



Senator Robert Hertzberg
California State Senate
1021 O Street, Suite 8610
Sacramento, CA 95814

Re: SB 1157 (Hertzberg) Urban Water Use Objectives: Indoor Residential Water Use – SUPPORT

Dear Senator Hertzberg,

On behalf of the undersigned environmental justice organizations, we write to support SB 1157, which will update the state’s indoor residential water use efficiency standards to reflect the best available data on California’s indoor water use and water efficiency best practices.

SB 1157 will implement the joint recommendation of the California Department of Water Resources (DWR) and the State Water Resources Control Board (SWRCB) to strengthen the efficiency standards to 47 gallons per capita daily (GPCD) by 2025 and 42 GPCD by 2030.

The DWR/SWRCB recommendation is based on an extensive two-year analysis which shows that the state’s 2017-2019 median indoor water use has dropped below the 2030 provisional standard of 50 GPCD set by the Legislature in 2018 (AB 1668, Friedman; SB 606, Hertzberg). In other words, the state’s existing efficiency standard is already outdated and needs to be updated to reflect current water use data.

The DWR/SWRCB recommendation is critical to improving overall water efficiency in California, especially as we cope with the record-breaking drought now gripping the state. The joint recommendation is also vital to continue making improvements in water affordability and the Human Right to Water. Consider:

- **Water efficiency programs help reduce the cost of water services to customers and mitigate rate increases.** Studies have shown that most urban water conservation and efficiency measures are less expensive than new water-supply options and are the most cost-effective ways to meet current and future water needs.¹ A 2018 study by the

¹ See, Heather Cooley, Rapichan Phurisamban, and Peter Gleick, “The Cost of Alternative Urban Water Supply and Efficiency Options in California,” Environmental Research Communications 1, no. 4 (May 1, 2019): 15, <https://doi.org/10.1088/2515-7620/ab22ca>. Also, Rupiper, Amanda M., Joakim Weill, Ellen

Alliance for Water Efficiency found that Los Angeles Department of Water and Power conservation programs between 1990 and 2016 avoided roughly \$11 billion in water costs. Customer bills were 27% lower than they otherwise would have been.²

- **Low-income customers can least afford to waste water.** A 2017 study by the Alliance for Water Efficiency found that nearly 20% of California’s toilets are still inefficient.³ Low-income customers are more likely to have leaks or inefficient appliances because they tend to occupy older buildings and have not had the resources to make repairs or to replace appliances. Also, many water agency rebate programs are not designed to effectively reach disadvantaged communities, so many low-income households have not been able to benefit from them. At the same time, hundreds of small communities have no access to conservation investments.
- **Low-income customers need water efficiency improvements to ensure that they are not paying for wasted water.** A 2022 study released last month by the Alliance for Water Efficiency found that water efficiency programs in Long Beach could reduce the economic burden on nearly 10,000 low-income households that are spending 8% or more of their annual income on water bills in comparison to 3.5% of the average annual income for other households.⁴ In 2017, the U.S. Water Alliance called for installation of more efficient plumbing fixtures in low-income communities so these households don’t have to pay for water that provides no benefit to them. This is especially important now as low-income communities struggle with COVID-related debt.
- **Some water agency “affordability” concerns appear to be based on a misunderstanding of how the new water objectives will be applied.** Individual customers are NOT required to meet the indoor residential water efficiency standard. The law gives water agencies complete flexibility to meet its overall water efficiency objective through any combination of leak reductions and improved indoor and outdoor efficiency measures.

Bruno, Katrina K. Jessoe, and Frank J. Loge. "Untapped potential: Leak reduction is the most cost-effective urban water management tool." *Environmental Research Letters* (2022).

² Thomas W. Chesnutt, David Pikelney, and Julie Spacht, “Lower Water Bills: The City of Los Angeles Shows How Water Conservation and Efficient Water Rates Produce Affordable and Sustainable Use” (California Water Efficiency Partnership; Alliance for Water Efficiency, June 2018), https://www.financingsustainablewater.org/sites/www.financingsustainablewater.org/files/resource_pdfs/LADWP_Rates_Conservation_1.pdf.

³ John Koeller, “A Saturation Study of Non-Efficient Water Closets in Key States” (Alliance for Water Efficiency; Plumbing Manufacturers Inc., April 2017). https://www.allianceforwaterefficiency.org/sites/www.allianceforwaterefficiency.org/files/highlight_documents/AWE-PMI-Saturation-Study-Report-FINAL_Apr-2017.pdf

⁴ Alliance for Water Efficiency, “An Assessment of Water Affordability and Conservation Potential: Long Beach, California,” (January 2022). https://www.allianceforwaterefficiency.org/sites/www.allianceforwaterefficiency.org/files/assets/AWE_LongBeach%20Affordability%20Report%20Final.pdf

- **Other water agency “affordability” concerns appear to suggest that the Legislature should adopt a less-efficient water standard because it would be too much of a burden for agencies to ensure that their water rates and programs are equitable.** These arguments should be rejected as inconsistent with the Human Right to Water.

Instead, water agencies should offer direct installation of water efficiency retrofits and other targeted financial incentives for low-income households as these are the lowest-cost sources of new water supply. To advance equity and address water rate impacts on essential water services, direct installation should be a priority for water agencies. Direct installation programs can also create opportunities for workforce development pathways into utility careers.

Additionally, water agency rates should be designed to keep prices affordable for basic human needs and services. This is a fundamental tenet of the Human Right to Water. Yet, many utility rate structures charge customers more per gallon to meet the basic needs protected under the Human Right to Water, while charging less per gallon to customers using water for discretionary purposes like irrigating large landscapes. Using a more realistic estimate for indoor water use in the design of water rates can address this equity issue.

- **Additional equity issues can be better met with improved water efficiency.** California faces a housing and homelessness crisis. While reducing indoor per-capita water usage will not build housing units, it will remove one impediment to addressing this crisis.⁵ Further, improving efficiency provides regulators with more flexibility to increase instream flows benefiting the environment as well as the many tribes and others who depend upon these resources.

In summary, we support SB 1157 because it implements the joint DWR/SWRCB recommendations for updating water efficiency standards for indoor water use. We view these recommendations as being fundamental to implementing the Human Right to Water.

We also urge the state to make funding available to programs that provide direct-installation opportunities that are designed to support low-income communities, reduce bills, and save water.

Sincerely,

Jennifer Clary
California Director

⁵ Feinstein, Laura, and Anne Thebo. Water for a Growing Bay Area. SPUR, 2021. <https://www.spur.org/publications/spur-report/2021-10-21/water-growing-bay-area>.

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