



October 18, 2010

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Department of Water Resources
Division of Statewide Integrated Water Management
Water Use and Efficiency Branch

RE: Comments on U5 Process Water Requirements

Thank you for the opportunity to provide comments on the process water.

According to SBx7-7, *Section 10608.24 (e)* “When developing the urban water use target pursuant to Section 10608.20, an urban retail water supplier that has a **substantial percentage** of industrial water use in its service area, may exclude process water from the calculation of gross water use to avoid a **disproportionate burden** on another customer sector.”

I take issue with two underlying assumptions in the dialogue thus far:

- 1) There is limited or no potential for process water efficiency improvements; and
- 2) efficiency improvements would harm the industrial sector.

Both of these assumptions are categorically false. First, there is significant potential for improving process water efficiency through technological improvements and the use of recycled water. Under SBx7-7, recycled water can be used to meet per capita reductions, and the process water exclusion hinders the expansion of recycled water throughout California.

Second, I would argue that waste and inefficiency are a much bigger threat to the long-term sustainability of California’s industrial sector than the modest efficiency improvements under SBx7-7. Looking to the future, California faces a number of issues that threaten the availability and quality of its water resources, including population growth, climate change, and the need to restore damaged ecosystems. While there is no silver bullet, efficiency improvements are the cheapest, fastest, least destructive ways to

satisfy growing water demands. They also improve water system reliability and reduce vulnerability to short-term and long-term water supply constraints. In short, water conservation and efficiency promote a more robust and sustainable industrial sector in California.

Given that the provision has been written into the legislation, criteria are needed to determine process water exclusions. The Department of Water Resources, in coordination with the U5 technical committee, has developed a set of criteria to determine what defines a “substantial percentage.” According to the October 7, 2010 draft, the DWR has identified the following criteria:

- (a) Total industrial water use is equal to or greater than 12 percent of gross water use, or
- (b) Total industrial water use is equal to or greater than 15 gallons per capita per day, or
- (c) Non-industrial water use is equal to or less than 120 gallons per capita per day if the water supplier has self-certified the sufficiency of its water conservation program with the Department of Water Resources under the provisions of section 10631.5 of the Water Code, or
- (d) The population within the suppliers’ service area meets the criteria for a disadvantaged community.

These criteria are much too broad. In particular, Criteria B should be raised to 20 gallons per person per day. Additionally, Criteria C should be eliminated, as there is no reasonable justification for its inclusion. While disadvantaged communities should be a consideration, there may be better ways to assist these communities, including existing utility programs, such as CARE or LIHEAP.

Thank you again for the opportunity to comment on the process water exclusion criteria.

Thank you,

Heather Cooley