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January 31, 2009

Ms. Alice Miller Keyes  
Georgia Department of Natural Resources  
Environmental Protection Division  
2 MLK Jr. Drive  
Suite 1152  
Floyd Tower East  
Atlanta, GA 30334

Dear Alice:

The Alliance for Water Efficiency congratulates the Georgia Environmental Protection Division on the completion of its Water Conservation Implementation Plan. The Plan is a product of significant stakeholder involvement, representing countless hours of discussion and consensus. It is important to note that its recommendations have been supported by a broad range of community leaders and water users, and it appears that by involving such a broad community the EPD has gone a long way toward achieving its stated primary purpose: to foster a culture of conservation in Georgia and to guide Georgia business owners, farmers, homeowners, water service providers, and government officials toward greater water efficiency in an effort to help sustain the State's precious water resources.

The comments that follow below are not meant to diminish in any way the important steps represented in the Plan. Involving such a wide range of participants is a critical first step in serious water conservation implementation in Georgia. Indeed, wherever water conservation has been successfully achieved nationally, it has come about because of extensive stakeholder discussion and involvement, which must produce the consensus required for further action.

The Plan provides three major goals, seven benchmarks, and many detailed recommendations for best practice implementation. But they remain recommendations only, to be voluntarily adopted by water utilities and local communities. The next important step is to embody these important goals and benchmarks in legally enforceable requirements, in order to foster actual implementation and therefore achieve the water conservation success by the target dates indicated.

We have listed below five different ways to do this. These strategies can be used singly or in combination with each other.

1. Enact benchmark reductions as a matter of State policy. Georgia should embody in legislation or Governor's Executive Order the goals and benchmarks set forth in the Plan. California has done something similar with a formal policy declaration of a 20% reduction in per capita water use by 2020. Another way to do this is to embed the stated goals in local plans. An example of this is the Texas requirement that every water utility define in their conservation plans specific five and ten year goals, such as reductions in gallons per capita per day as well as reductions in distribution system water loss. Progress toward those goals will be required to be documented in annual implementation reports to be filed in Texas beginning in May, 2010. Georgia could do something similar.
  
2. Pass legislation or regulations to require minimum implementation of cost-effective water conservation. This can be done several ways, and here are four state examples of different approaches: Florida has adopted a set of 24 Best Management Practices, 4 of which are deemed mandatory for all water utilities. Texas will be requiring beginning in May, 2010 annual implementation reports of Texas water utilities to document water conservation progress toward stated conservation goals. The State of Washington has adopted a regulation setting minimum requirements of all water utilities (establishing water saving goals, meeting a distribution system leakage standard of 10%, developing a water use efficiency program, evaluating the implementation of water use efficiency measures, and reporting annually on progress.) Finally, California for over a decade has embedded cost-effective implementation of best management practices in its legislatively mandated Urban Water Management Planning requirements, and water utilities are required to document every five years what measures are being implemented in their submitted water management plans. (Best Management Practices NOT being implemented must be documented by the utility in its plan as being not cost-effective or feasible.)
  
3. Embed water conservation implementation requirements in state permits for water supply withdrawal or water rights allocations. Texas requires the submission of water conservation plans of any water utility with a minimum 1,000 Acre-Foot surface water right, and will be requiring annual reports of actual implementation beginning in May, 2010. Florida's Water Management Districts set minimum conservation requirements as a condition of continued water supply withdrawal. (Here is language from the St. John's River Water Management District Code: "All available water conservation measures must be implemented unless the applicant demonstrates that implementation is not economically, environmentally or technologically feasible.") Connecticut does the same:

water conservation plans are required as a condition of regular reissuance of water utility water supply permits. In California, the State Water Resources Control Board has similarly conditioned water rights permits for certain districts on proof that adequate water conservation programs being implemented.

4. Tie state investments in water supply and other types of funding to minimum water conservation implementation. Texas requires that any water utility receiving \$500,000 or more in state funding file water conservation plans, and beginning in May, 2010 annual implementation reports will be required to document progress. Similarly, in recently-passed legislation, California now requires compliance with the 14 Adopted Best Management Practices as a condition of receiving any funding from state water grants. In addition, California conditions funding awarded under State Revolving Loan Programs for either Drinking Water or Clean Water on water utility implementation of the 14 Best Management Practices. We suggest that Georgia consider this important option.
5. Require that all utilities audit and report on their non-revenue water in order to reduce water loss in utility distribution systems. Texas now requires that all water utilities of a certain minimum size file detailed water audits every five years. The State of Washington has adopted general regulations for water efficiency which include a specific focus on minimizing distribution system leakage: a 10% water loss goal has been set as a mandatory requirement.

In conclusion, the Alliance for Water Efficiency believes the Water Conservation Plan goes a long way toward establishing a “culture of conservation” in Georgia. It scripts great options for conserving water, and we applaud the EPD’s efforts to improve water use efficiency within the state and to foster a necessary ethic for wise water use. In our view, those options should be ensured of success by setting legal criteria for minimum implementation.

Sincerely yours,



Mary Ann Dickinson  
Executive Director