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Mark S. Krause, General Manager-Chief Engineer
Best, Best & Krieger, General Counsel
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Public Comment
Urban Water Conservation Workshop
Deadline: 1/12/17 12 noon



January 12, 2017

The Honorable Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: Comments on Urban Water Conservation Emergency Regulation

Dear Chair Marcus:

Desert Water Agency (DWA) thanks the State Water Resources Control Board (State Water Board) for the opportunity to comment on the extension of emergency regulations on urban water conservation. We appreciate the involvement over the past 20 months, and notably that the Board has gone through several iterations to create a method more appropriate for the myriad circumstances throughout California.

Key recommendations

- Eliminate emergency regulation given improved hydrologic conditions
- If retaining emergency regulation, use existing stress test methodology
- Do not return to a residential gallons per capita per day metric to establish percentage targets

DWA would encourage the State Water Board to determine whether a statewide emergency regulation is still needed. Our statewide hydrologic conditions have unquestionably improved. While there is room to be made in efficiency and even long-term conservation, the emergency status may not be warranted. We look forward to continuing to work with the State Water Board and the other EO agencies, the Governor's office and legislators to frame targets for long-term efficiency. Californians are embracing water conservation as a way of life and the state's water agencies will be held to new, more strict long-term standards in the near future.

Local, long-term sustainability and water use efficiency are extremely important to DWA, which is why we retained a 10-13% target for our customers after passing the stress test. Since the mandatory percentage reduction was eliminated and DWA set its target, our customers have continued to save 20% compared to 2013. Our cumulative savings since restrictions went into place are above the statewide average at 24%, despite the fact that we have an adequate water supply in storage. Many of the changes made will have lasting contributions to water savings.

While we are very proud of our customers, their sacrifices came with a cost. On top of the grass plants and trees that died en masse, our water production dropped so significantly that our Board of Directors restructured our water rates. While many of our customers were confused by conservation's role in the rate changes, many understood the tradeoff for sustainability. We will continue to encourage our community to make good choices



sustainability and efficiency. For effective water management, even in an emergency, is important to recognize both water demand and supply.

Desert Water Agency appreciates the State Water Board's work in developing and refining the 'stress test' approach and would encourage that this method be used going forward in 2017 if any emergency restrictions are necessary. Acknowledging the supply side of the equation is crucial to fostering investments in drought proof supplies and to ensuring that calls for conservation are merited. For many agencies, even a zero percent standard earned from passing the State Water Board's stress test requires conservation efforts given growth in connections since 2013. It is important to grant concessions to customers in areas less affected (or unaffected) by drought. In order for emergency restrictions to remain effective, they should only be implemented when truly needed.

A return to conservation mandates based on R-GPCD would be wholly inappropriate at this time given the progress made on the methodology and the improved hydrologic conditions. We would not support the use of this methodology at this point, or in the future. DWA is hopeful that in developing long-term conservation frameworks, more suitable emergency regulations – like the stress test – can be conceived or improved upon.

We appreciate the level of engagement that the urban water agencies have had in this process and look forward to continued collaboration on long-term efforts as the details of the long-term conservation framework are fleshed out in the coming years. We also hope that the State Water Board looks to other sectors in determining what emergency regulations may be appropriate in the future given that urban water use accounts for a relatively small percentage of total water use in California. We also ask that agencies are allowed sufficient time to evaluate and comment on any modifications proposed at the January 18 workshop.

Thank you for reviewing our comments, and for your work to make water use more efficient in our great state.

Sincerely,

A handwritten signature in blue ink that reads "Mark S. Krause".

Mark S. Krause
General Manager-Chief Engineer

Cc:

The Honorable Frances Spivy-Weber, Vice Chair, State Water Resources Control Board

The Honorable Dorene D'Adamo, Member, State Water Resources Control Board

The Honorable Steven Moore, Member, State Water Resources Control Board

The Honorable Tam Doduc, Member, State Water Resources Control Board

Ms. Kim Craig, Deputy Cabinet Secretary, Office of Governor Edmund G. Brown Jr.

Mr. Tom Howard, Executive Director, State Water Resources Control Board

Mr. Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board

Mr. Gary B. Bardini, Deputy Director, Integrated Water Management, Department of Water Resources

Mr. Kamyar Guivetchi, Manager, Statewide Integrated Water Management, Department of Water Resources