

May 27, 2025

Kersey Manliclic
U.S. Environmental Protection Agency
Office of Water
Office of Wastewater Management
WaterSense Branch
Water Infrastructure Division
Mail Code 4204M
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Submitted electronically via: <https://www.regulations.gov>

RE: U.S. Environmental Protection Agency WaterSense Program—Docket ID No. EPA-HQ-OW-2025-0125

Dear Mr. Manliclic:

The Association of California Water Agencies (ACWA) respectfully submits comments regarding the U.S. Environmental Protection Agency's (EPA) request regarding its WaterSense Program.¹ ACWA supports the objectives of EPA's WaterSense Program as a vital tool for promoting water efficiency and encourages EPA to enhance the Program's effectiveness in alignment with California's water conservation goals.

ACWA is the largest statewide coalition of public water agencies in the country. ACWA's more than 470 member agencies are responsible for delivering about 90 percent of the water to communities, farms, and businesses in California. ACWA represents water management entities in every sector of water supply including municipal and agricultural water, water recycling, water reuse, wastewater management, and stormwater management. For more than a century, ACWA and its members have been working to provide high quality, reliable water supplies in an environmentally sustainable and fiscally responsible manner.

I. Introduction

ACWA commends EPA for its leadership in promoting water efficiency through the WaterSense Program. WaterSense has been instrumental in encouraging the adoption of water-efficient products and services—including leak detection systems, irrigation spray sprinkler nozzles, public use faucets, and flow monitoring devices—that contribute to significant water savings nationwide.

Since the establishment of WaterSense in 2006, nearly 46,000 WaterSense labeled models of plumbing and irrigation products have helped consumers and businesses save 8.7 trillion gallons of water; reduce the amount of energy needed to pump, treat, and heat water by 997 billion kilowatt hours; and save

¹ *Agency Information Collection Activities; Proposed Information Collection Request; Comment Request; The U.S. Environmental Protection Agency's WaterSense® Program (Renewal)*, 90 Fed. Reg. 14139 (March 28, 2025).
<https://www.govinfo.gov/content/pkg/FR-2025-03-28/pdf/2025-05341.pdf>.

\$207 billion in water and energy bills.² This amounts to estimated consumer savings of \$1,100 for every federal dollar spent on EPA’s WaterSense program.³

In California, where water scarcity is a critical issue, WaterSense has been a valuable tool for consumers and utilities alike in identifying products that meet high-performance standards. ACWA understands the need to improve the water efficiency of appliances, buildings, and landscapes, and the significance of creating an easily recognizable “brand” for products with the highest water efficiency ratings. As such, ACWA supports EPA’s WaterSense Program.

Many ACWA member agencies are WaterSense Partners that actively promote water efficient products endorsed by EPA to guide California in beneficial water conservation initiatives. Some ACWA member agencies have been awarded WaterSense awards as most recently in 2024 including: Rancho California Water District, Upper San Gabriel Valley Municipal Water District, Alameda County Water District, Monte Vista Water District, and Moulton Niguel Water District⁴.

II. Challenges

EPA seeks information on the proposed collection of information including the accuracy of EPA’s estimate of the burden, enhancement of the information, and ways to minimize the burden on respondents. ACWA acknowledges some challenges associated with receiving WaterSense specifications are placed on ACWA member agencies and recommends EPA consider the following to mitigate these challenges:

a. Application and Certification Requirements

While participation in EPA’s WaterSense Program is voluntary, it may be viewed as a burdensome process and cause others to stray away from participation despite the benefits for water conservation initiatives. For example, participation requires completing various forms like a Partnership Agreement and an Annual Reporting Form, and potential other forms for professional certification, award recognition, and consumer awareness. EPA also added new WaterSense forms that will require additional time for respondents to complete to collect information on case studies, success stories, and events.

Some ACWA member agencies, for example, are small water utilities that serve rural or small municipalities. WaterSense application and certification requirements can disproportionately burden these small utilities due to their limited staff and financial resources. Although EPA estimates completing these forms takes minimal time, even small tasks can place disproportionate burdens on smaller utilities with limited staff and resources. These demands can divert attention from essential functions such as water treatment and infrastructure maintenance. As a result, the added workload may deter participation in EPA’s WaterSense program which risks deepening disparities in water conservation outcomes.

² U.S. EPA: WaterSense Makes It Easy to Save—2023 Accomplishments Report. June 11, 2024.

<https://www.epa.gov/system/files/documents/2024-06/ws-home-learn-accomplishments-repor-2023.pdf>.

³ U.S. EPA: Protecting America’s Waters—EPA’s Voluntary WaterSense Program Demonstrated Success. Report No. 17-P-0352. August 1, 2017. https://19january2021snapshot.epa.gov/sites/static/files/2017-08/documents/_epaoig_20170801-17-p-0352.pdf.

⁴ U.S. EPA: WaterSense Awards. March 20, 2025. <https://www.epa.gov/watersense/watersense-awards>.

b. Financial Burden

ACWA is concerned about potential costs associated with participating in EPA's WaterSense program. The costs associated with participating in and implementing water efficiency programs of the Program may be prohibitive for utilities, especially smaller ones with limited resources. For instance, manufacturers incur costs related to testing and certification to meet WaterSense specifications. These costs can be passed down to water utilities and consumers that potentially discourage participation in the Program.

Advertising and outreach costs related to WaterSense product promotion—such as customer communications or educational materials—are often not reimbursed. These cost may place pressure on utilities that discourage participation in the Program. This in turn has opposite effects that would otherwise benefit customers and broader water conservation goals.

c. Data Collection and Reporting

ACWA acknowledges the importance of data collection in assessing the effectiveness of EPA's WaterSense Program. The more data on water efficiency and related efforts, the more effective water conservation techniques can be. However, reporting requirements may impose administrative burdens on public water agencies. Even seemingly modest data reporting tasks can strain internal capacity.

III. Recommendations

While ACWA supports the goals of EPA's WaterSense Program, ACWA offers the following recommendations to enhance the Program's effectiveness and alignment with California's water conservation goals.

a. Enhanced Collaboration with Public Water Agencies

ACWA recommends EPA strengthen its engagement and proactively meet with public water agencies including ACWA members regarding WaterSense modifications. Collaborative efforts can lead to the creation of standards that are both effective in promoting water efficiency and practical for local implementation. Early and meaningful involvement of interested parties can ensure WaterSense is feasible, regionally appropriate, and effectively addresses water conservation needs. Also, clear and timely information from EPA about Program changes can help interested parties like ACWA member agencies plan and adjust to WaterSense changes.

b. Consideration of Regional Water Efficiency Needs

California's water supply conditions are highly variable and complex compared to other regions nationwide. From coastal communities to inland valleys, from agricultural communities to dense urban centers, public water agencies across California have different needs for water efficiency. Many areas face chronic drought and water capacity uncertainty. Water conservation strategies therefore may differ based on location, customer makeup, supply conditions, and weather variability. Given these conditions, a uniform federal water efficiency framework like WaterSense may not always be in the nation's best interest.

Given the diverse water supply conditions both in California and across the United States, and to ensure the WaterSense program remains a valuable tool that supports water efficiency goals, ACWA suggests

EPA consider regional necessities when developing WaterSense specifications. Specifications that are adaptable to different regional contexts can enhance the relevance and effectiveness of WaterSense. WaterSense participation criteria and data requirements should allow public water agencies to tailor their programs accordingly.

c. Financial and Technical Assistance

Since upfront costs for water efficiency implementation can be costly, more financial and technical assistance is needed to ensure the success of WaterSense. Rebates are available for WaterSense products and services, however these are minimal compared to the investments needed to effectively promote water conservation to the scale needed.

ACWA encourages EPA to work with Congress integrate existing water-related federal funding sources (such as the Bipartisan Infrastructure Law) with WaterSense-eligible efforts. This will help offset expenses associated with participating in the WaterSense Program, including application processes, certification fees, and program implementation. Specific opportunities should be provided for small and rural utilities that lack financial resources.

Encouraging multi-agency collaboration and pilot projects that share costs and capacity—particularly in regions where small agencies are prevalent—can enhance WaterSense through joint marketing, shared staffing, or cooperative purchasing of WaterSense-labeled products.

EPA should also make resources readily and easily available to WaterSense partners. If EPA developed, ready-to-use, customizable outreach materials, rebate templates, tracking spreadsheets, and FAQs are provided, this will decrease Program burdens for agencies with limited staff and funding.

IV. Conclusion

ACWA appreciates EPA's efforts to promote water efficiency through its WaterSense Program and looks forward to continued partnership with EPA in advancing water conservation efforts. Please let us know if there are further opportunities for ACWA to collaborate on WaterSense Program initiatives and other water efficiency efforts or if we can provide additional information and resources. If you have any questions or would like to follow up on this matter, please contact ACWA Director of Federal Relations, Ian Lyle, at ianl@acwa.com or (202) 434-4765.

Respectfully,

A handwritten signature in black ink, appearing to read "Ian Lyle", is positioned above the printed name.

Ian Lyle
Director of Federal Relations
Association of California Water Agencies