

April XX, 2021

The Honorable Laura Friedman
California State Assembly
State Capitol, Room 6011
Sacramento, CA 95814

Re: AB 1434 (Friedman) – Indoor Residential Water Use – OPPOSE

Dear Assemblymember Friedman,

On behalf of the City of Santa Rosa, I am writing to express our opposition to Assembly Bill 1434. AB 1434 would circumvent the long-term water conservation framework (framework) established in response to Governor Brown's "Making Conservation a California Way of Life" Executive Order, by proposing to incrementally lower the standard for indoor residential water use to 40 gallons per capita per day (GPCD) starting on January 23, 2023. Additionally, the bill would remove a requirement that the Department of Water Resources (DWR), in coordination with the State Water Resources Control Board (State Water Board), conduct necessary studies and investigations to make a recommendation for an indoor residential water use standard to the State Legislature.

The City of Santa Rosa is an urban retail water supplier serving approximately 175,000 residents in Sonoma County. Santa Rosa has a long-standing commitment to drought preparation and water use efficiency, recognizing the vital role that long-term drought preparation and continued improvement in water use efficiency provide in maintaining a resilient water supply. Santa Rosa believes that effective research and collaboration between DWR, the State Water Board, and California water providers is necessary to maximize urban water use efficiency and conservation.

The long-term framework created by landmark legislation in 2018, included mandated studies, and technical and financial evaluations, which ultimately led to comprehensive water conservation regulations that build on the already successful implementation of statewide 20% urban water use reductions by 2020 sought in the "Water Conservation Act of 2009" legislation crafted in the Senate's Seventh Extraordinary Session under Senate Bill X7-7. The City of Santa Rosa was fully engaged in the coordinated effort between state agencies, water utilities, and other interested parties that shaped this framework through the passage of AB 1668, and its accompanying bill, SB 606, which called for the creation of new urban water use efficiency standards for indoor water use, outdoor use, commercial, industrial and institutional use, water loss, and variances for unique conditions.

The 2018 legislation set an indoor water use standard of 50 GPCD, which is not yet in effect. The legislation also directed DWR, in collaboration with the State Water Board, to prepare a study that addresses questions surrounding the effect of a decrease of the indoor residential water use standard from 55 GPCD to 50 GPCD. This report is complete but has yet to be made accessible to the public. AB 1434 proposes to further reduce the indoor standard without a robust stakeholder review of this report and removes provisions requiring DWR to collaborate with the State Water Board to conduct an analysis prior to setting new standards. The removal of these provisions could delay the implementation of lower water use standards that utilize a measured and sound approach. Santa Rosa recommends that new indoor water use efficiency standards should only be implemented upon completion of a similar study and a stakeholder engagement process to ensure that it is feasible and appropriately reflects best practices, and actual possible results for indoor water use.

Setting a new indoor water use standard without properly analyzing impacts first could also adversely affect wastewater management, including wastewater collection and treatment and recycled water reuse systems, infrastructure, and operations. During California's declared statewide drought emergency from January 2014 through April 2017 lower indoor water use resulted in a concerning drop in urban wastewater flows, which led to a requirement in the framework that DWR prepare a study on wastewater impacts and implications for setting lower indoor residential water use standards to inform the state decision-making process. DWR is still conducting this study and should be given the opportunity to publish their findings prior to further adjusting water use standards.

Furthermore, the proposed language in Assembly Bill 1434 lacks a robust study and stakeholder involvement process prior to employing a lower indoor water use standard, which becomes even more worrisome due to the impact the COVID-19 health emergency has had on residential water use. Santa Rosa and other utilities in the region are seeing trends where residential water use has increased, and commercial water use has decreased since the pandemic began. It is unclear whether this change in water use is permanent; however, prior to setting a new standard this potential change of reality must be taken into consideration.

Additionally, lowering the indoor water use standard without proper analysis could inadvertently increase rates and pose significant financial challenges to disadvantaged communities and low-income households. The unnecessary strain on the potable water system infrastructure from excessively low water use standards, can result in increased operation and maintenance costs to flush pipes more frequently to prevent infrastructure damage. These additional costs will ultimately be passed on to our ratepayers. Many water providers in California already have insufficient funding to bring their infrastructure into compliance. Additional operation and maintenance costs to counteract effects of a lower water flow could further exacerbate financial challenges and increase water rates throughout the state.

Santa Rosa supports a sensible and successful implementation of the water conservation framework, including the water use standards set in AB 1668 and SB 606; however, we firmly believe that the studies being conducted on the feasibility of those standards should be allowed to be fully analyzed prior to further reducing the standards, and that any new standard should not be implemented without a stakeholder process and robust study of the technical feasibility. AB 1434 fails to take a data-driven approach to water use standards and may adversely affect our infrastructure, ratepayers, and ability to efficiently manage our systems. For these reasons, the City of Santa Rosa opposes AB 1434. We ask that the existing commitment and progress the state agencies and water utilities have already made in fulfillment of the long-term drought planning changes contained in the "Making Conservation a California Way of Life" framework adopted less than three years ago be allowed to continue.

Thank you for your attention to this matter. We look forward to working with the Legislature to secure a sustainable and resilient water future that includes sensible approaches to improving water use efficiency and enhancing drought planning and preparation.

If you have any questions please contact Peter Martin, Deputy Director of Water Resources at (707) 543-4294 or PMartin@srcity.org.

Sincerely,

CHRIS ROGERS
Mayor, City of Santa Rosa