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**Comments Submitted by NRDC and 4 Other Organizations on
Efficiency Standards for Water Closets**

Additional submitted attachment is included below.

California Coastkeeper Alliance
Clean Water Action
Heal the Bay
Mono Lake Committee
Natural Resources Defense Council

May 12, 2025

Dr. J. Andrew McAllister
California Energy Commission
715 P Street
Sacramento, CA 95814

RE: Docket 22-AAER-05, Efficiency Standards for Water Closets

Dear Commissioner McAllister:

We are writing to express support for the timely completion of the Commission's Title 20 rulemaking to set stronger water efficiency standards for new toilets. As many of us noted in a letter to the Commission over two years ago (attached), this is one of several rulemakings offering cost-effective water savings that should be completed and adopted at the earliest practical date.

The November 6, 2024 staff report in the docket includes a proposal to establish a maximum flush volume of 1.1 gallons per flush (gpf) for new tank-type toilets sold or installed in California. Products that would meet this proposed standard are already widely available and perform well. Water closets that operate at 1.1 gpf or less are available from dozens of manufacturers. Their performance has been tested by the Maximum Performance (MaP) testing group, and as of January 2025, 467 models of tank-type toilets from 41 brands were found to rate "MaP Premium", indicating that they have successfully passed waste loads of 600 grams, substantially higher than the EPA WaterSense criteria for bowl evacuation. See <www.map-testing.com>. What's more, products meeting the proposed standard have been successfully incentivized by California urban water suppliers in rebate programs for several years.

Tank-type toilets are most commonly used in residential and light commercial settings, and today's generation of highly rated 1.1 gpf units are well suited to these applications. Wastewater drains and sewer mains serving occupied residential buildings receive flows daily from the full range of domestic water uses, including showering, hand washing, tooth brushing, dishwashing, and clothes washing, among others. Residential sewer service lines are generally shorter than those at commercial and industrial locations.

The proposed shift from 1.28 gpf to 1.1 gpf for toilets serving a household yields a saving of about 0.9 gallons per capita per day (gpcd). Using the state's prior benchmark of 55 gpcd of indoor water use by single-family homes, this reduction represents about 1.6 % of the daily sewage flow from a residence, unlikely to have a material impact on solids transport in building

drains. Even in a conserving home already meeting the state's 2030 target of 42 gpcd, the reduction would only reach about 2.1 % of the average daily flow.

Yet while the savings are modest at the household level, the cumulative impact of this shift will be very meaningful to California's drinking water utilities. Due to the vagaries of the hydrological cycle, most water utilities operate with some form of carry-over storage, to better maintain reliability during droughts and other supply emergencies. Small savings accumulated year after year can be stored to provide utilities with a greater cushion when drought conditions return, improving reliability and reducing the need for water curtailments.

To the extent that narrow segments of the commercial market pose location-specific challenges for 1.1 gpf tank-type toilets to maintain solids transport in long drain lines, the Commission may consider establishing a distinct commercial product class allowing a higher flush volume to serve such installations, without jeopardizing the water savings that will result from the transition of the residential sector to 1.1 gpf.

The CEC's revised standard for water closets should embrace the efficient toilet technology available today, to reduce unnecessary water consumption and better prepare California communities for the inevitable water management challenges that are approaching in the years ahead. We support the revision of this standard to 1.1 gpf.

Respectfully submitted,

Sean Bothwell
Executive Director
California Coastkeeper Alliance

Jennifer Clary
California Director
Clean Water Action

Geoffrey McQuilkin
Executive Director
Mono Lake Committee

Mark Gold, D.Env.
Director of Water Scarcity Solutions
Natural Resources Defense Council

Tracy Quinn
President & CEO
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attachment: December 9, 2022 letter to Commissioner McAllister

The Bay Institute
California Coastkeeper Alliance
Clean Water Action
Community Water Center
Heal the Bay
Leadership Council for Justice and Accountability
Los Angeles Alliance for a New Economy (LAANE)
Mono Lake Committee
Natural Resources Defense Council
Pacific Institute
Planning & Conservation League
ReScape California
Restore Hetch Hetchy
San Francisco Bay Area Planning and Urban Research Association (SPUR)
Sierra Club California
Voices for Progress

December 9, 2022

Dr. J. Andrew McAllister
California Energy Commission
715 P Street
Sacramento, CA 95814

Re: Urgent Need for Action on Water-Saving Efficiency Standards

Dear Commissioner McAllister:

We are writing to express our concern over the lack of progress in moving forward with efficiency standards for water-saving products. As Governor Newsom noted in his message on water scarcity on August 11 of this year, hotter and drier weather conditions are likely to significantly reduce California's water supply. As you know, new and strengthened water efficiency standards are among the most cost-effective options for conserving water and addressing California's declining water supplies due to climate change.

Among the most significant opportunities for state action to improve urban water efficiency is the pending proposal for efficiency standards for landscape irrigation controllers (17-AAER-10). In a typical year, nearly half of California's supply of treated drinking water is used outdoors, largely for landscape irrigation. State efficiency standards for new irrigation controllers can achieve major water savings as the existing stock of these products turns over in the next ten years. Unfortunately, the last public action to advance this standard was the release of a staff

draft regulation a full year ago (December 3, 2021). We understand the Commission's desire to fully harmonize with changes in the ASABE test method for irrigation controllers that were only completed recently. Nevertheless, we view the year-long hiatus in activity as a lost opportunity to move the state regulation closer to final adoption.

In addition to prioritizing the completion of the landscape irrigation controller standard, we urge your attention to several pending or potential actions that can help California meet the urgent challenge of a shrinking supply of fresh water as outlined by the Governor. These include:

- water closets – complete Title 20 rulemaking (22-AAER-05) and consider options for additional savings in Title 24;
- dipper wells – complete Title 20 rulemaking (21-AAER-01);
- tub spout diverters – complete Title 20 rulemaking (17-AAER-09);
- commercial dishwashers – consider a new standard under Title 20, building on Energy Star specification v.3.0;
- commercial laundry equipment not preempted by Federal standards -- consider a new standard under Title 20;
- Irrigation emitters -- consider a new standard under Title 20 based on efficiency levels set by utility rebate programs.

California faces unprecedented uncertainty as our supplies of drinking water are diminished by the climate crisis that is already upon us. Through Title 20 and 24, the State can beneficially restrain the demand for water and help prepare our communities for the water supply constraints that the Governor has highlighted. We respectfully request that you mobilize Commission staff, contractors, and fellow Commissioners to take timely action to adopt cost-effective water-saving standards to help secure the continued access to drinking water for all Californians.

Thank you for your attention to this important issue.

Sincerely,

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The Bay Institute

Sean Bothwell
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California Director

Clean Water Action

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San Francisco Bay Area Planning and Urban Research Association (SPUR)

Erin Woolley
Policy Advocate
Sierra Club California

Evan Minton
California State Policy & Programmatic Manager
Voices for Progress