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Sent via email to: Julie.saare-edmonds@water.ca.gov

Subject: Comment Letter – Independent Technical Panel Public Draft Report to Legislature on Landscape Water Use Efficiency

Dear Ms. Saare-Edmonds:

Padre Dam Municipal Water District would like to thank you for the opportunity to provide input and recommendations on the Independent Technical Panel's (ITP) Public Draft Report to the Legislature on Landscape Water Use Efficiency. Below is a list of suggestions and recommended modifications:

All Sections

The comments below relate the ITP Public Draft Report as a whole and the concerns we believe should be addressed prior to adoption of any portion of the Report.

Infrastructure and Technology Limits - Water agencies across California are not all created equal in terms of infrastructure and technology. Some of ITP recommendations will require data gathering and management which go well beyond the custom, practice and reasonable capacity of small to medium size water agencies, which represent most of the water purveyors in California. The reality is that not all agencies have the same level of technology or the financial ability to reach new levels of data collection and management.

Financial Impacts - Customer resistance to water agencies raising rates while at the same time being mandated to reduce water usage is growing. Securing the funding needed for extra staffing and technology to meet some of the ITP recommendations would be difficult if not impossible. The alternative might be for a water agency to redirect funding away from maintaining and updating infrastructure or developing new resources to fund implementation of expensive, potentially ineffective state-mandated conservation programs. This is a short-term policy to deal with an imposed mandate fraught with the potential for long-term negative impacts on a water agency's ability to effectively manage water stewardship and conservation.

Before moving forward with any recommendations, Padre Dam recommends that an independent economics group evaluate all of the recommendations to estimate the one-time and annual costs including:

- Costs to local agencies
- Costs to state agencies
- Costs to residents/businesses

What Has Already Been Accomplished - Finally, through local effort and sacrifice, many water agencies have already met, and or in many cases exceeded, the current statutory requirement under SBX7X; the 2009 Water Package. As such, any and all new regulations should be viewed as "optional" if a water agency or community has achieved an overall statutory goal for conservation, such as the current 20%/2020 goal, or any successor goal, and should only be mandated if that agency fails to meet the standard.

Comments on Specific Recommendations

The comments below are related to specific recommendations in the Report.

Recommendation 5-1: Require Irrigation System Evaluations as Part of Home Inspections for Single-Family Residential Properties

Currently, home inspectors are not qualified to do this work. Additional training outside their core knowledge would be required for successful implementation. Training and additional costs should be considered prior to implementing this recommendation.

Recommendation 5-2: Triennial Irrigation System Inspections for Landscapes Over One Acre

Padre Dam suggests this recommendation be removed completely. This is an enormous burden on the DWR as well as property owners. Additionally, agencies do not typically collect the data needed to readily identify and notify properties with landscaping over one acre. This recommendation is an example of expending public and private resources without an identifiable benefit to conservation.

Recommendation 5-3: State Owned Facilities

Generally speaking, this is a good concept. However, state funding necessary for this should be evaluated. Additionally, state investment in water conservation measures should be evaluated in terms of the amount of actual conservation realized in the broader context of other state funding priorities.

Recommendation 7-2 - Irrigation Permits

This recommendation would require irrigation permits for any new irrigation system installation for any sized non-residential area or residential landscape 10,000 square feet or greater, replacement or expansion of a system by 25%. Such a requirement will be viewed by the public as unreasonable and, as such, unenforceable. Requiring such a permit, and all of the other design and specification requirements which will undoubtedly be associated with it, will actually be a deterrent to homeowners and businesses from taking the initiative to upgrade and improve their landscape and irrigation systems.

With performance standards required on new irrigation system equipment and recommended plant water use labeling and public education efforts, this recommendation is redundant and will actually be counter-productive.

Recommendation 7-4 - Reduced Capacity Fees
Peak demand on a property when first built does not guarantee that initial water conservation features will be maintained long-term. Once a property is connected and fees are paid, it would not be possible to collect additional capacity fees retroactively from the same or even a future owner. Further, what would a utility say to the next door neighbor who had previously paid full capacity fees and subsequently changed landscaping and installed water use efficient appliances at personal expense to reduce peak demand? The setting of water rates/charges/fees is a local issue best left to the locally elected councils and board. Further, no two agencies are the same so it would be impossible to do anything with capacity charges that could be applied statewide.

This recommendation would be impractical, inequitable, and legally and politically problematic for a water agency to implement.

Appendix A, Recommendation 7-8 - Water Budget Performance Reporting - NOT ADOPTED BY THE ITP
This recommendation was not advanced by the ITP. There is a very good reason that this was not adopted for recommendation by the ITP. The fact that something is technologically feasible does not make it practical or cost effective for implementation for all water agencies or, as in this case, necessary.

This is especially the case when you weigh the factors of up-front staff, hardware/software investments, on-going maintenance costs, technological incompatibles with some billing systems, limited availability and granularity of CIMIS data against the reality that this approach produces no predictable and identifiable return on investment in terms of conservation.

Thank you for the opportunity to provide comments on the ITP recommendations.

Sincerely,

Allen Carlisle
CEO/General Manager