



COACHELLA VALLEY WATER DISTRICT

Established in 1918 as a public agency

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June 4, 2024

VIA EMAIL TO COMMENTLETTERS@WATERBOARDS.CA.GOV

Courtney Tyler
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Dear Ms. Tyler,

**RE: Coachella Valley Water District Comment Letter
Proposed Making Conservation a California Way of Life Regulation**

Coachella Valley Water District (CVWD) welcomes the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the Proposed Regulation to “Make Conservation a California Way of Life” (Proposed Regulation). CVWD has actively engaged with the Department of Water Resources, the State Water Resources Control Board, and the State Legislature as the framework for “Making Conservation a California Way of Life” has been developing the last few years. These comments supplement the comments CVWD provided on October 17, 2023, and March 27, 2024, on the Proposed Regulations. CVWD appreciates the collaborative approach to date that has involved water agencies, State Water Board staff, and environmental groups perspectives.

The Association of California Water Agencies (ACWA) is submitting a comprehensive and detailed list of comments on the revised Proposed Regulation. CVWD supports most of the recommendations in ACWA’s letter, however, this letter includes elements that are in addition to, or differ from, ACWA’s comment letter.

SUPPORT FOR CHANGES TO REVISED PROPOSED REGULATIONS

CVWD supports many of the changes made to the Proposed Regulation to address issues and concerns raised by CVWD and other water providers of the feasibility, cost, and implementation concerns of the initial Proposed Regulation. CVWD agrees with and supports the suggested changes and suggested provisions to the enacting resolution that ACWA details in their letter. The proposed changes and provisions are critical to CVWD’s ability to work with customers to achieve water savings targets, while considering cost and minimizing customer impacts.

THE RESIDENTIAL OUTDOOR COMPONENT

Irrigable Lands: As stated in CVWD’s October 2023 and March 2024 comment letters, the Proposed Regulation goes beyond the intent of the 2018 conservation legislation (AB 1668) by limiting the outdoor standard to only irrigable irrigated land. Per the 2018 conservation legislation the “standards for outdoor residential use for adoption by the board in accordance with this chapter... shall apply to *irrigable lands*”. (Water Code § 10609.6(a)(2)(B)) (emphasis added).

The Proposed Regulations must include Irrigable Not Irrigated (INI) lands as part of the outdoor standard to comply with the 2018 conservation legislation. Further, the Landscape Area Measurement (LAM) data is not accurate as acknowledged by Water Board and DWR staff, and is a static picture based on 2018 conditions that estimate the Irrigable Irrigate (II), INI, and Not Irrigated (NI) area. However, landscape is not stagnant and continually changes after the LAM imagery is captured. All irrigable lands should be included in the LAM data to recognize that landscapes may, and do, continually change as a result of individual choices and development of new housing.

Recommendation: Provide water suppliers LAM data consistent with AB 1668 to include all irrigable lands.

Landscape Efficiency Factor: The Proposed Regulation’s landscape efficiency factor (LEF) is too low to irrigate and maintain healthy new and existing landscapes within the region. The proposed LEF standards reflect design standards and are not based on, or reflective of, actual irrigation efficiency. Over time, irrigation systems naturally degrade and become less efficient. Assuming a system continually operates at a design standard is not practical. The 0.55 LEF may be theoretically appropriate for new development; however, it does not properly account for existing landscapes, as required by the legislation, and will place a financial burden on customers to convert significant portions of landscaping to meet the 0.55 standard. Further, CVWD is concerned that as the LEF reduces from 0.80 to 0.55 the burden will disproportionately impact low-income and fixed-income Customers who may lack the resources to convert their landscaping.

Recommendation: Set a floor of 0.63 LEF for use in the Residential Outdoor component.

Existing Tree Provisions: CVWD supports the suggested changes outlined by ACWA to improve the proposed variance for existing trees so that the variance is available and attainable when appropriate. It is important the requirement that water suppliers demonstrate they have caused or compelled the conversion of high-water use landscape to climate-ready landscapes be removed from the proposed variance. CVWD agrees that the protection of existing trees while achieving long-term water use efficiency should not be dependent upon customers’ willingness to implement turf conversions, as the Proposed Regulation is a water efficiency regulation rather than a landscape conversion regulation.

Recommendation: Adopt existing tree variance process as proposed in Section 2(a) of ACWA’s comment letter.

CLOSING REMARKS

CVWD appreciates the State Water Board's continued consideration of our input throughout the rulemaking process. We are supportive of the larger set of comprehensive comments submitted by the Association of California Water Agencies (ACWA). CVWD is also a signatory and supportive of the comments submitted by the Coachella Valley Regional Water Management group letter, and a water agency coalition letter submitted by Paul Helliker, General Manager of the San Juan Water District.

Please do not hesitate to contact me at (760) 398-2651, extension 2214 or via email at amcwey@cvwd.org with any questions about this letter or its comments.

Sincerely,



Adam McWey
Conservation Manager

cc: J. M. Barrett, General Manager, Coachella Valley Water District
Scott Burritt, Director of Service & Communication, Coachella Valley Water District