timelines do not reflect the delayed status of the Regulation.

³ Provisional Data State Water Resources Control Board. (Version 2.0, 2023-09-13). We note that this table does not include the CIIDIM Outdoor Standard, variances, or data errors so the % reduction by % supplier could change.

Table 2: Proposed Regulation’s Compliance Schedule

	2024	'25	'26	'27	'28	'29	'30	'31	'32	'33	'34	'35
Reg Effective	Fall											
Indoor Standard.		47					42					
Res. Outdoor Standard		0.8					0.63					0.55
CIIDIM Outdoor Standard					0.8		0.63					0.45
Water Loss												
Variances												
Non-Functional Turf		July										
Disclosable Buildings			20%		60%		100%					
CII Classification (22 proposed)			20%		60%		100%					
CII BMPs			20%		60%		100%					
CII MUMs: In-Lieu or DIM			20%		60%		100%					
Reporting	Jan. 1											

We understand that the enacting legislation does not allow the State Water Board to issue a civil liability penalty until 2027. Additionally, we appreciate that the State Water Board has a positive track record of utilizing its enforcement discretion. However, we believe the intent of the State Water Board should be compliance, not enforcement discretion. Significant consideration of reasonable timelines is necessary.

RECOMMENDATION # 1. Modify the proposed timelines for the outdoor standards to provide an additional 5 years for all suppliers to achieve compliance.⁴

RECOMMENDATION # 2. Provide 10 years for suppliers to complete all CII PMs, with CII Classification completed between 2025 – 2030, and CII Mixed-Use Meter and CII BMP completed 2030 – 2035. Unstacking the CII BMPs from the CII Classification will allow suppliers to spread limited resources over a 10-year period, while still meeting the goals of the Regulation.

II. RECOGNIZE DATA ERRORS & LIMITATIONS

We appreciate that the intent of this Regulation is to shift away from a one-size fits all approach to one that incorporates local characteristics. A challenge with the approach is that the accuracy of the statewide efficiency standards and water suppliers’ water use objectives requires more, verified data, including both statewide and local data. Inaccurate data can create water use efficiency objectives that do not provide the local flexibility the enacting legislation intended. Currently, observed data gaps and inaccuracies include landscape area measurements (LAM) and population, and the application of Model Water Efficient Landscape Ordinance (MWELO) principles, including effective precipitation and irrigation efficiency.

The draft Regulation’s methodology should recognize that there are and will continue to be inherent data quality limitations and variability that impact suppliers’ compliance with their water objectives. The

⁴ The State Water Board has the authority to make this change as the only statewide water use efficiency standard with a legislatively mandated timeline for implementation are the residential indoor water use standards, as required in SB 1157 (Freidman, 2022).

State Water Board has accounted for data quality and variability issues in other regulations, such as the Water Loss Regulation, which provided that “a supplier shall maintain, for each compliance assessment, real loss that is no greater than 5 gallons per connection per day above the supplier’s real water loss standard.”⁵

As discussed further in Section 3.I. of this Comment Letter, we continue to have concerns with the three methodologies DWR utilized and data DWR excluded to develop its recommendation of the residential outdoor standards. We also recommend that the State evaluate if the observed inequities among inland and coastal communities’ water use objectives are attributable to DWR’s methodologies for developing the outdoor standards, such as the trimmed data and application of MWEL0, compounded with local data limitations.

RECOMMENDATION # 3. Include a “Data Error Adjustment” (DEA) in the formula for calculating suppliers’ water use objectives. The DEA would be a percentage, either five or ten percent as determined below, added to a supplier’s budget for efficient indoor residential water use, efficient outdoor residential water use and efficient water use on a CII landscape with a dedicated irrigation meter (DIM) or equivalent technology, as follows:

$$WUO = (R_{\text{indoor}} + R_{\text{outdoor}} + CII_{\text{DIM}}) \text{DEA} + L + V + Pr + BPR$$

The DEA would recognize suppliers’ historic progress and achieved savings (SB X7-7 based) and acknowledge that data used to develop and evaluate standards has intrinsic errors. The magnitude of the DEA would reduce over time as suppliers achieve progress towards their water use objective. We are proposing a five percent DEA for suppliers achieving less than 20 percent reduction from SB X7-7, and a 10 percent DEA for suppliers achieving a reduction of 20 percent or greater from SB X7-7.

Additionally, we note concern that a supplier may not comply with its water use objective because it is unable to obtain the information required for variances due to resource or other limitations. The draft Regulation identifies the calculations and data requirements to submit to the State Water Board to seek a variance. Collecting this data, however, could require significant resources for suppliers. Prior to taking any enforcement action, the State should offer technical assistance to a supplier, which should include through regional and/ or statewide partners, to determine if the unique water uses in the supplier’s service area, for which variances are available, would bring the supplier into compliance. We again reiterate that the goal of this Regulation should be successful compliance, rather than enforcement actions or enforcement discretion.

RECOMMENDATIONS # 4. Clarify that if a supplier does not meet its water use objective because it is unable to obtain the information required for the variances, prior to the issuance of any enforcement action, technical assistance must be offered to the supplier.

III. PROVIDE ALTERNATIVE COMPLIANCE

Our understanding is that State Water Board staff included section 966(i) to serve as an alternative compliance pathway in response to concerns water suppliers continue to raise regarding unreasonable

⁵ [Water Loss Control Regulations](#). Adopted Oct. 14, 2022.

or unattainable water use objectives. We appreciate the intent of this provision and believe that an alternative compliance pathway will be essential for some suppliers. Meaningful advancement of water use efficiency is an important goal of the State’s Water Supply Strategy and the draft Regulation. However, some suppliers are confronting significantly larger water reduction requirements. Many of these suppliers are in the central valley and inland communities and may also serve disadvantaged communities or low-income households. Additionally, many of these communities have demonstrated a commitment to advancing water use efficiency, as mentioned in Section 1 of this Comment Letter, including achieving their targeted 2020 water use reduction.

In addition to the five-year extension that we recommend be provided to all suppliers to comply with the requirements of the draft Regulation, we recommend an alternative compliance pathway be provided to suppliers that would incur unreasonable cost and affordability impacts to meet their proposed water use objective. As currently proposed, the alternative compliance pathway is problematic for the following reasons:

- It does not address 2025 and 2030 compliance for suppliers. As shown in Table 1 of this Comment Letter, some suppliers will have significant reductions in 2025 and 2030. The current proposal does not resolve compliance concerns for these suppliers.
- The provision of five additional years does not resolve compliance concerns for some suppliers with an unreasonable or unattainable objective.
- The eligibility requirements for the currently proposed alternative compliance pathway would impose a significant cost burden on suppliers for actions that may not help achieve compliance. For example, the SITES rating system costs \$9,600 per site to implement.
- Special districts, which include a significant number of urban retail water suppliers, would be ineligible for the alternative compliance pathway because they do not qualify for the Standards for Tree City USA Recognition. 90% of ACWA’s 470 members are special districts.
- The requirement for suppliers to dedicate 40% of funding to DACs conflicts with Proposition 218, which would cause feasibility issues for water suppliers to utilize the pathway.

We have also heard variances characterized as an alternative compliance pathway that provide additional flexibility. The enacting legislation established variances to account for actual water used in a service area in order to provide suppliers with a more accurate water use objective. Accurately accounting for water use in a service area is very different than alternative compliance.

RECOMMENDATION # 5. The State Water Board should work collaboratively with ACWA, water suppliers and other interested parties to develop an “Alternative Compliance Pathway” that allows suppliers that have an unreasonable or unattainable water use objective to be eligible for an alternative objective and/or extension of time to comply. This pathway should balance the goals of achieving meaningful water savings and multi-benefits, while considering cost, affordability and suppliers’ good faith effort to offer proactive water use efficiency programs to address indoor and outdoor water use.

IV. ALIGN CII PERFORMANCE MEASURES WITH LOCAL SUCCESS

The draft Regulations' CII PMs should be aligned with existing local and regional CII conservation programs and lessons learned. Most urban retail water suppliers and their regional and statewide partners have extensive experience implementing water use efficiency programs for CII customers. Additionally, CII customer water use will vary significantly among suppliers, and consequently, so will the associated water savings from the overall CII sector and among CII customer types. Currently, the CII PMs impose one size fits all approaches to CII water use efficiency, as described below. We request that the CII PMs provide more flexibility to water suppliers to (1) build on existing local and regional programs, (2) remove prescriptive timelines, and (3) allow suppliers to focus on customers with the greatest water savings potential.

- A. Existing CII Programs: The draft Regulation does not recognize suppliers' and their regional and statewide partners existing water use efficiency programs that have resulted in already efficient mixed-use meters (MUM). Many suppliers offer existing mixed-use meter programs, practices and rebates, which may offer different in-lieu technologies and water management practices to those listed in 973(a)(1) and (2). Rather than impose MUM requirements that will duplicate existing efforts and expend resources without achieving significant additional savings, suppliers should be able to provide a list of existing programs, practices and rebates currently offered as an alternative.

RECOMMENDATIONS # 6. Allow existing CII conservation programs, made available either directly by the supplier or through regional, statewide, or other partnerships, to serve as an alternative to meeting the CII MUM PM requirements currently proposed. Allow suppliers to provide a list and crosswalk of current programs, practices, and rebates to the listed in-lieu technologies and water management programs.

- B. Prescriptive Implementation Schedules: The draft Regulation establishes a deadline to complete each CII PM, which is appropriate. However, the draft Regulation also prescribes a timeline to complete each PM by 20% and 60%. For example, section 972(c) would require that "each supplier shall classify at least twenty percent of its CII customers by 2026, at least sixty percent by 2028, and one hundred percent by 2030." Section 973(c) would require "for commercial, industrial, and institutional large landscapes that have mixed-use meters, suppliers shall make annual progress in either installing dedicated irrigation meters or employing in-lieu water technologies for these large landscapes, with at least twenty percent compliance by 2026, at least sixty percent compliance by 2028 and one hundred percent compliance by 2030." This level of prescription removes suppliers' flexibility to achieve the broader goals cost-effectively and based on their unique CII customers and local conditions, as well as within the context of completing all the various requirements of the draft Regulation.

RECOMMENDATION # 7. Provide flexibility to suppliers to complete implementation of one hundred percent of CII PMs by removing prescriptive timelines. This includes CII classifications, CII MUMs and CII BMPs.

- C. Focused Water Savings: The draft Regulation directs suppliers to implement BMPs for the top 20% of each CII classification. We understand the intent is to target large CII water users to maximize water savings potential. However, this approach may have the unintended impact of steering efforts to CII customers with negligible water use. For example, the Energy Star Portfolio

Manager classification “warehouse/ storage” may account for a very small percent of a suppliers’ CII water use in a service area. However, suppliers would still be required to target customers at or above the 80th percent for water use in that classification category. The draft Regulation should provide flexibility for suppliers, either directly or through regional, statewide, or other partnerships, to develop programs and engage with their CII customers that have water savings potential, which will be driven by characteristics unique to each service area. This prescriptive requirement could impose an unnecessary burden on suppliers for minimal water savings.

We also recommend an exemption for suppliers from the CII BMP PMs whose CII potable water use is less than 10%. This will allow those suppliers to focus efforts and resources on residential actions to maximize water savings.

RECOMMENDATION # 8. Direct suppliers to implement programs, either directly or through regional, statewide, or other partnerships, for CII customers at or above the 80th percentile among all CII customers, rather than by individual CII classification. Additionally, exempt suppliers with less than 10% CII potable water usage, based on a five-year average that is re-evaluated every five years, from BMP requirements.

V. ADHERE TO LEGISLATIVE REQUIREMENTS

Authorizing legislation AB 1668 and SB 606 (2018) (collectively referred to as Conservation Legislation) underwent a year and half of negotiations among diverse interested parties. We have significant concerns that provisions of the draft Regulation either contradict the requirements of the Conservation Legislation or exceed the authority delegated to the State Water Board. Specific concerns and recommendations include:

- A. Existing Landscapes: The Conservation Legislation states that the landscape efficiency factor (LEF) values should reflect a factor that allows for “the amount of water necessary to efficiently irrigate both new and existing landscapes” (Water Code Section 10609.9). The draft Regulation sets efficiency factors for residential use at 0.55 and for non-residential use at 0.45, which are the standards in the MWELO design standards. As detailed in Section 3.1. of this Comment Letter, we have provided data to both DWR and the State Water Board that indicates the proposed LEFs would not support existing landscapes. Because the draft Regulation would set the LEF too low to ensure enough available water for use on existing landscapes, it is inconsistent with the Conservation Legislation.

RECOMMENDATION # 9: Establish a LEF that will support existing and new landscapes.

- B. Irrigable Land: The Conservation Legislation requires outdoor efficiency standards to apply to “irrigable lands” (Wat. Code, § 10609.6 (2)(B)). The draft Regulation does not apply to “irrigable lands” as the statute requires. Instead, the draft Regulation only includes irrigable land that is currently being irrigated in its proposed outdoor standards. Section 968(b)(2)(B) inappropriately limits 20% of the irrigable, but not currently irrigated (INI), landscape area as eligible for inclusion in the objective until 2027, and even then, it is only allowed to be included if the supplier will surpass its objective target without it. Because the draft Regulation does not apply to all irrigable lands, it is inconsistent with the Conservation Legislation.

RECOMMENDATION # 10: Better reflect the statutory language with regards to land area used to calculate the urban water use objectives.

- C. Non-Functional Turf: Section 974(e)(1) of the draft Regulation would ban the irrigation of non-functional turf with potable water by July 1, 2025. This language does not align with AB 1572 (Freidman, 2023), which the Governor signed on October 13, 2023. signature and would not ban the irrigation of non-functional turf for most CII Customers until January 1, 2028. This bill was a collaborative effort that was ultimately supported by a broad array of stakeholders, including ACWA. The language in the draft Regulation is not only unnecessary but would create confusion among water suppliers and CII customers. The draft Regulation is inconsistent with the State Water Board’s authorities within the law.

RECOMMENDATION # 11: Remove non-functional turf provisions from the draft Regulation.

- D. Reporting Year: The Conservation Legislation allows for water suppliers’ calculations to be based on “conditions for the previous calendar or fiscal year.” (Wat. Code § 10609.20, subd. (b).) Section 975 of the draft Regulation would require urban water supply reports to be based on conditions of the previous state fiscal year. A regulation cannot limit flexibility that a statute specifically allows. We additionally note that this is inconsistent with the State Water Board’s adopted Water Loss Regulation, which allows water loss audit reporting on either a fiscal or calendar year. Because the proposed Regulation would require water suppliers to report based on the state fiscal year, it is inconsistent with the Conservation Legislation.

RECOMMENDATION # 12: Allow suppliers to report either calendar year or fiscal year.

- E. Dedicated Funding for DAC: The draft Regulation section 966(i)(2)(e)(iv) would require that suppliers who want to pursue a five-year compliance extension must provide “dedicated funding for the creation and maintenance of climate-ready landscapes, with a minimum of 40 percent of program funds dedicated to low-income households and disadvantaged communities within the supplier’s service area.” This requirement would conflict with the requirements of Proposition 218 funding guidelines. Additionally, the Legislature in the 2022/2023 legislative session discussed this issue when considering Assembly Bill 1072 (Wicks 2023). Because of the issues associated with Proposition 218, the bill was ultimately held on suspense while still in the Assembly.

RECOMMENDATION # 13: Remove funding threshold requirements for low-income and DAC funding from the draft Regulation.

SECTION 3: TECHNICAL CONCERNS & RECOMMENDATIONS

I. OUTDOOR STANDARDS

In ACWA’s March 30, 2023, comment letter to the State Water Board on the draft Regulatory Framework, we provided input on DWR’s three methodologies utilized to develop its recommendation of an ETF of

0.63 by 2030. Additionally, we raised concerns with technical assumptions and policy decisions that underestimated current outdoor residential water use and overestimated feasibility from what is evident through real-world performance.⁶ We support a methodology that is based on real-world performance, horticultural and irrigation science, supports healthy landscapes, and minimizes unintended impacts. We note that detailed recommendations with redlines are provided in the Section 4 Appendix of this Comment Letter. High level recommendations are in bold below, consistent with detailed redlines in the Section 4 Appendix.

As mentioned in Section 2.II. of this Comment Letter, we recommend the State Water Board assess if the observed inequities among inland and coastal communities water use objectives could be attributable to DWR's methodologies for developing the outdoor standards, compounded with local data limitations. Additionally, as noted in Section 2.V. of this Comment Letter, we note the deviation of the draft Regulation from the requirements of the Conservation Legislation. These inconsistencies must be corrected to align the draft Regulation with the requirements of the law.

- A. Methodology Error 1: Horticultural Approach (Assumed 0.8 Irrigation Efficiency) – DWR's horticultural and irrigation science approach assumed 0.8 Irrigation Efficiency (IE). **The draft Regulation should reflect an outdoor residential water use efficiency standard based on an IE that ranges from 0.55 to 0.65**, based on accumulated data from water purveyors on actual irrigation system and performance through the various landscape programs implemented over ten or more years, recently completed field studies by UC Davis (Evapotranspiration Adjustment Factor Study (Agreement #4600008156)), and data by the Irrigation Association.
- B. Methodology Error 2: Statewide ETF Approach (Trimmed Data > 1.0) – DWR “trimmed” all existing landscape data outside of the range of 0.1 to 1.0 ETF because “it is not consistent with MWELo principles.” 80 percent of homes in California pre-date MWELo. MWELo design standards did not start being incorporated into landscape designs until after 2015. Trimming data based on MWELo design standards excluded existing landscapes prevalent throughout California and is inconsistent with the application of MWELo. **The draft Regulation outdoor standards should consider all real-world California landscape data to provide an accurate baseline.**
- C. Methodology Error 3: Theoretical Average Approach (Consistency with MWELo) – DWR analyzed a statewide ETAF by using the age distributions of housing stock and corresponding ETAF from MWELo Guidelines: 0.8 assumed for pre-1992, 1993 – 2009 assumed 0.8 ETAF, 2010 – 2015 assumed 0.7 ETAF, 2015 to 2020 assumed 0.55 ETAF, and 2021- 2030 assumed 0.55 ETAF. As described above, MWELo only applies to 20 percent of California's housing stock and developer-installed landscapes. This methodology assumes all homes are compliant with MWELo, which is fundamentally flawed. **This methodology should not inform the outdoor standards.**
- D. Effective Precipitation – Effective Precipitation is not required by MWELo (Title 23, Division 2.7, Section 494): “A local agency may consider Effective Precipitation (25% of annual precipitation) in

⁶ [ACWA and Coalition Comment Letter on the Draft Regulatory Framework](#) . March 30, 2023.

tracking water use.” The inclusion of Effective Precipitation in the outdoor standard is inconsistent with real-world irrigation practices. Landscapes are generally not designed to consider effective precipitation since it can be highly variable. Precipitation often falls during winter months when irrigation is not utilized (May through September) and can percolate below the root zone of the plant negating its beneficial effect to that plant’s watering needs. Additionally, precipitation is often not distributed evenly throughout a supplier’s service area. Some areas may receive precipitation and other areas none, making it difficult to apply one effective precipitation rate at the water supplier level. **Effective Precipitation should be removed from the draft Regulation and outdoor standard.**

- E. Landscape Area Measurements – A key concern based on waters suppliers’ verification of LAM data is that residential LAMs are being overestimated and underestimated, which could have a significant impact on suppliers’ outdoor water use standard and overall objective. Improved data quality should be an important goal of the draft Regulation, as inaccurate data will further exacerbate feasibility challenges and sound decision making. **The draft Regulation should include a Data Error Adjustment to recognize data limitations and variability (see Recommendation # 3).**

- F. Irrigable vs. Irrigated – As discussed in Section 2.V of this Comment Letter, the Conservation Legislation requires outdoor efficiency standards to “apply to irrigable lands” (Water Code, § 10609.6 (2)(B)). In accordance with Water Code section 10609.6, DWR conducted a statistical analysis of outdoor water use, LAM and INI data. The data concluded that the INI area is being irrigated at one fifth or 20% of the irrigable area. This 20% should not be viewed as additional, but as area that is actually being irrigated. As a result, DWR correctly recommended that the calculation of annual outdoor water use must include 20% INI. DWR’s findings were also based on the recognition that its analysis was only a snapshot in time and undercounting of irrigated area would continue unless multiple images are conducted over the analysis year. The removal of DWR’s recommendation to include 20% for INI is statistically inaccurate and further exacerbates feasibility challenges with the outdoor standard. **The draft Regulation should reflect DWR’s recommendation with the inclusion of 20 percent INI. Suppliers would recalculate INI when DWR provides new LAM data.**

- G. Temporary Provisions: Recycled Water – Sites irrigated with recycled water generally do not change and are on dedicated irrigation meters (DIM), which suppliers already are required to measure by 2028. The requirement to annually apply for variances and temporary provisions places a significant burden on both State Water Board staff and suppliers. **Recycled water should not be a temporary provision.**

- H. Temporary Provisions: Pools – The residential factor for residential pools should be same as public pools, which is 1.0. Water evaporates at about 1.0. Not allocating enough water to residential pools effectively further reduces the residential outdoor budget. Most pools are not subject to MWLEO, as they are generally in backyards and existing prior to MWLEO. In addition to evaporation, water loss from pools includes splash out and water carried out on swimwear and people. Pool covers are generally not effective. During summer months when pools are

used daily, customers won't use covers. Metropolitan Water District's pool cover rebate program inspections found that many times the covers were in garages and had never been installed.

Residential pools should not be a temporary provision.

- I. MWELo: Newly Constructed Landscapes and Special Landscapes Areas (SLA) – The standards for newly constructed landscapes, including residential and CII landscapes with DIMs, point to factors identified in MWELo. Additionally, the standard for CII landscapes with DIMs that are special landscape areas point to the factor identified in MWELo. MWELo can be modified, which could impact suppliers' compliance with the Regulation and associated costs. Suppliers need certainty as they strive to implement this Regulation in the most cost-effective manner. **The draft Regulation should set these standards as LEFs, rather than refer to MWELo.** Additionally, the draft Regulation would require that suppliers demonstrate the existence of newly constructed landscapes through annual MWELo reporting. Many new residential landscapes are not subject to MWELo or MWELo reporting. MWELo reporting would be incomplete and would not accurately reflect newly constructed residential landscape area. **We request that the draft Regulation include DWR's recommended approaches to account for newly constructed residential and CII DIM landscape areas, which include on-the-ground measurement, remote sensing methods, and using service area level averages.**

II. CII PERFORMANCE MEASURES

A. CII Classification

- i. Energy Star: Suppliers worked closely with DWR to inform its CII Classification PM recommendations. DWR proposed 19 categories, in which they found "these categories are sufficient to address major CII water uses and provide adequate differentiation among different CII sectors to facilitate data collection and future references. However, the system will not be overly detailed to create undue burdens on urban retail suppliers for implementation." The draft Regulation is proposing 22 classifications, 18 Energy Star Portfolio Manager board categories and 4 additional proposed categories. Classifying CII customers will require significant supplier staff time and resources, including making changes to internal billing systems. The CII Classification PMs should be simplified to reduce the burden on suppliers, where possible. **The four additional proposed classifications that deviate from the Energy Star Portfolio Manager broad categories should be removed from the draft Regulation.**
- ii. Schedule for Completion: As discussed in Section 2.IV. of this Comment Letter, we recommend more flexibility be provided to suppliers to complete classifications by 2030. **The draft Regulation should remove schedules for classifying 20% of customers by 2026 and 60% by 2028.**
- iii. Classification of Existing Customers: It is unclear how existing versus new customers are considered within the five-year timeframe to complete all CII classifications. CII classification will be a significant lift for suppliers. Suppliers should focus on completing classifications for a static list of CII customers based on the time of the State Water Board's adoption of the final Regulation. The additional burden of

addressing influxes and changes of CII customers within the first five years of completing classifications could impair suppliers' ability to comply. **The draft Regulation should clarify that the initial classification of CII customers is based on existing customers at the time of the State Water Board's adoption of the Regulation. Suppliers must include any new CII customers after completing the initial classification of all CII customers.**

- iv. State Guidance: As a statewide PM, the State should develop guidance for all suppliers that will support consistent interpretation of SIC and NAICS codes as it applies to each Energy Star Portfolio Manager category. A standardized interpretation will lend itself to better data and overall implementation. **DWR should provide a guide to associate NAICS codes to the respective classification category prior to suppliers' implementing CII classifications.**

B. Large Landscapes with Mixed-Use Meter

- i. Timeline: DWR CII-LAM data will not be delivered until 2026. Suppliers need adequate time to review the data before coming into compliance. To implement this specific PM, suppliers would need to identify actual large landscape water use (e.g., remove the process water to see ACTUAL landscape water usage for CII). The compliance schedule for MUM conversion should account for every customer being a unique and specific project, requiring budget and time to implement, if a physical conversion is taking place. **As discussed in Section 2.I. of this Comment Letter, we request the timeline to complete MUM PM be from 2030 – 2035. Additionally, the draft Regulation should remove schedules for completing 20% of large landscapes by 2026 and 60% by 2028.**
- ii. Recognize Existing Programs: As discussed in Section 2.IV. of this Comment Letter, many suppliers have existing MUM programs, which may offer different in-lieu technologies and water management practices to those listed in 973(a)(1) and (2). **The draft Regulation should allow suppliers' existing CII conservation programs to serve as an alternative to meeting the CII MUM PM requirements currently proposed.**
- iii. "Offer" vs. "Employ:" The draft Regulation requires suppliers to "employ" actions and technologies for large landscapes. The term "employ" implies that suppliers will take up an action on a customer's behalf. Suppliers may offer programs, rebates, incentives and in-lieu technologies, but suppliers cannot require the customer to act or implement in-lieu water use technologies. **The draft Regulation should replace "employ" with "offer" to recognize suppliers' appropriate authorities.**
- iv. Efficient Water Use Technologies & Water Management Practices: We recommend technical changes to the specified water technologies that reflect on-the-ground best practices and actions that are within suppliers' authorities. For example, water suppliers generally do not provide maintenance services for customer irrigation systems or irrigation schedules. That is the responsibility of the customer and could be a liability for suppliers. Additionally, DWR recommended suppliers implement one in-lieu technology. However, the draft Regulation would require suppliers to

implement two in-lieu technologies. Requiring two is duplicative and does not necessarily generate more savings. **The draft Regulation section 973 should be updated to reflect the suggested redlines in the attached Appendix of this Comment letter.**

- v. Quantification of Volume of Water Use on CII MUMs: The draft Regulation would direct suppliers to estimate the volume of water use on CII large landscapes with MUMs. As a PM, suppliers should not be required to quantify MUM water usage, particularly because any quantification is inclusive of process water and the draft Regulation does not provide the appropriate time for suppliers to investigate customer water usage for a compliance determination. **This provision should be removed from the draft Regulation.**

C. Best Management Practices

- i. Disclosable Buildings: The draft Regulation would require suppliers to identify all disclosable buildings in their service area by January 1, 2025 and deliver specified information to each building owner. These requirements would place significant burden on suppliers' limited resources, without providing clear benefits or guaranteeing water savings. Our concerns include: (1) suppliers do not have or maintain square footage information to identify disclosable buildings; (2) square footage is well correlated with energy use, but not necessarily with water use, so this may not be an effective use of limited resources; (3) many suppliers currently provide monthly or bi-monthly water usage to customers in their bill with water use reports, or through an AMI portal. Sending duplicative data to customers, particularly those that will not utilize it, is not good use of suppliers' limited resources, (4) suppliers cannot determine what meter serves which buildings on an owner's parcel. Suppliers can associate meters with an account but they may not know the customer's use. Suppliers can't identify how much water use goes to each building if there are multiple buildings on one meter; and 5) the proposed timelines are not reasonable. **Proposed section 974(a) and (b) should be removed from the draft Regulation.**
- ii. Thresholds and De Minimis CII Water Use: As already discussed in Section 2.IV. of this comment letter, suppliers need flexibility to develop programs and engage with their CII customers that have water savings potential, which will be driven by characteristics unique to each service area. **The draft Regulation should direct suppliers to implement programs for CII customers at or above the 80th percentile among all CII customers, rather than by individual CII classification. Additionally, suppliers with less than 10% CII potable water usage, based on a five-year average, should be exempt from BMP requirements.**
- iii. Non-Functional Turf: As discussed in Section 2.V. of this Comment Letter, Section 974(e)(1) of the draft Regulation would ban the irrigation of non-functional turf with potable water by July 1, 2025, which is inconsistent with State Water Board's pending authority. **This provision should be removed from the draft Regulation.**

- iv. Timelines: As discussed in Section 2.I. of this Comment Letter, we have concerns with the requirement to complete BMPs while suppliers are completing CII Classification. Additionally, consistent with Section 2.IV. of this Comment Letter, suppliers should be able to best determine how to meet the broader BMP PMs requirements based on the unique local characteristics and existing programs. **The draft Regulation timeline should be modified to allow for suppliers to achieve 100 percent compliance with BMP PMs by 2035 and remove percentage completion requirements.**
- v. BMPs: We recommend technical changes to the specified water technologies that reflect on-the-ground best practices and actions that are within the authorities of water suppliers. For example, water suppliers generally do not provide maintenance services for customer irrigation systems or irrigation schedules. Additionally, we recommend AMI be specifically included. **The draft Regulation section 974 should be updated to reflect the suggested redlines in the attached Appendix of this Comment Letter.**

D. Methodologies & Variances

- i. Compliance & Alternative Compliance: As discussed extensively in Section 2.I., II., and III. of this Comment Letter, we are requesting changes to compliance provisions of the draft Regulation. We believe these changes preserve the intent of the draft Regulation to advance meaningful water use efficiency. **The draft Regulation should incorporate our recommendations that modify the timelines of the outdoor standards and CII PMs, include the DEA, and establish an Alternative Compliance Pathway.**
- ii. Variance Threshold: The draft Regulation currently proposes that an individual variance must represent 5% or more of the sum of a water supplier's budget. This threshold fails to recognize the cumulative impact unique water uses could have on suppliers' ability to comply with their water use objectives. Additionally, the five percent threshold could significantly restrict the ability of water suppliers that have unique water uses. The Conservation Legislation requires the State Water Board to establish appropriate variances for unique uses that can have a material effect on water use of an urban retail water supplier. Variances are not a "bonus" or "alternative compliance" mechanism. Variances are intended to provide suppliers with an accurate water use objective. **The draft Regulation should establish a cumulative threshold for variances of 5%.**
- iii. Variance Frequency: We are concerned the currently proposed variance pathway would be too onerous and expensive to an extent that would deter small to mid-sized agencies from seeking variances. The draft Regulation currently requires suppliers to submit requests for variances annually. Requiring annual submittal and approval of the variances would place a significant administrative burden on both suppliers and State Water Board staff and does not help advance actual water use efficiency. **The draft Regulation should allow for a suppliers' approved variance(s) be valid for five years.**

- iv. **Reporting:** The State Water Board should ensure that water suppliers' limited resources are not being shifted to complying with burdensome reporting requirements, rather than working with customers to achieve water savings. The State Water Board should consider the goals of AB 1755, the Open and Transparent Water Data Act, and AB 1668 requirements under Water Code Section 10609(c)(4), which direct the State to identify opportunities for streamlined reporting, eliminate redundant data submissions, and incentivize open access to data collected by urban and agricultural water suppliers, and the overall usefulness of data requested. We have concerns with the duplicative reporting to both DWR and the State Water Board. We think that state agencies should share datasets, rather than require duplicative reporting. Additionally, as noted in Section 2.V. of this Comment Letter, we have concerns with the removed flexibility for water suppliers to report on a fiscal year or calendar year. **We encourage the State to partner with the California Data Collaborative and California Water Data Consortium to identify strategies for streamlining data reporting and minimizing data quality concerns that would go into effect once the final Regulation is adopted.**

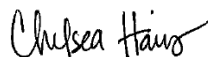
SECTION 4: APPENDIX: REDLINE RECOMMENDATIONS

The included Appendix of the Comment Letter provides detailed suggested redline changes to the draft Regulation. We recognize the suggested redlines are one of many ways in which the draft Regulation could be modified to address suppliers' concerns. ACWA is committed to working with State Water Board staff on revisions that support both the State goals and water suppliers' successful implementation of the Regulation.

SECTION 5: CLOSING REMARKS

We appreciate the opportunity to provide these written comments to the State Water Board on the draft Regulation. We ask for the opportunity to work collaboratively with the State Water Board over the duration of the rulemaking to revise the draft Regulation to incorporate input from interested parties to support successful local and regional implementation. Please do not hesitate to contact me at ChelseaH@acwa.com or (916) 206-4078 if you have any questions regarding our input.

Sincerely,



Chelsea Haines
Regulatory Relations Manager
Association of California Water Agencies

Alameda County Water District
American Water Works Association CA-NV
Association of California Water Agencies
Bay Area Water Supply & Conservation Agency

Bellflower-Somerset Mutual Water Company
California American Water
California Municipal Utilities Association
California Special Districts Association
California Water Association
Calleguas Municipal Water District
Camrosa Water District
Carmichael Water District
Casitas Municipal Water District
Citrus Heights Water District
City of Banning
City of Brea
City of Colton
City of Corona Utilities Department
City of Fountain Valley
City of Fullerton
City of Garden Grove
City of La Habra
City of La Verne
City of Oceanside
City of Newport Beach
City of Redding
City of Roseville
City of Sacramento
City of San Diego Public Utilities Department
City of Seal Beach
City of Shasta Lake
City of Susanville
City of Tustin
City of West Sacramento
City of Yuba City
Coachella Valley Water District
Contra Costa Water District
Cucamonga Valley Water District
Desert Water Agency
Diablo Water District
East Orange County Water District
East Valley Water District
Eastern Municipal Water District
El Dorado Irrigation District
El Toro Water District
Elk Grove District
Elsinore Valley

Georgetown Divide Public Utility District
Golden State Water Company
Gradient Water
Helix Water District
Indio Water Authority
Inland Empire Utilities Agency
Jurupa Community Services District
Laguna Beach County Water District
Lake Hemet Municipal Water District
Las Virgenes Municipal Water District
Liberty Utilities
Long Beach Utilities Department Logo
Marina Coast Water District
Mesa Water District
Metropolitan Water District of Southern CA
Mid-Peninsula Water District
Mission Springs Water District
Monte Vista Water District
Montecito Water District
Municipal Water District of Orange County
Orchard Dale Water District
Otay Water District
Padre Dam Municipal Water District
Palmdale Water District
Rancho CA Water District
Rosamond Community Services District
Regional Water Authority
Rowland Water District
Sacramento County Water Agency
Sacramento Suburban Water District
San Diego County Water Authority
San Gabriel Valley Water Company
Santa Clarita Valley Water Agency
Santa Fe Irrigation District
Santa Margarita Water District
Santa Rosa Water
South Coast Water District
South Tahoe Public Utility District
Sweetwater Authority
Tahoe City Public Utility District
Three Valleys Municipal Water District
Trabuco Canyon Water District
Triunfo Water & Sanitation District

Truckee Donner Public Utility District
Tuolumne Utilities District
Vallecitos Water District
Valley Center Municipal Water District
Walnut Valley Water District
West Basin Municipal Water District
West Kern Water District
West Valley Water District
Western Canal Water District
Western Municipal Water District
Yorba Linda Water District

CC: The Honorable E. Joaquin Esquivel, Chair, State Water Resources Control Board
The Honorable Dorene D'Adamo, Vice Chair, State Water Resources Control Board
The Honorable Laurel Firestone, State Water Resources Control Board
The Honorable Sean Maguire, State Water Resources Control Board
The Honorable Nichole Morgan, State Water Resources Control Board Ms. Eileen Sobeck,
Executive Director, State Water Resources Control Board
Mr. Eric Oppenheimer, Deputy Director, State Water Resources Control Board
Mr. James Nachbaur, Director, Office of Research, Planning and Performance, State Water
Resources Control Board
Ms. Charlotte Ely, Supervisor, Conservation and Efficiency, State Water Resources Control Board
Mr. Dave Eggerton, Executive Director, Association of California Water Agencies
Ms. Cindy Tuck, Deputy Director, Association of California Water Agencies

APPENDIX: SUGGESTED REDLINE RECOMMENDATIONS
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Reg Sec.	Sub. Sec.	Topic	Current Regulatory Text	Concern	Recommendation	Suggested Redline
965	(ee)	Definitions	(ee) "In-Lieu Technologies" are technologies that improve landscape water use efficiency by means other than the direct measure of water use. They include but are not limited to best management practices, audits, efficient irrigation devices, or irrigation budgets.	Some in-lieu technologies may not result in actual water savings, but can provide benefits (e.g., better data). The currently proposed definition for "in lieu technologies" is limited to technologies that improve water use efficiency.	Clarify that in-lieu technologies are technologies that aid in managing landscape water use.	(ee) "In-Lieu Technologies" are technologies that aid in managing improve landscape water use efficiency by means other than the direct measure of water use. They include but are not limited to best management practices, audits, efficient irrigation devices, or irrigation budgets.
965	NA	Definitions	NA	The proposed CII Performance Measures do not recognize suppliers existing water use efficiency programs and existing water use efficiency. Most suppliers have robust CII water efficiency programs that have resulted in meaningful savings within the CII sector. The Regulation should provide flexibility to local suppliers to build on existing programs and successes to avoid duplicative programs that may not be as effective at achieving water savings.	Add a definition for "Existing CII Conservation Program"	(iii) "Existing CII Conservation Program" is a program or set of programs currently offered or implemented by an urban retail water supplier or regional entity. Existing programs should be designed to achieve CII sector water use savings as a result of program element implementation, be adaptively managed by the supplier, and contain at least three of the major BMP categories identified in Section 974.
972	(b)	Classification -	(a) Urban retail suppliers shall annually classify commercial, industrial and institutional customers in accordance with Energy Star Portfolio Manager's broad categories. (b) In addition to Energy Star Portfolio Manager's broad categories, suppliers shall identify every CII customer associated with: (1) CII laundries (2) Large landscapes (3) Water recreation (4) Car wash. For every CII customer that operates a car wash in addition to its primary service and for which the car wash accounts for the majority of that customer's water use, the supplier shall also identify the customer's Energy Star Portfolio Manager property type.	Suppliers worked closely with the Department of Water Resource (DWR) to inform its CII Classification Performance Measure recommendations. DWR proposed 19 categories, in which they found "these categories are sufficient to address major CII water uses and provide adequate differentiation among different CII sectors to facilitate data collection and future references. However, the system will not be overly detailed to create undue burdens on urban retail suppliers for implementation." The draft Regulation is proposing 22 classifications, 18 Energy Star Portfolio Manager board categories and 4 additional proposed categories. Classifying CII customers will require significant supplier staff time and resources, including making changes to internal billing systems. The CII Classification Performance Measures should be simplified to reduce the burden on suppliers, where possible. Specifically, the four additional proposed classifications that deviate from Energy Star will place an additional burden on suppliers, without clear benefit or water savings.	Make classifications consistent with the Energy Star Portfolio Manager. Strike the additional four categories.	(a) Urban retail suppliers shall annually classify commercial, industrial and institutional customers in accordance with Energy Star Portfolio Manager's broad categories. (b) In addition to Energy Star Portfolio Manager's broad categories, suppliers shall identify every CII customer associated with: (1) CII laundries (2) Large landscapes (3) Water recreation (4) Car wash. For every CII customer that operates a car wash in addition to its primary service and for which the car wash accounts for the majority of that customer's water use, the supplier shall also identify the customer's Energy Star Portfolio Manager property type.
972	(c)	Classification	(c) Each supplier shall classify at least twenty percent of its CII customers by 2026, at least sixty percent by 2028, and one hundred percent by 2030. After 2030, the supplier shall maintain at least a 95% classification rate, as measured on an annual basis.	It is unclear how existing versus new customers are considered within the 5-year timeframe to complete all CII classifications. CII classification will be a significant lift for suppliers. Suppliers should focus on completing classifications for a static list of CII customers based on the time of the State Water Board's adoption of the Regulation. The additional burden to address influxes and changes of CII customers within the first five years of completing classifications could impair suppliers' ability to comply.	Clarify that the initial classification of CII customers is based on existing customers at the time of the Board's adoption of the Regulation. Any new CII customers will be included once suppliers have completed their initial classification of all customers.	(c) Each supplier shall classify existing at least twenty percent of its CII customers by 2026, at least sixty percent by 2028, and one hundred percent of its CII customers by 2030. After 2030, the supplier shall maintain at least a 95% classification rate including any new CII customers, as measured on an annual basis.
972	(c)	Classification - Alternative Schedule	Same as above	CII customers among suppliers' service areas vary significantly. It may be more cost-effective or locally appropriate to complete all CII customer classification on a schedule different than the proposed Regulation.	Provide flexibility to suppliers to complete one hundred percent classification of CII customers by 2030. Remove prescriptive timeline requirements on how to complete one hundred percent classification.	(eb) Each supplier shall classify existing at least twenty percent of its CII customers by 2026, at least sixty percent by 2028, and one hundred percent by 2030. After 2030, the supplier shall maintain at least a 95% classification rate, including any new CII classification customers, as measured on an annual basis.
972	NA	Classification - State Guidance	NA	As a statewide performance measure, the State should develop guidance to all suppliers that will support consistent interpretation of SIC and NAICS codes as it applies to each Energy Star Portfolio Manager category. A standardized interpretation will lend itself to better data and overall implementation.	DWR should provide a guide to associate NAICS codes to the respective classification category prior to suppliers' implementing CII classifications.	(d) The Department will provide a guidance document to suppliers for classifying all SIC and NAICS codes within each broad Energy Star Portfolio Manager category no later than 2025.

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973	(a)	Mixed Use Meters - Exemptions	NA	The draft Regulation does not recognize suppliers' existing water use efficiency programs and practices and already efficient mixed-use meters. DWR's recommendations included 'Qualified Conditions and Exemptions,' that suggested narrowly defined exemptions from the mixed-use meter conversion requirements and implementation of the conversion threshold Performance Measure. The Regulation should support suppliers' existing successful program, and reduce requirements that will not achieve significant water savings but will require suppliers' to invest significant resources.	Include DWR's recommendations 'Qualified Conditions and Exemptions' (Recommendations for Dedicated Irrigation Meter Conversion...4-3). Clarify that these exempt landscapes are not required to meet the in-lieu water management practices for communications, system maintenance, and irrigation scheduling as they would already be considered implementing the In-Lieu Technologies Performance Measures. Additionally, include language to allow suppliers to submit a list of current programs, practices and rebates as an alternative to (973)(a)(1) and (2).	(3)Commercial, industrial, and institutional mixed use meters that meet the following criteria shall be considered exempt from the requirements of Section 973(a)(1) & 973(a)(2): (A) Landscapes exempt under MWEL0 (B) Non-irrigation water usage of no more than 5% of total water use (C) CII landscapes irrigated with a mixed-use meter and the estimated landscape water use satisfy the requirements of the landscape efficiency factors listed in Section 969, as appropriate, on a per-parcel basis, are considered to be implementing the In-Lieu Technologies PM and therefore exempt. (D) Suppliers may provide a list and crosswalk of current programs, practices, and rebates to listed in-lieu technologies and water management practices to satisfy programmatic requirements of 973(a)(1) and (2).
973	(a) and (c)	Mixed Use Meters - Employ	(a) same as above (c) For commercial, industrial, and institutional large landscapes that have mixed-use meters, suppliers shall make annual progress in either installing dedicated irrigation meters or employing in-lieu water technologies for these large landscapes, with at least twenty percent compliance by 2026, at least sixty percent compliance by 2028, and one hundred percent compliance by 2030. After 2030, the supplier shall ensure at least 95% of large landscapes either have a dedicated irrigation meter installed or are employing in-lieu water technologies, as assessed on an annual basis.	The draft Regulation requires suppliers to "employ" actions and technologies for large landscapes. The term "employ" implies that suppliers will take up an action on a customer's behalf. Suppliers may offer programs, rebates, incentives and in-lieu technologies, but suppliers cannot require the customer to act or implement in-lieu water use technologies. The final Regulation must recognize suppliers' appropriate authorities	Replace "employ" with "offer."	(a)(1) Suppliers shall employ offer for large landscapes that do not have DIMs at least two of the following efficient water use technologies: (2) Suppliers shall employ offer the following water management practices for large landscapes that do not have DIMs: (c)For commercial, industrial, and institutional large landscapes that have mixed-use meters, suppliers shall make annual progress in either installing dedicated irrigation meters or employing in-lieu water technologies for these large landscapes, with at least twenty percent compliance by 2026, at least sixty percent compliance by 2028, and one hundred percent compliance by 2030. After 2030, the supplier shall ensure at least 95% of large landscapes either have a dedicated irrigation meter installed or are employing offering in-lieu water technologies, as assessed on an annual basis.
973	(a)(1)	Mixed Use Meters - In-Lieu	(1) Suppliers shall employ for large landscapes that do not have DIMs at least two of the following efficient water use technologies:	DWR assessed and recommended a list of in-lieu technologies. DWR's recommendation did not require two in-lieu technologies to be implemented. Requiring two is duplicative and does not necessarily generate more savings.	Adopt DWR's recommendation that only 1 in-lieu technology be required.	(a)(1) Suppliers shall employ for large landscapes that do not have DIMs at least two one of the following efficient water use technologies:
973	(a)(1)(C)	Mixed Use Meters - In-Lieu	(C) Hardware improvements with enhanced performance and functions, including but not limited to metering technologies that allow suppliers to identify outdoor water use, smart irrigation controllers and pressure-regulated sprinkler spray heads.	"Hardware improvements" excludes software improvements, which can also aid in improving efficiency.	Include software improvements as an efficient water use technology.	(C) Hardware and software improvements with enhanced performance and functions, including but not limited to metering technologies that allow suppliers or customers to identify outdoor water use, smart irrigation controllers and pressure-regulated sprinkler spray heads.
973	(a)(1)(E)	Mixed Use Meters - In-Lieu	(E) Landscape plant palette transformation programs, including green infrastructure such as swales or rain gardens that both reduce wet-weather runoff as well as offset irrigation needs	The requirement for green infrastructure that reduces wet-weather runoff and offsets irrigation needs in order to participate in lawn conversion programs could decrease participation.	It should be clarified that green infrastructure and swales and rain gardens aren't requirements for a lawn conversion program.	(E) Landscape plant palette transformation programs, which may include including green infrastructure such as swales or rain gardens that both reduce wet-weather runoff as well as offset irrigation needs
973	(a)(2)(B)	Mixed Use Meters - In-Lieu	(2) Suppliers shall employ the following water management practices for large landscapes that do not have DIMs: (A) Communications (B) Irrigation systems maintenance (C) Irrigation scheduling	Suppliers generally do not provide maintenance services for customer irrigation systems or irrigation schedules. That's the responsibility of the customer and could be a liability for suppliers.	Revise language to recognize what is within the purview of suppliers.	(A) Communications (B) Irrigation systems maintenance guidance (C) Irrigation scheduling guidance

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973	(b)	Mixed Use Meters - Quantification	(b)(1) Urban retail water suppliers shall estimate the volume of water used on commercial, industrial, and institutional landscapes with mixed-use meters (CIIMUM) by multiplying the area of those landscapes (LALL) by net reference evapotranspiration (Net ETO), by a Landscape Efficiency Factor of 0.76, and by a unit conversion factor of 0.62. This formula is expressed mathematically as follows: $CIIMUM = LALL \times Net\ ETO \times 0.76 \times 0.62$ (2) For purposes of this section, the area of the landscapes (LALL) shall include only landscapes associated with CII that have mixed-use meters and shall be quantified and substantiated by the supplier using data generated by the Department.	As a performance measure, suppliers should not be required to quantify mixed use meter water usage, particularly because any quantification is inclusive of process water and the Regulation does not provide the appropriate time for suppliers to investigate customer water usage for a compliance determination.	Strike this section.	(b) (1) Urban retail water suppliers shall estimate the volume of water used on commercial, industrial, and institutional landscapes with mixed-use meters (CIIMUM) by multiplying the area of those landscapes (LALL) by net reference evapotranspiration (Net ETO), by a Landscape Efficiency Factor of 0.76, and by a unit conversion factor of 0.62. This formula is expressed mathematically as follows: $CIIMUM = LALL \times Net\ ETO \times 0.76 \times 0.62$ (2) For purposes of this section, the area of the landscapes (LALL) shall include only landscapes associated with CII that have mixed-use meters and shall be quantified and substantiated by the supplier using data generated by the Department.
973	(c)	Mixed Use Meters-Timeline	(c) For commercial, industrial, and institutional large landscapes that have mixed-use meters, suppliers shall make annual progress in either installing dedicated irrigation meters or employing in-lieu water technologies for these large landscapes, with at least twenty percent compliance by 2026, at least sixty percent compliance by 2028, and one-hundred percent compliance by 2030. After 2030, the supplier shall ensure at least 95% of large landscapes either have a dedicated irrigation meter installed or are employing in-lieu water technologies, as assessed on an annual basis.	DWR CII-LAM data wont be delivered until 2026. Suppliers need adequate time to review the data and come into compliance. To implement this specific performance measure, suppliers would need to identify actual large landscape water use (e.g., remove the process water to see ACTUAL landscape water usage for CII) prior to implementation. The compliance schedule for MUM conversion should account for every customer being a unique and specific project, requiring budget and taking time to implement if a physical conversion is taking place. Additionally, we note general concerns with stacking all the CII Performance Measures on an overlapping 5-year compliance schedule.	Extend the 5-year timeline to complete mixed-use meter performance measures in order to provide time for suppliers' to review DWR CII-LAM data and complete CII Classifications. This will help reduce the resource burden on suppliers' of the compressed timeline to allow suppliers to more meaningfully engage with customers on in-lieu and meter conversion efforts.	(c) For commercial, industrial, and institutional large landscapes that have mixed-use meters, suppliers shall make annual progress in either installing dedicated irrigation meters or employing in-lieu water technologies for these large landscapes, with at least twenty percent compliance by 2026 31 , at least sixty percent compliance by 2028 33 , and one-hundred percent compliance by 2030 35 . After 2030 5 , the supplier shall ensure at least 95% of large landscapes either have a dedicated irrigation meter installed or are employing offering in-lieu water technologies, as assessed on an annual basis.
973	(c)	Mixed Use Meters-Timeline	Same as above	It may be more cost-effective or locally appropriate to complete all MUM Conversion Performance Measures on a schedule different than the proposed Regulation.	Provide flexibility for suppliers to complete the 100 percent compliance within the 5 years, rather than twenty percent timeline. Allow supplier to submit an alternative schedule to the State Water Board that identifies how it will complete the performance measure within the 5 years.	(d) A supplier may submit to the Board by 2031 an alternative compliance schedule to either install dedicated irrigation meters of employ in-lieu water technologies for one-hundred percent of large landscapes customers by 2035, as an alternative to 973(c).

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974	(a)	BMPs - Disclosable Buildings	(a) Each supplier shall identify all disclosable buildings in their service area by January 1, 2025. (b)(1) For every customer for which the square footage of its building meets the definition of a disclosable building in section 1681 of the California Code of Regulations at title 20, a supplier shall complete the following: (A) For each meter, the supplier shall deliver to the building owner or Owner's Agent the last four characters of the meter serial number serving the building. (B) For each meter, the supplier shall identify, aggregate, and provide all water use data, in monthly intervals, for at least the previous calendar year, and all available data for the calendar year in which data is requested, by one of the following methods: (i) Suppliers not using ENERGY STAR Portfolio Manager's Data Exchange Services shall send the data to the building owner or Owner's Agent using the template provided by ENERGY STAR Portfolio Manager. (ii) Suppliers using ENERGY STAR Portfolio Manager's Data Exchange Services shall provide the data by direct upload to the building owner's or Owner's Agent's ENERGY STAR Portfolio Manager account, or, at the building owner's or Owner's Agent's request, send the data to the building owner or Owner's Agent using the template provided by ENERGY STAR Portfolio Manager. (2) Suppliers shall make annual progress in providing the information in paragraph (1) to the owners or Owner's Agents of disclosable buildings and shall provide the information for at least twenty percent of disclosable buildings by 2026, at least sixty percent by 2028, and one hundred percent by 2030.	This section would place significant burden on suppliers' limited resources, without providing clear benefits or guaranteeing water savings. Concerns include: (1) Suppliers do not have or maintain square footage information to identify disclosable buildings. (2) Square footage is well correlated with energy use, but not necessarily with water use, so this may not be an effective use of limited resources. (3) Many suppliers currently provide monthly (or bi-monthly) water usage to customers in their bill with water use reports, or through an AMI portal. This effort would be redundant. Sending duplicative data to customers, particularly those that will not utilize it, is not good use of suppliers' limited resources. (4) Suppliers cannot determine what meter serves which buildings on an owner's parcel. Suppliers can associate meters with an account but they may not know the he customer's use and cannot identify how much water use goes to each building if there are multiple buildings on the meter. (5) Proposed timelines are not reasonable.	Strike this language.	(a) Each supplier shall identify all disclosable buildings in their service area by January 1, 2025. (b)(1) For every customer for which the square footage of its building meets the definition of a disclosable building in section 1681 of the California Code of Regulations at title 20, a supplier shall complete the following: (A) For each meter, the supplier shall deliver to the building owner or Owner's Agent the last four characters of the meter serial number serving the building. (B) For each meter, the supplier shall identify, aggregate, and provide all water use data, in monthly intervals, for at least the previous calendar year, and all available data for the calendar year in which data is requested, by one of the following methods: (i) Suppliers not using ENERGY STAR Portfolio Manager's Data Exchange Services shall send the data to the building owner or Owner's Agent using the template provided by ENERGY STAR Portfolio Manager. (ii) Suppliers using ENERGY STAR Portfolio Manager's Data Exchange Services shall provide the data by direct upload to the building owner's or Owner's Agent's ENERGY STAR Portfolio Manager account, or, at the building owner's or Owner's Agent's request, send the data to the building owner or Owner's Agent using the template provided by ENERGY STAR Portfolio Manager. (2) Suppliers shall make annual progress in providing the information in paragraph (1) to the owners or Owner's Agents of disclosable buildings and shall provide the information for at least twenty percent of disclosable buildings by 2026, at least sixty percent by 2028, and one hundred percent by 2030.
974	(c)	BMPs - Thresholds	(c) For those customers at or above the 80th percentile for water use in each of the classification categories described in section 972, excluding process water, each supplier shall, by January 1, 2025, design and implement a conservation program that includes at least one of the best management practices from each of paragraphs (1) through (5):	Suppliers need flexibility to develop programs and engage with their CII customers that have water savings potential, which will be driven by characteristics unique to each service area. Additionally, some CII classifications may have de minimis water use or are already efficient. The proposed methodology that suppliers' target the top 20% of water users for each CII classification is too prescriptive, ignores existing local and regional programs and efforts, and limits suppliers' ability to cost-effectively target customers with the greatest water savings potential.	Direct suppliers to implement programs for CII customers at or above the 80th percentile among all CII customers, rather than by individual CII classification.	(c) For those CII customers at or above the 80th percentile for water use in each of the among all CII customers classification categories described in section 972, excluding process water, each supplier shall, by January 1, 2025 35 , existing or new design and implement a CII existing or new design and implement a CII conservation programs that includes at least one of the best management practices from each of paragraphs (1) through (5):
974	(c)	BMPs - Clarification	(c) For those customers at or above the 80th percentile for water use in each of the classification categories described in section 972, excluding process water, each supplier shall, by January 1, 2025, design and implement a conservation program that includes at least one of the best management practices from each of paragraphs (1) through (5):	Language that requires suppliers to "offer" programs could be interpreted to not allow for regional, statewide or other partnerships that could help, cost-effectively achieve the CII BMP Performance Measures. We believe this is not the intent.	Make explicit that a supplier can comply with CII BMP Performance Measures by making programs available directly, or through regional, statewide or other partnerships.	(c) For those CII customers at or above the 80th percentile for water use in each of the among all CII customers classification categories described in section 972, excluding process water, each supplier shall, by January 1, 2025 30 , make available, either directly or through regional, statewide or other partnerships, existing or new design and implement a CII make available, either directly or through regional, statewide or other partnerships, existing or new design and implement a CII conservation programs that includes at least one of the best management practices from each of paragraphs (1) through (5):
974	(c)	BMPs - Clarification	(c) For those customers at or above the 80th percentile for water use in each of the classification categories described in section 972, excluding process water, each supplier shall, by January 1, 2025, design and implement a conservation program that includes at least one of the best management practices from each of paragraphs (1) through (5):	The Regulation does not explicitly state that a single conservation program can satisfy the requirements for more than one BMP. We believe that is the intent, rather than requiring individual programs for each classification.	Make explicit that a single conservation program can apply to multiple BMPs.	(h) A single conservation program may satisfy the requirements for more than one best management practice from each of paragraphs (1) through (5) in subdivision (c).
974	(c)(1)(A)	BMPs - Clarification	(c)(1)(A) Direct contacts via site visits or phone calls	Suppliers may rely on other means of direct communication with customers, such as emails, video calls and direct mail. This provision should be broadened to allow other means of direct communication that suppliers' currently deploy.	Clarify language to include email, video calls and direct mail.	(c)(1)(A) Direct contacts via site visits, emails, video calls, direct mail , or phone calls
974	(c)(2)(A)	BMPs - Clarification	(c)(2)(A) Rebates and cost-sharing for replacing inefficient fixtures, equipment, irrigation systems or landscapes with water efficient ones	Innovative non-rebate incentives like financing are not included. These help advance water savings among CII Customers.	Make explicit that financing, cost-sharing and other innovative non-rebat incetnvies are eligible.	(c)(2)(A) Rebates, financing, cost-sharing and other innovative non-rebate incentives and cost-sharing for replacing inefficient fixtures, equipment, irrigation systems or landscapes with water efficient ones

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974	(c)(2)(A)	BMPs - Clarification	(2) Incentive best management practices.	Water-budget based rate structures and water budget-based management programs without a rate structure are not recognized. These help advance water savings among CII Customers.	Explicitly include water-budget based rate structures and water-budget based management programs without a rate structure are included in the "Incentive best management practices."	(D) Water budget-based rate structures (E) Water budget-based management program without a rate structure
974	(c)(3)(D)	BMPs - Clarification	(3) Landscape best management practices. (A) Landscape and irrigation management practices to promote improved water use efficiency (B) Irrigation system inspection and maintenance (C) Irrigation scheduling and maintenance training	It would be inappropriate for suppliers to maintain irrigation systems.	Remove language for suppliers to maintain CII customer irrigation systems, and instead include irrigation system maintenance training as a BMP.	(3) Landscape best management practices. (A) Landscape and irrigation management practices to promote improved water use efficiency (B) Irrigation system inspection and maintenance (C) Irrigation scheduling and maintenance training
974	(c)(3)(D)	BMPs - Clarification	(c)(3)(D) New development landscape inspection, workshops, and training	Landscape inspections, workshops and trainings should not be limited to new development.	Include new and existing landscapes as eligible.	(c)(3)(D) New development Landscape inspection, workshops, and training
974	(c)(3)(F)-(H)	BMPs - Clarification	(F) Programs to remove turf and replace it with climate-ready vegetation (G) Programs to decrease urban heat and reduce turf water use by planting trees (H) Programs to install green infrastructure such as swales or rain gardens that both reduce wet-weather runoff as well as offset irrigation needs		Remove these options as landscape BMPs.	(F) Programs to remove turf and replace it with climate-ready vegetation water efficient plants, a sustainability feature designed to capture rainwater and reduce runoff, and a low application rate irrigation system. Most exposed soils must be covered with mulch (G) Programs to decrease urban heat and reduce turf water use by planting trees (H) Programs to install green infrastructure such as swales or rain gardens that both reduce wet-weather runoff as well as offset irrigation needs.
974	(c)(5)(A)	BMPs - Clarification	(5) Operational best management practices. (A) Infrastructure changes (for example, smart meter replacement programs)	AMI is not included. AMI improves suppliers ability to collect accurate water usage data to detect leaks and improve water management.	Explicitly recognize AMI.	(5) Operational best management practices. (A) Infrastructure changes (for example, smart meter replacement programs, Automatic Meter Infrastructure (AMI))
974	(d)	BMPs	(d) For those commercial, industrial, and institutional customers that are at or above the 97.5th percentile for water use, excluding process water, each supplier shall, by January 1, 2025, design and implement a conservation program that includes at least two of the best management practices from each of paragraphs (1) through (5) in subdivision (c).	Customers at or above the 97.5th percentile for water use are already encompassed in the top 20% requirements of section 974(c). As proposed, this requirement does not recognize suppliers' current efforts to develop custom programs, in which these customers may already be efficiently using water. Additionally, conservation programs need to be offered broadly, not just limited to specific customers.	Strike this language. See section 974(c).	(d) For those commercial, industrial, and institutional customers that are at or above the 97.5th percentile for water use, excluding process water, each supplier shall, by January 1, 2025, design and implement a conservation program that includes at least two of the best management practices from each of paragraphs (1) through (5) in subdivision (c).
974	(e)(1)	Non-functional turf	(e) (1) Each urban retail water supplier shall ban the irrigation of non-functional turf with potable water on all commercial, industrial, and institutional (CII) landscapes in its service area by July 1, 2025. (2) Notwithstanding paragraph (1), a supplier is not required to ban the irrigation of nonfunctional turf on CII landscapes in its service area that is necessary to ensure the health of trees and other perennial non-turf plantings or that is necessary to address an immediate health and safety need. (3) Notwithstanding paragraph (1), a supplier may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40% of reference evapotranspiration. (4) For purposes of this subdivision, CII landscapes include homeowners' associations, common interest developments, community service organizations, and other similar entities but do not include the residences of these entities' members or separate interests, as defined in section 4185 of the Civil Code.	This language does not align with AB 1572, which is currently pending the Governor's signature. If the Governor signs AB 1572, this language will not be necessary and its continued inclusion will cause confusion for suppliers and CII Customers.	Strike this language.	(e) (1) Each urban retail water supplier shall ban the irrigation of non-functional turf with potable water on all commercial, industrial, and institutional (CII) landscapes in its service area by July 1, 2025. (2) Notwithstanding paragraph (1), a supplier is not required to ban the irrigation of nonfunctional turf on CII landscapes in its service area that is necessary to ensure the health of trees and other perennial non-turf plantings or that is necessary to address an immediate health and safety need. (3) Notwithstanding paragraph (1), a supplier may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40% of reference evapotranspiration. (4) For purposes of this subdivision, CII landscapes include homeowners' associations, common interest developments, community service organizations, and other similar entities but do not include the residences of these entities' members or separate interests, as defined in section 4185 of the Civil Code.

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CII PERFORMANCE MEASURES

974	(f)	BMPs - Timeline	(f) Suppliers shall make annual progress in meeting the requirements of subdivisions (c) and (d), with compliance of at least twenty percent by 2026, at least sixty percent by 2028, and one hundred percent by 2030.	We are proposing the CII Classification Performance Measure be completed between 2025 – 2030 and CII Mixed-Use Meter and CII BMP Performance Measures be completed 2030 – 2035. The currently proposed completion of all of the CII Performance Measures within the proposed five-year period, beginning 2025, would require significant resources and create implementation challenges. For example, it is unclear how suppliers would accurately implement BMPs for the top 20% of each classification while classifying CII customers. Unstacking the CII BMPs from the CII Classification will allow suppliers to spread limited resources over a 10 year period, while still meeting the goals of the Regulation. Additionally, the prescribed schedule for completing 20% of BMPs annually unnecessarily limits suppliers flexibility. Suppliers should be able to best determine how to meet the broader BMP Performance Measure requirements based on the unique local characteristics and existing programs.	Modify the timeline for suppliers to achieve 100 percent compliance with BMP Performance Measures by 2035. Remove prescriptive requirements of a percentage completion of CII BMP Performance Measures by years.	(f) Suppliers shall achieve make annual progress in meeting the requirements of subdivisions (c) and (d), with compliance of at least twenty percent by 2026, at least sixty percent by 2028, and one hundred percent compliance with subdivision (c) by 2035 . After 2035, the supplier shall ensure at least 95% compliance, as assessed on an annual basis.
974	NA	BMPs - De Minimis	NA	Some suppliers have a very small amount of CII water usage. Consequently, the amount of effort required in this section will not yield meaningful water savings. We encourage the Regulation to recognize suppliers with de minimis CII water use, which should be less than 10% of total potable water usage, and exclude those suppliers from the requirements of this section. This will allow those suppliers to focus their resources where they better advance water use efficiency.	Exemption suppliers with less than 10% CII potable water usage from section 974.	(g) Suppliers with less than 10% CII potable water usage, based on a five year average that is re-evaluated every 5 years, shall be excluded from this section.

APPENDIX C: SUGGESTED REDLINE RECOMMENDATIONS
OUTDOOR STANDARDS

966	(i)	Outdoor Standard - Alternative Compliance (Same as "Methodologies" Tab Row 3)	<p>(i) Starting in 2035, a supplier meeting all the criteria in paragraphs (1) or (2) may, in calculating its budgets for efficient outdoor residential water use and for commercial, industrial, and institutional landscapes with dedicated irrigation meters, apply the standards described in sections 968(a)(2) and 969(a)(2) through 2040.</p> <p>(2) (A) The urban water use objective calculated by the supplier pursuant to section 966 would result in an objective that is 80 percent or less of the supplier's actual urban water use, calculated in accordance with section 10609.22.</p> <p>(B) The annual reports the supplier has submitted since 2030, pursuant to section 975, show that the supplier is making continued progress, reducing its actual urban water use by an average of no less than 2 percent per year.</p> <p>(C) The supplier verifies compliance with requirements of the G480 Water Conservation and Efficiency Program Operation and Management Standard established by the American Water Works Association.</p> <p>(D) The supplier verifies compliance with the Standards for Tree City USA Recognition.</p> <p>(E) The supplier manages a program dedicated to the creation and maintenance of climate-ready landscapes across its service area. Program elements shall include but are not limited to:</p> <p>(i) The supplier verifies annual conversion of no less than 0.1 percent of turf area into climate-ready landscapes.</p> <p>(ii) The supplier verifies use of a recognized, verifiable rating system, such as the ReScape Rated Landscape Scorecard or the Sustainable SITES Initiative, to assure its program is supporting climate-ready landscapes.</p> <p>(iii) The supplier verifies creation of or participation in regional and local</p>	<p>Our understanding is that this language is intended to serve as an Alternative Compliance Pathway for suppliers with a water use objective that would require a an unreasonable or unattainable reduction in water use and is intended to provide flexibility within the Regulation. This Alternative Compliance Pathway does not provide the necessary flexibility and is problematic as follows:</p> <p>(1) It does not address 2025 and 2030 compliance for suppliers. Some suppliers will be out of compliance with their objective beginning in 2025. This only addresses compliance in 2035.</p> <p>(2) 5 additional years will not resolve compliance for some suppliers. Some suppliers will require a pathway that includes an alternative objective and/or more than additional 5 years.</p> <p>(3) The eligibility requirements for the Alternative Compliance Pathway are cost prohibitive, and would divert suppliers' resources to actions that may not result in compliance -e.g., e.g. SITES rating system is \$9,600 per site to implement.</p> <p>(4) Special districts are ineligible for the Standards for Tree City USA.</p> <p>(5) Requirements to dedicate funding and 40% allocated to DACS conflicts with Proposition 218.</p>	<p>We request to work collaboratively with the State Water Board to develop an "Alternative Compliance Pathway" that provides suppliers with an unreasonable or unattainable objective to be eligible for an alternative objective and/or extension of time to comply. This pathway should balance the goals of achieving meaningful water savings and multi-benefits, while considering cost and affordability.</p>	<p>(i) Starting in 2035, a A supplier may be eligible for an Alternative Compliance Pathway for approval of the Board, that demonstrates a good faith effort toward improving water use efficiency and climate resiliency by meeting all the criteria in paragraphs (1) or (2) may, in calculating its budgets for efficient outdoor residential water use and for commercial, industrial, and institutional landscapes with dedicated irrigation meters, apply the standards described in sections 968(a)(2) and 969(a)(2) through 2040.</p> <p>(1) (A) The average median household income of the supplier's service area is less than or equal to 80 percent of the median household income of California.</p> <p>(B) The urban water use objective calculated by the supplier pursuant to subsection (b) would result in an objective that is 80 percent or less of the supplier's actual urban water use, calculated in accordance with section 10609.22.</p> <p>(C) The annual reports the supplier has submitted since 2030, pursuant to section 975, show that the supplier is making continued progress, reducing its actual urban water use by an average of no less than 2 1.5 percent per year.</p> <p>(D) The supplier shows to the satisfaction of the board that it is unable to meet its urban water use objective because of the applicable outdoor standards identified in sections 968 and 969. The supplier verifies it offers a proactive water use efficiency program that address indoor and outdoor water use, as well as low-income water users.</p> <p>(2) (A) The urban water use objective calculated by the supplier pursuant to section 966 would result in an objective that is 80 percent or less of the supplier's actual urban water use, calculated in accordance with section 10609.22.</p> <p>(B) The annual reports the supplier has submitted since 2030, pursuant to section 975, show that the supplier is making continued progress, reducing its actual urban water use by an average of no less than 2 percent per year.</p> <p>(C) The supplier verifies it offers a proactive water use efficiency program that address indoor and outdoor water use, as well as low-income water users. The supplier verifies compliance with requirements of the G480-Water Conservation and Efficiency Program Operation and Management Standard established by the American Water Works Association.</p>
968	(a)(3)	Outdoor Standard - Timeline	<p>(a)(1) Through June 30, 2030, the standard for efficient residential outdoor use (Soutdoor) shall be a landscape efficiency factor of 0.80.</p> <p>(2) Beginning July 1, 2030, and through June 30, 2035, the standard for efficient residential outdoor use shall be a landscape efficiency factor of 0.63.</p> <p>(3) Beginning July 1, 2035, the standard for efficient residential outdoor use shall be a landscape efficiency factor of 0.55.</p>	<p>The successful achievement of cost-effective multi-benefit landscape transformation programs requires water suppliers to analyze, design, resource and implement cost-effective water use efficiency programs. Additionally, the success of this Regulation requires long-term customer behavior change and significant investments. Educating Californians not only on the value of making these changes but also on the best, cost-effective manner to make these changes, while also supporting and expanding environmental multi-benefits requires time. Due to the delay of the Regulation and change in proposed standards from the Department of Water Resources' recommendations, suppliers and Californians are not being given a reasonable timeline to reduce water outdoor water use, which could result in impacts to shade trees and affordability, and disproportionate impacts to disadvantaged communities.</p>	<p>Modify the proposed timeline for the outdoor standard to provide an additional 5 years for all suppliers to achieve compliance, as follows:</p> <ul style="list-style-type: none"> - 0.8 LEF by 2030 - 0.63 LEF by 2035 - 0.55 LEF by 2040 	<p>(a) (1) Beginning January 1, 2030 and Beginning January 1, 2030 and through June 30, 20305, the standard for efficient residential outdoor use (Soutdoor) shall be a landscape efficiency factor of 0.80.</p> <p>(2) Beginning July 1, 20305, and through June 30, 203540, the standard for efficient residential outdoor use shall be a landscape efficiency factor of 0.63.</p> <p>(3) Beginning July 1, 203540, the standard for efficient residential outdoor use shall be a landscape efficiency factor of 0.55.</p>
968	(a)(5)	Outdoor Standard - New Res.	<p>(5) The standard for newly constructed residential landscapes (Snew) shall be the same factor as identified in section 492.4 for residential areas.</p>	<p>Water suppliers need certainty as they implement this Regulation most cost-effectively. MWLEO can be modified absent a regulatory process, which could significantly impact water suppliers overall compliance with the Regulation and associated costs, which would not be captured in the SRIA.</p>	<p>Set the standard for newly constructed residential landscapes at a LEF of 0.55, instead of to MWLEO.</p>	<p>(5) The standard for newly constructed residential landscapes (Snew) shall be the same factor as identified in section 492.4 for residential areas a landscape efficiency factor of 0.55.</p>
968	(b)(2)(B)	Outdoor Standard - INI	<p>(B) Through June 30, 2027, a supplier may include in its residential landscape area up to twenty percent of the supplier's unique square footage of Irrigable Not Irrigated area provided by the Department to the Board on October 3, 2022, if the supplier's actual urban water use for the reporting year, calculated in accordance with section 10609.22, is greater than the urban water use objective calculated pursuant to section 966 without inclusion of Irrigable Not Irrigated area.</p>	<p>DWR conducted a statistical analysis of outdoor water use, LAM and INI data. The data concluded that the INI area is being irrigated at one fifth or 20 percent of the irrigable area. As a result, DWR correctly concluded that the calculation of annual outdoor water use must include 20 percent INI. Additionally, the inclusion of INI is consistent with the 2018 conservation legislation. Water Code §10609.6(a)(2)(B) directed "the standards shall apply to irrigable lands. The removal of DWR's recommended to include 20% for INI is statistically inaccurate.</p>	<p>DWR's findings was based on the recognition that its analysis was only a snapshot in time. It's follow-up analysis indicated that the snapshot missed 20% of the irrigated landscape that was irrigated either before or after the image was taken for the analysis. DWR recognized that this under counting of irrigated area would continue to be the case unless multiple images are conducted over the analysis year. This 20% should not be looked as additional, but as area that is actually being irrigated. Revert to DWR's recommendation with the inclusion of 20 percent INI. Suppliers would recalculate INI when DWR provides new LAM data.</p>	<p>(B) Through June 30, 2027, a A supplier shall include in its residential landscape area up to twenty percent of the supplier's unique square footage of Irrigable Not Irrigated area provided by the Department to the Board on October 3, 2022, if the supplier's actual urban water use for the reporting year, calculated in accordance with section 10609.22, is greater than the urban water use objective calculated pursuant to section 966 without inclusion of Irrigable Not Irrigated area.</p> <p>(1) If the Department provides updated landscape area data, a supplier would recalculate the inclusion of the suppliers' unique square footage of Irrigable Not Irrigated Area of twenty percent.</p>

APPENDIX: SUGGESTED REDLINE RECOMMENDATIONS
OUTDOOR STANDARDS

968	(d)(2)	MWELO	(d)(2) The existence of newly constructed residential landscape area shall be demonstrated by referencing annual reporting required by section 495(b)(6), provided the report has disaggregated newly constructed residential landscapes from the total landscape area reported.	The Regulation would require that suppliers demonstrate the existence of newly constructed residential landscapes through annual MWELO reporting. The majority of new residential landscapes are not subject to MWELO or MWELO reporting. MWELO reporting will be incomplete and will not reflect accurately newly constructed residential landscape area. Gr	Allow for DWR's recommend approach to account for newly constructed residential landscape areas, which included on-the ground measurement, remote sensing methods, and using service area level averages.	(d)(2) The existence of newly constructed residential landscape area shall be demonstrated by using any of the following approaches to quantify irrigable landscapes areas for new landscapes: referencing annual reporting required by section 495(b)(6), provided the report has disaggregated newly constructed residential landscapes from the total landscape area reported. (A) On-the-ground measurement. (B) Using remote sensing methods to quantify irrigable landscape areas. (C) Using service area level averages. In this approach, urban retail water suppliers only need to identify the total number of new developments (Nnd) and average landscape areas for each class at the service area level. The following is an outline of the steps needed to estimate aggregate areas for new landscapes using this approach: (i) Calculate the sum of areas for each of the irrigation status classes delivered by DWR or alternative data source. This involves adding each one of the three classes across all residential parcels in the service area to derive aggregate areas (II-total, INI-total, and NI-total). (ii) Obtain the total number of existing residential parcels (Np) in the service area. (iii) Divide II-total, INI-total, and NI-total by Np to get average II, INI, and NI for the service area (II-avg, INI-avg, NI-avg). (iv) Multiply II-avg, INI-avg, and NI-avg by Nnd. This produces aggregate II, INI, and NI for new developments (II-nd, INI-nd, and NI-nd).
968	(g)(2) (h)(1)	SLA- Pools	(g)(1) An urban retail water supplier may, in calculating its annual urban water use objective, include budgets for temporary provisions for residential outdoor use if the supplier submits supporting information meeting the criteria described in subdivision (i). (2) Temporary provisions may be requested for: (A) water for existing pools, spas, and similar water features (B) water for the planting of new, climate-ready trees (C) water for the establishment of qualifying landscapes (h) Temporary provisions available pursuant to subdivision (g) shall be calculated as follows: (h) Temporary provisions available pursuant to subdivision (g) shall be calculated as follows: (1) A temporary provision for existing pools, spas and similar water features is available beginning January 1, 2035, until January 1, 2040. This provision (Prpool) shall be calculated by multiplying the square footage of existing pools, spas, and similar water features (Apool), by 0.08, by net reference evapotranspiration (Net ETO), and by a unit conversion factor of 0.62.	Residential pools should not be a temporary provisions. The residential factor for residential pools should be same as public pools, which is 1.0. Water evaporates at about 1.0. Not allocating enough water to residential pools effectively further reduces the residential outdoor budget. Most pools are not subject to MWELO, as they are generally in backyards and existing.	Strike language 968(g)(2)(A) and h(1). Add language to 968(c) that residential pools area.	(c)(3) Pools, spas and similar water features shall have a landscape efficiency factor of 1.0. (g)(1) An urban retail water supplier may, in calculating its annual urban water use objective, include budgets for temporary provisions for residential outdoor use if the supplier submits supporting information meeting the criteria described in subdivision (i). (2) Temporary provisions may be requested for: (A) water for existing pools, spas, and similar water features- (B) water for the planting of new, climate-ready trees (C) water for the establishment of qualifying landscapes (h) Temporary provisions available pursuant to subdivision (g) shall be calculated as follows: (h)(1) Temporary provisions available pursuant to subdivision (g) shall be calculated as follows:(1) A temporary provision for existing pools, spas and similar water features is available beginning January 1, 2035, until January 1, 2040. This provision (Prpool) shall be calculated by multiplying the square footage of existing pools, spas, and similar water features (Apool), by 0.08, by net reference evapotranspiration (Net ETO), and by a unit conversion factor of 0.62. This formula is expressed mathematically as follows: $Prpool = Apool \times 0.08 \times Net\ ETO \times 0.62$ The square footage of existing pools, spas, and similar water features (Apool) shall be either (A) the value provided by the Department to the Board on October 3, 2022, or any updates thereafter, or (B) alternative data, if the supplier demonstrates to the Department and Board that the data are equivalent, or superior, in quality and accuracy to the data provided by the Department.
968	(h)(3))b (i)	SLA - Recycled Water	(i) In order to receive approval for either a variance, a temporary provision, or the inclusion of special landscape areas for a given reporting year, an urban retail water supplier must submit to the Board, by no later than October 1, for review and approval by the Executive Director, or the Executive Director's designee, a request that includes the following: (1) Information quantifying and substantiating each request, including showing how it protects beneficial uses of water; demonstrating that the amount of water requested was delivered by the supplier for the requested use; and verifying that the approval of the request would not jeopardize the ability of a permittee within the supplier's service area to comply with existing permit requirements; and (2) A description of efforts to prioritize water for existing trees, including, but not limited to rebate, direct install, and educational programs focused on transitioning from turf- to tree-centric irrigation systems that promote deep and healthy root growth. Tree-centric irrigation systems include but are not limited to soaker hoses, deep drip watering stakes, drip tubing, and emitters. (3) If the request is denied, the volume of water associated with the variance, provision, or special landscape area shall not be included in the objective.	Recycled water should not be a temporary provision. Sites irrigated with recycled water generally do not change and are on DIMs. The requirement to annually apply for a variances and temporary provisions places a significant burden to both State Water Board staff and water suppliers.	Recycled water should not be a temporary provision.	(h)(3)(b)(i) In order to receive approval for either a variance, or a temporary provision, or the inclusion of special landscape areas for a given reporting year, an urban retail water supplier must submit to the Board, by no later than October 1, for review and approval by the Executive Director, or the Executive Director's designee, a request that includes the following: (1) Information quantifying and substantiating each request, including showing how it protects beneficial uses of water; demonstrating that the amount of water requested was delivered by the supplier for the requested use; and verifying that the approval of the request would not jeopardize the ability of a permittee within the supplier's service area to comply with existing permit requirements; and (2) A description of efforts to prioritize water for existing trees, including, but not limited to rebate, direct install, and educational programs focused on transitioning from turf- to tree-centric irrigation systems that promote deep and healthy root growth. Tree-centric irrigation systems include but are not limited to soaker hoses, deep drip watering stakes, drip tubing, and emitters. (3) If the request is denied, the volume of water associated with the variance, or a temporary provision, or the inclusion of special landscape areas shall not be included in the objective.
969	(c)(2)	SLA - Recycled Water	(2) In order to calculate an outdoor budget for CII landscapes with DIMs pursuant to this subdivision, a supplier may include special landscape areas for CII landscapes with DIMs only if the supplier submits supporting information meeting the criteria described in section 968 (i).	Same as above	Same as above.	(c) (2) In order to calculate a residential outdoor budget pursuant to this subdivision, a supplier may include residential special landscape areas only if the supplier submits supporting information meeting the criteria described in subdivision (i).

APPENDIX: SUGGESTED REDLINE RECOMMENDATIONS METHODOLOGIES

Reg. Sec.	Sub. Sec.	Topic	Current Regulatory Text	Concern	Recommendation	Suggested Redline
966	(c)	Methodology - WUE Formula	(c) The objective shall be composed of the sum of the following budgets: (1) A budget for efficient indoor residential water use (Rindoor) as described in section 967. (2) A budget for efficient outdoor residential water use (Routdoor) as described in section 968. (3) A budget for efficient water use on commercial, industrial, and institutional landscapes with dedicated irrigation meters or equivalent technology (CIDIM) as described in section 969. (4) A budget for efficient real water losses (L) as described in section 970. (5) Budgets for any approved variances (V) and temporary provisions (Pr) as described in sections 967, 968, and 969. (6) A bonus incentive for potable reuse (BPR) as described in section 971.	The Regulation should recognize that there are and will continue to be inherent data quality limitations that impact suppliers' compliance with their water use objectives, such as landscape area measurement data, effective precipitation and population data. Currently, the Regulation does not account for data errors and variability. We note that the water loss performance standards do account for data variability.	Include a "Data Error Factor" (DEA) in the formula for calculating suppliers' urban water use objectives. The DEA would be a percentage, of either five or ten percent, applied to a supplier's budget for efficient indoor residential water use, efficient outdoor residential water use and efficient water use on a CI landscapes with a dedicated irrigation meter or equivalent technology, as follows: WUO = (Rindoor + Routdoor + CIDIM)DEA + L + V + Pr + BPR The DEA would recognize suppliers' historic progress and achieved savings (SB X7-7 based) and acknowledge that data used to develop and evaluate standards has intrinsic errors. The magnitude of the DEA would reduce over time as suppliers achieve progress towards their water use objective. We are proposing a five percent DEA for suppliers achieving less than 20 percent reduction from SB X7-7, and a 10 percent DEA for suppliers achieving 20 percent or greater of reduction from SB X7-7.	(c)(7)A Data Error Adjustment (DEA) added to Rindoor, Routdoor, and CIDIM to account for variability in data accuracy. The percentage will be applied based on a comparison with SB X7-7 & targets as follows: (i) TIER 1: Suppliers achieving <= 20% reduction from SB X7-7: +5% of (Indoor + Routdoor + CIDIM budget) (ii) TIER 2: Suppliers achieving > 20% of reduction from SB X7-7: +10% of (Indoor + Routdoor + CIDIM budget)
966	(i)	Methodology - Alternative Compliance	See "Outdoor Standards" Tab Row 3.	See "Outdoor Standard" tab Cell E3.	See "Outdoor Standard" tab Cell F3.	(i) Starting in 2025, A supplier may be eligible for an Alternative Compliance Pathway for approval of the Board, that demonstrates a good faith effort toward improving water use efficiency and climate resiliency by meeting all the criteria in paragraphs (1) or (2) may, in calculating its budgets for efficient outdoor residential water use and for commercial, industrial, and institutional landscapes with dedicated irrigation meters, apply the standards described in sections 968(a)(2) and 969(a)(2) through 2040. (1) (A) The average median household income of the supplier's service area is less than or equal to 80 percent of the median household income of California. (B) The urban water use objective calculated by the supplier pursuant to subsection (b) would result in an objective that is 80 percent or less of the supplier's actual urban water use, calculated in accordance with section 10609.22. (C) The annual reports the supplier has submitted since 2030, pursuant to section 975, show that the supplier is making continued progress, reducing its actual urban water use by an average of no less than 2 1.5 percent per year. (D) The supplier shows to the satisfaction of the board that it is unable to meet its urban water use objective because of the applicable outdoor standards identified in sections 968 and 969. The supplier verifies it offers a proactive water use efficiency program that address indoor and outdoor water use, as well as low-income water users. (2) (A) The urban water use objective calculated by the supplier pursuant to section 966 would result in an objective that is 80 percent or less of the supplier's actual urban water use, calculated in accordance with section 10609.22. (B) The annual reports the supplier has submitted since 2030, pursuant to section 975, show that the supplier is making continued progress, reducing its actual urban water use by an average of no less than 2 percent per year. (C) The supplier verifies it offers a proactive water use efficiency program that address indoor and outdoor water use, as well as low-income water users. The supplier verifies compliance with requirements of the C480 Water Conservation and Efficiency Program Operation and Management.
966	NA	Methodology - Compliance	NA	A supplier may not comply with its water use objective because it is unable to obtain the information required for variances due to resource or other limitations. The State's goal should be for successful compliance with the Regulation. Prior to taking any enforcement action, the State should offer technical assistance to a supplier to determine if the unique water uses in its service area, for which variances are available, would bring the supplier into compliance.	Clarify that if a supplier does not meet its water use objective because it is unable to obtain the information required for the variances, prior to the issuance of any enforcement action, technical assistance must be offered to the supplier.	(j) If a supplier does not comply with section 966(a) because it is unable to obtain the information required in section 967(c) and 968(f) due to resource or other limits, prior to the issuance of any enforcement action, technical assistance must be made available to the supplier.
967	(c)	Variances - Eligibility	(b)(1) An urban retail water supplier may, in calculating its urban water use objective, include budgets for variances identified in paragraph (2) for residential indoor use, if: (A) The supplier submits supporting information meeting the criteria described in subdivision (e); and (B) The associated water use, for any individual variance, represents 5% or more of the sum of the budgets associated with the standards described in section 966 (c)(1) through (4).	The enacted legislation requires the State Water Board to establish appropriate variances for unique uses that can have a material effect on water use of an urban retail water supplier. The regulation currently proposes that an individual variance must represent 5% or more of the sum of a water suppliers budget. This threshold fails to recognize the cumulative impact unique water uses could have on suppliers' ability to comply with their water use objectives. Variances are not a "bonus" or "alternative compliance" mechanism. Variances were intended to account for unique water uses within suppliers' service areas in order to provide an accurate water use objective.	Establish a cumulative threshold for variances of 5%.	(b)(1) An urban retail water supplier may, in calculating its urban water use objective, include budgets for variances identified in paragraph (2) for residential indoor use, if: (A) The supplier submits supporting information meeting the criteria described in subdivision (e); and (B) The associated water use, for the sum of all any individual variances, represents 5% or more of the sum of the budgets associated with the standards described in section 966 (c)(1) through (4).
967	(d)	Variances - Recycled Water	(d) An urban retail water supplier may request a temporary provision to respond to negative impacts to wastewater collection, treatment, and reuse systems, if the supplier shows to the satisfaction of the Board that meeting the objective pursuant to section 966 would require adhering to the applicable residential indoor standard identified in Water Code section 10609.4 and that meeting the budget for efficient residential indoor use is causing challenges within wastewater collection, treatment, and reuse systems.	Recycled water is a permanent and long-term investment. The Governor's signing message for SB 1157 encourage the State Water Board to develop a variance to reflect local investments in recycled water and infrastructure.	Remove "temporary."	(d) An urban retail water supplier may request a temporary provision to respond to negative impacts to wastewater collection, treatment, and reuse systems, if the supplier shows to the satisfaction of the Board that meeting the objective pursuant to section 966 would require adhering to the applicable residential indoor standard identified in Water Code section 10609.4 and that meeting the budget for efficient residential indoor use is causing challenges within wastewater collection, treatment, and reuse systems.

**APPENDIX: SUGGESTED REDLINE RECOMMENDATIONS
METHODOLOGIES**

967	(e)(1)	Variations - Eligibility	(e) In order to receive approval for a variance or a temporary provision for a given reporting year, an urban retail water supplier must submit to the Board, by October 1, for review and approval by the Executive Director, or the Executive Director's designee, a request that includes the following components:	We do not anticipate significant annual variability of water use associated with the variances. Requiring annual submittal and approval of the variances will place significant administrative burden on suppliers that does not achieve actual water savings, as well as the State Water Board.	Allow for variances, once approved, to be valid for five years.	(4) If a variance is approved it will be valid for a minimum of five years unless conditions change significantly. (5) If a variance has not been approved or denied by November 30 after submittal on October 1, the supplier can include the variance in its objective.
968	(e)(1)(B)	Variations - Eligibility	(e)(1) An urban retail water supplier may annually, in calculating its urban water use objective, include budgets for variances for residential outdoor water use if: (A) the supplier submits supporting information meeting the criteria described in subdivision (i); and (B) the associated water use, for any individual variance identified in paragraph (2)(A) through (C), represents 5% or more of the sum of the budgets associated with the standards described in section 966 (c)(1) through (4); or	Same as Cell E4.	Same as Cell F5.	(e)(1) An urban retail water supplier may annually, in calculating its urban water use objective, include budgets for variances for residential outdoor water use if: 13 (A) the supplier submits supporting information meeting the criteria described in subdivision (i); and (B) the associated water use, for the sum of all any individual variances identified in paragraph (2)(A) through (C), represents 5% or more of the sum of the budgets associated with the standards described in section 966 (c)(1) through (4); or
968	(h)(3)(B)(i)	Variations - Eligibility	(i) In order to receive approval for either a variance, a temporary provision, or the inclusion of special landscape areas for a given reporting year, an urban retail water supplier must submit to the Board, by no later than October 1, for review and approval by the Executive Director, or the Executive Director's designee, a request that includes the following:	Same as Cell E6	Same as cell F5	(i) In order to receive approval for either a variance, a temporary provision, or the inclusion of special landscape areas for a given reporting year, an urban retail water supplier must submit to the Board, by no later than October 1, for review and approval by the Executive Director, or the Executive Director's designee, a request that includes the following: (1) Information
975	(a)	Reporting - Fiscal Year	(a) Each urban retail water supplier shall submit to the Board, no later than January 1, 2024, and by January 1 every year thereafter, the report required by Water Code section 10609.24. The report shall reflect the conditions of the previous state fiscal year.	Water Code Section 10609.20 (b) states the objective calculation "shall be based on the urban retail water supplier's water use conditions for the previous calendar or fiscal year." However, the Regulation limits flexibility and would require suppliers report the conditions of the previous state fiscal year. It is unclear the benefit of requiring all suppliers to report on a fiscal year. Suppliers should be provided the discretion to report most accurately and cost-effectively to the State, based on available data. This would be consistent with water loss reporting which also provides suppliers discretion to report on either a fiscal or calendar year.	Provide flexibility for water suppliers to either report on a state fiscal year or calendar year, consistent with the water code.	(a) Each urban retail water supplier shall submit to the Board, no later than January 1, 2024, and by January 1 every year thereafter, the report required by Water Code section 10609.24. The report shall reflect the conditions of either the previous state fiscal year or calendar year.



October 17, 2023

Submitted via: commentletters@waterboards.ca.gov

Attn: James Nachbaur
Director Office of Research, Planning and Performance
State Water Resources Control Board
1001 I Street, 24th Floor Sacramento, CA 95814

Re: Comment Letter – Proposed Regulation to Make Conservation a California Way of Life

Dear Mr. Nachbaur.

The Santa Clarita Valley Water Agency (SCV Water) thanks the State Water Resources Control Board (SWRCB. Board) for the opportunity to provide comments regarding the regulations proposed by SWRCB staff in support of the Conservation Long-term Framework (AB 1668 and SB 606). SCV Water and its customers are committed to water conservation and have taken significant steps to make water conservation a California and Santa Clarita way of life. For over 15 years, SCV Water and its legacy water divisions have made significant investments in support of sustainable water use including expenditures in conservation programs, rebates, and incentives, as well as providing enhanced expertise in support of consumer education and customer engagement. As a result, SCV Water's 2022 water consumption was reduced to consumption levels similar to calendar year 2000 even though the SCV's population grew by nearly 50%. Through education, engagement, incentives, and innovative approaches to water conservation and water use efficiency, our customers continue to make strides to accomplish sustainable water use habits, behaviors, and practices. Pertaining to the proposed regulation, we respectfully ask the Board to considering the following:

1. **Landscape Area Measurement (LAM) Data** - the proposed regulation provides language specific to agencies using alternative sources of data that comports with specific requirements, this should include provisions for:
 1. **Parkway strips** – Our community has a significant inventory of landscaped areas located in front of private residential homes that are maintained by the homeowner but are located outside of the parcel boundary. These areas were not included in the LAM measurements provided by the Department of Water Resources and should be included in the urban water use objective landscape area measurement values.
 2. **Slope Correction Factors** - sloped areas when viewed two dimensionally are misleading and the resulting calculations can result in under projecting by as much as 11-15% in a given area, depending on the slope. SCV Water requests that the LAM measurements be corrected to include slope correction factors and therefore included in the urban water use objective landscape area measurement values.

3. **Spatial ET** - SCV Water operates CIMIS Station 204, which it uses to communicate monthly efficiency targets to our customers. Our analysis has shown that spatial ET for our community ranges from 11-15% lower than station ET. SCV Water has not used spatial ET to either conduct demand forecasting, water resources planning, or water user efficiency communications. Therefore, we recommend allowing agencies to use Station CIMIS data instead of Spatial CIMIS when calculating the urban water use objectives.
 4. **Irrigable-Non-Irrigated (INI)** – SCV Water communicates monthly water budget information to its customers and continuity in data is essential to credibility. INI at 20% should be a static component of the urban water use objective and Agency’s should be able to update this value on a case-by-case basis when merited.
2. **Effective Precipitation** - Effective Precipitation calculation processes should be discussed further to better understand actual benefits and accounting to adequately determine what is beneficial for the plant material. In many cases, our region receives rainfall that far exceeds the basic intake rate of our clay soils (.2"/hr.) and results in runoff almost immediately. Just in August, the Santa Clarita Valley received 6" of rain in ~1 day, for a month that typically requires 9" of Evapotranspiration (ET).
 3. **Commercial, Industrial, Institutional (CII) Performance Standards** - For many agencies and water customers, significant water savings can be achieved in these sectors. However, as the proposed regulations are written, any water savings achieved within the CII Sector would not apply to the aggregate annual urban water use objectives. This proposal will ultimately result in unintended consequences for the Agency and its customers. SCV Water recommends that the Board allow verifiable conservation achieved within this sector to count towards the aggregate annual water use objective. This will provide flexibility and enable agencies to choose the most cost-effective sources of conservation when planning and expressing programs.
 4. **Water Loss Targets** – SCV Water has annual water losses far below the industry median and responds quickly to leaks when detected. With that, water loss as a conservation program has a rapidly diminishing return curve in terms of cost-effectiveness compared to recoverable water savings. Therefore, we recommend the Board to consider flexibility where water agencies could demonstrate savings achieved through alternative program implementation as an in-lieu of approach. Agencies would still be required to meet the aggregate urban water use objective but could choose options which provide the optimal cost-benefit relationship.
 5. **Research, Evaluation, and Collaboration** – SCV Water encourages continued and expanded engagement with professional associations including the Alliance for Water Efficiency, the California Water Efficiency Partnership, US EPA WaterSense, ACWA, AWWA, and the California university system to develop academic networks and reliable and credible research support.

Our shared success required significant investments from SCV Water, its rate payers and, community alike and as we move into the next phase of conservation, understanding principles

of diminishing returns, we recognize that each gallon of water saved throughout the compliance period will also be more costly to acquire. We respectfully urge the Board and State to increase and develop new financial, technical, managerial, and educational assistance to further enable agencies to make progress towards the urban water use objectives without applying the full cost burdens to our customers or our community's quality of life.

Respectfully,

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

Stephen L. Cole
Assistant General Manager
Santa Clarita Valley Water Agency

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SPONSORSHIP TRACKING FY JULY 2023 - JUNE 2024

Updated: Nov 8, 2023

Agency Name	Event	Date	Location	Reg. Fee	Committed	Paid	Sponsorship	Previous Amount
City of Santa Clarita	Concerts in the Park 'A Twist on Taylor'	Aug 12, 2023 7 - 9 P.M.	Central Park	N/A			Info booth focused on Conservation messaging with limited giveaways. Providing potable water to use with our refill station.	
AWA	28th Annual Member & Policymakers' Reception	Sept 14, 2023 5:30 - 8:00 P.M.	Ronald Reagan Presidential Library			\$500	Acknowledgement on invitation & program and Agency name on signage	500
City of Santa Clarita	River Rally	Sept 16, 2023 8 - 11 A.M.	Wiley Canyon Road, east of Orchard Village Road off Via Princessa Bridge	N/A			Info booth focused on drought. Providing some bottled water to event. Location does not provide potable water access to use our refill station.	
Sen. Wilk/Assm. Schiavo	Senior Fair	Oct 5, 2023 - 9:00 A.M. - 1:00 P.M.	Bella Vida	N/A			CCare and Outreach staff to work info booth	
DWR	C.A.S.T. for Kids Foundation castforkids.org	Oct 14, 2023 - 9:00 A.M.	Castaic Lake	N/A		\$1,500	About 15 of SCV Water staff volunteer for the event; pay for kids fishing accessories, shirts, provide water, etc.	1500
City of Santa Clarita	Make a Difference Day	Oct 28, 2023	TBD				Water Bottle Fill Station plus info booth water/conservation info and activity	
Hart High School	Hart Regiment State Marching Band Competition	Nov 2023	College of Canyons	N/A		\$500	Full Page Ad and Agency logo throughout the program	
SCV Education Foundation	Touch a Truck scveducationfoundation.org	Nov 4, 2023 A.M. - 2 P.M.	Central Park	N/A		\$1,000	Agency logo on all event related marketing press, recognition and acknowledgement, 10'x10' booth space, 8 complimentary entries	1000
SCV Chambers	Salute to Patriots	Nov 8, 2023 - 4 P.M.	Bella Vida	\$60		\$1,000	4 VIP seating, logo on all electronic materials, emails and social media, recognition in media and press	500
City of Santa Clarita	Light Up Main Street	Nov 18, 2023, 2024 and 2025	Newhall	N/A		\$5,000	One 10'x10' marketing activation space in high traffic area, opportunity to display banner	
ACWA	2023 Spring and Fall Conference	May and Nov 2023				\$5400 Paid FY 2022-23	Wednesday Networking Lunch Spring and Fall Conference	5400
City of Santa Clarita	Santa Clarita Public Library 16th Annual Family Literacy Festival	Dec 2, 2023 10 A.M. - 2 P.M.		N/A			Plinko Game and Water Bottle Fill Station	



**PUBLIC OUTREACH AND LEGISLATION COMMITTEE
AGENDA PLANNING CALENDAR 2023-2024**

**ITEM NO.
6**

December 5, 2023 Board Meeting

1. Adoption of the 2024 Legislative Platform

December 21, 2023 Committee Meeting – Canceled

January 18, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Outreach Year in Review Presentation
3. Communications Manager's Report
4. Committee Requests for Future Agenda Items

February 15, 2024 Committee Meeting *(last days for bills to be introduced)*

1. Legislative Consultant Reports
2. Social and Digital Media Metrics and Highlights Presentation
3. Communications Manager's Report
4. Committee Requests for Future Agenda Items

March 21, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

April 18, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Presentation of the FY 2023/24 and FY 2024/25 Public Outreach Operating Budget
3. Communications Manager's Report
4. Committee Requests for Future Agenda Items

May 16, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Campaigns and Engagement Highlights Presentation
3. Communications Manager's Report
4. Committee Requests for Future Agenda Items

June 20, 2024 Committee Meeting *(last days for Senate/Assembly to pass bills)*

1. Legislative Consultant Reports
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

July 18, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

August 15, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

September 19, 2024 Committee Meeting *(last days for Senate/Assembly to pass bills)*

1. Legislative Consultant Reports
2. Communications Manager's Report

3. Committee Requests for Future Agenda Items

October 17, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items

November 21, 2024 Committee Meeting

1. Review of the 2025 Legislative Platform
2. Legislative Consultant Reports
3. Communications Manager's Report
4. Committee Requests for Future Agenda Items

December 3, 2024 Board Meeting

1. Adoption of the 2025 Legislative Platform

December 19, 2024 Committee Meeting

1. Legislative Consultant Reports
2. Communications Manager's Report
3. Committee Requests for Future Agenda Items