



RE: Water Storage Investment Program Working Draft Regulation, dated November 24, 2015
Suggested edits by **Commissioner Maria Herrera**

- 1) Section 6002(b)(2)(I), Page 13: Summary of how the proposed project integrates with existing projects or could integrate with other projects to increase benefits, **including but not limited the long-term provision of safe and affordable water supplies to one or more systems in the State Water Resources Control Board's Small Water Systems Program Plan as it may be updated;**
- 2) Section 6002 (c)(2)(L), Page 14: Summary of how the project integrates with existing projects or could integrate with other projects to increase benefits, **including but not limited the long-term provision of safe and affordable water supplies to one or more systems in the State Water Resources Control Board's Small Water Systems Program Plan as it may be updated;"**
- 3) Section 6002 (c) (5)(A)(8), Page 18: Priorities and relative environmental values for ecosystem and water quality improvements, **including but not limited to the long-term provision of safe and affordable water supplies for one or more systems in the State Water Resources Control Board's Small Water Systems Plan as it may be updated;**
- 4) Section 6002 (c) (5)(A)(10), Page 18: How the proposed project integrates with existing projects or could integrate with other projects to increase benefits, **including but not limited to the long-term provision of safe and affordable water supplies for one or more systems in the State Resources Water Board's Small Water Systems Plan as it may be updated;**
- 5) Section 6004 (a)(1)(C)(3), Page 23: After 2050, climate conditions shall be assumed to remain at 2050 conditions.

Comment: This assumes that climate change impacts stop in 2050, but benefits continue to 2099! Shouldn't climate change conditions be considered throughout the life of the public benefits?

- 6) Section 6005 (b)(9), Page 29: Provide water for basic human needs, such as drinking, cooking, and bathing, in disadvantaged or similarly situated communities, where those needs are not being met.

Comment: This inadequately restates the state's obligation under the Human Right to Water Statute. The biggest issue is that this language expands the definition beyond disadvantaged communities to "similarly situated" a term with no definition in statute or regulation. It further does not include affordability as a factor. AB 685 calls for affordable water rates and the Governor's office and SWRC has initiated - Please reference Water Code 106.3 (a): It is hereby declared to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (b) All relevant state agencies, including the department, the state board, and the State Department of Public Health, shall consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to the uses of water described in this section. (c) This section does not expand any obligation of the state to provide water or to require the expenditure of additional resources to develop water infrastructure beyond the obligations that may exist pursuant to subdivision (b). (d) This section shall not apply to water supplies for new development. (e) The implementation of this section shall not infringe on the rights or responsibilities of any public water system.

- 7) Section 6006. (b)(10), Page 31: Extent to which water quality improvement provides water for basic human needs, such as drinking, cooking, and bathing, in disadvantaged or similarly situated communities, where those needs are not being met

Comment: See comment above regarding the need to reference Water Code 106.3.