



SWEETWATER AUTHORITY

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October 17, 2023

Chairman E. Joaquin Esquivel
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Sent via email to: Commentletters@waterboards.ca.gov

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

Dear Chairman Esquivel:

Thank you for the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the Draft Staff Framework for Making Conservation a California Way of Life Regulation (Water Use Efficiency regulation). Sweetwater Authority (Authority) is a publicly-owned water agency serving National City, Bonita and Chula Vista in the South Bay region of San Diego County. The Authority serves approximately 200,000 people; of that service population, 65% are designated as disadvantaged communities.

As part of the San Diego region, our customers have access to a wide range of water use efficiency programs, including turf replacement incentives, rebates on efficiency devices for irrigation and indoor water use, and efficient landscape classes for residential customers and professionals. The region also has a direct install program for water efficient devices for disadvantaged communities. The Authority manages agency-specific water efficiency programs, including funding additional rebates and grants, performing free water use audits for residential and business customers, and a business partnership program that provides exclusive incentives for commercial customers. The Authority's water efficiency programs and all conservation reporting are managed by one employee.

We appreciate the effort and time that has gone into developing the Water Use Efficiency regulation and would like to provide the following comments on the regulation:

- Add a Data Error Adjustment (DEA) to the residential and outdoor targets to account for existing and ongoing errors in data, including landscape area measurements, evapotranspiration, and population estimates.
- Provide an alternative pathway to compliance for water suppliers that have an unfeasible objective. An alternative compliance pathway would allow water suppliers with demonstrated effort in water use efficiency to have additional time to meet the efficiency objective.

- Adjust the water use objective to account for efficient water use necessary to address unique local conditions. We ask for the following revision to the variance portion of the regulation:
 - Variances should be approved in a timely manner to allow suppliers to plan for compliance and, once approved, they should be valid for at least five years or until conditions significantly change to reduce the administrative burden for both suppliers and the state.
 - Prior to any enforcement actions, the State Water Board should provide an analysis of all variances to ensure that the water supplier has the correct objective.
- Irrigable not irrigated landscape should be included in the objective as specified by Water Code section 10609.6 (a)(2)(B).
- Commercial, industrial, and institutional (CII) requirements should be designed to save water in a cost-effective manner.
 - The requirements for disclosable buildings should be removed. These requirements will require a significant effort on the part of the water supplier and may not result in any water savings.
 - The ban on the irrigation of non-functional turf should be removed. Non-functional turf irrigation should be governed by legislation currently in process.
 - Suppliers should be allowed to classify all CII customers prior to being required to implement any Best Management Practices (BMPs).
 - BMP requirements should recognize existing CII programs and efforts.
 - Compliance with the CII requirements should be allowed on the regional level to improve the efficiency of implementation and improve cost-effectiveness.

Overall, the regulation to implement Conservation as a California Way of Life should be feasible, cost effective and result in long-term water savings. We ask the State Water Board to work with stakeholders to revise the proposed Water Use Efficiency regulation over the coming months to meet our mutual goals. For questions or additional information, please contact Gwyneth Shoecraft, Principal Public Affairs Representative, at (619) 409-6722 or gshoecraft@sweetwater.org.

Sincerely,



Carlos Quintero
General Manager
Sweetwater Authority