

From: Matthew Lyons [Matthew.Lyons@lbwater.org]
Sent: Monday, April 26, 2010 3:44 PM
To: Water Use Efficiency – Urban eNews
Subject: issue paper comments
Attachments: 100426 LBWD Issue Paper Comments.doc

Please find the attached comments.
Additional comments may follow.

thank you.

DWR should develop a sixth issue paper: Methods and Issues related possible recommendations in 2016 for new water use targets

State law:

10608.42. The department shall review the 2015 urban water management plans and report to the Legislature by December 31, 2016, on progress towards achieving a 20-percent reduction in urban water use by December 31, 2020. The report shall include recommendations on changes to water efficiency standards or urban water use targets in order to achieve the 20-percent reduction and to reflect updated efficiency information and technology changes.

Why it is important to describe the methods and issues at this time:

If, upon its review of the 2015 UWMPs, DWR find that all water agencies are on track to being in compliance with their chosen compliance methods, but also determines the state overall is NOT on track to meet a statewide GPCD reduction of 20% by 2020, DWR is required to make certain recommendations.

Those recommendations are to fall into two categories: changed in standards and changes in water use targets.

DWR could recommend, therefore, that all water agencies lower their water use targets by an additional amount, say 10%.

So water agencies that successfully pursued a compliance path that required a 5% reduction in GPCD would have to achieve an overall 15% reduction; and water agencies that successfully pursued a compliance option requiring a 20% reduction would have to achieve an overall 30% reduction.

Or DWR could stipulate that no water agency shall be required to achieve a water use reduction target of greater than 20%; so those agencies that successfully pursue a compliance option requiring a 20% reduction would be assured that they will not be “penalized” for seeking a more challenging compliance method.

Existing law shows some awareness of the inequity of a water agency ultimately being required to reduce by more than 20%:

10608.20. (c) If the department adopts a regulation pursuant to paragraph (4) of subdivision (b) [*the so-called “4th Method”*] that results in a requirement that an urban retail water supplier achieve a reduction in daily per capita water use that is greater than 20 percent by December 31, 2020, an urban retail water supplier that adopted the method described in paragraph (4) of subdivision (b) may limit its urban water use target to a reduction of not more than 20 percent by December 31, 2020, by adopting the method described in paragraph (1) of subdivision (b).

Retail urban water suppliers must declare their compliance methods and targets in 2011.

It is important for DWR to describe the methods and issues of its recommendations as they shall apply to the 2016 recommendations relate to changes in urban water use targets.

If a water agency knows, in 2011, that by declaring its intent to adopt a compliance method requiring an actual 20% reduction in GPCD, that it may expose itself to a future requirement to reduce GPCD by 2020 greatly in excess of 20%, the prudent water agency may, instead, declare its intent to adopt a compliance method requiring the least reduction in GPCD allowable under the law and pursue policies accordingly.

This is not in the state's interest.

Therefore, DWR should develop a sixth issue paper at this time, describing the methods and issues related possible recommendations in 2016 for new water use targets