

December 26, 2017

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



RE: Comment Letter – Prohibiting Wasteful Water Use Practices

Dear Ms. Townsend:

The City of Indian Wells (City) appreciates the opportunity to provide comments to the proposed draft addition of the California Code of Regulations (title 23, division 3, chapter 3.5) regarding the, “Conservation and the Prevention of Waste and Unreasonable Use” and, specifically, article 2, “Wasteful and Unreasonable Water Uses.” The draft regulations propose to replace similar prohibitions included in the previous emergency drought regulations that expired on November 25, 2017. While the City supports water conservation and the prevention of waste and unreasonable use of water, the City has the following comments and recommendations:

- **Section 963, subdivision (b)(1)(C)** prohibits *the application of potable water directly to driveways and sidewalks*. The City recommends adding language to the end of this statement to include “unless necessary to address an immediate public health and safety need.”
- **Section 963, subdivision (b)(1)(E)** prohibits the *application of water to irrigate turf and ornamental landscapes during and within 48 hours after measurable rainfall of at least one-tenth of one inch of rain*. The City requests that the State Water Board reconsider prohibited irrigation of turf during and within 48 hours to a measurable rainfall greater than one-tenth of one inch of rain. Further, the State Water Board should consider greater flexibility in defining regulations to accommodate unique, challenging climates (such as the desert climate found throughout the Coachella Valley region), that experience highly variable and localized rainfall.
- **Section 963, subdivision (b)(1)(G)** prohibits the *irrigation of turf on public street medians or publicly owned or maintained landscaped areas between the street and sidewalk, except where the turf serves a community or neighborhood function*. The City requests local jurisdictions be allowed to irrigate existing turf medians, parkways, and other publicly owned or maintained landscaped areas between the street and sidewalk with recycled, non-potable water. Additionally, further clarification is needed to define community or neighborhood function.

- To continue encouraging and facilitating the transition of existing publicly owned or maintained landscaping turf areas (such as medians, parkways, and other ornamental turf and landscaping areas) to drought-tolerant landscaping, the State Water Board should consider providing local jurisdictions with grant funding, subsidies, or other cost-alleviation/funding mechanisms to aid local jurisdictions in the planning and budgeting of such transitions. Further, special consideration for set-aside funds for smaller jurisdictions (as defined by geographic and/or population size) should be made to allow for fair, equitable procurement of funds.
- The City requests a provision for a phased implementation approach that includes public and stakeholder outreach. Tourism is an economically important industry to most cities in the Coachella Valley and these regulations require substantial changes to the way cities and businesses operate. Phasing the implementation of these regulations will provide for financial planning to accommodate the expected costs.

Please do not hesitate to contact me by phone at (760) 776-0237 or by email at kseumalo@indianwells.com should you have any questions.

Sincerely,



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