



SWEETWATER AUTHORITY

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January 5, 2016

Via electronic and U.S mail

Kathy Frevert
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Comments on Proposed Regulatory Framework

Dear Ms. Frevert:

Thank you for the opportunity to submit comments regarding the State Water Resources Control Board's (State Water Board) proposed regulatory framework for extended Emergency Regulations for Statewide Urban Water Conservation. Sweetwater Authority (Authority) appreciates the challenges the State Water Board faces in addressing the statewide drought, and the Governor's Orders to manage water resources during these unprecedented times.

The proposed framework provides a positive response to those water agencies that have made investments in local water supply with the goal of addressing water shortages and reducing reliance on imported water supplies. With that in mind, the Authority offers the following comments:

- Under "Drought Resilient Sources of Supply Credit," it is requested that desalinated brackish groundwater be added as a source of new supply. This should not be considered under the context of groundwater credit. The Authority developed a local brackish groundwater desal facility in 2000 that produces up to 3,600 acre-feet per year of potable water and has started construction on the expansion to a total of 8,800 acre-feet at a cost of \$42 million. Funding for the project, in addition to state and local funding, comes from the U.S. Bureau of Reclamation under the Title XVI program to develop a water source that would otherwise not be considered usable as a potable water source. The investments are substantial and apply to a new drought resilient source of supply.
- Following on the above, water agencies such as the Authority have made substantial investments prior to 2013 to local water supply development. While it is understood that the 2013 year is consistent with the state's guidelines, the Authority respectfully requests that that state give

*A Public Water Agency
Serving National City, Chula Vista, and Bonita*

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consideration to drought resilient sources of supply that were established prior to 2013, as the planning, design and construction of these projects take a substantial period of time, and do not necessarily correlate exactly with the timing of droughts.

- It is requested that the Drought Resilient Sources of Supply credit be passed forward to retail agencies that financially participate in wholesaler/regional projects. For example, retail agencies that are members of the San Diego County Water Authority (CWA) would receive credit for the CWA's Carlsbad Seawater Desalination Project. The Authority, along with every other member water agency of CWA, is financially participating in this project and, therefore, should receive a credit.
- What is the basis for the cap set for credits and adjustments? Was consideration made in this figure based on all of the circumstances and investments made by individual water agencies? Could this figure be higher and accomplish the same goal?
- Consideration should be given to postponing the analysis of the current drought conditions until after this winter season. In other words, the State Water Board should address the regulations in April 2016 or later, as the majority of rainfall/snowfall is expected in the next few months based on averages from prior years (considers time frame beyond five years).
- Finally, when will the state address the time frame for these emergency provisions? In other words, what circumstances will cease the need?

In summary, the Authority recognizes the challenging job facing the State Water Board and appreciates its efforts. Please give careful consideration to the Authority's comments and other letters and comments you may receive from other retail water agencies that are closest to water consumers.

Please feel free to contact me at (619) 409-6701 or jsmyth@sweetwater.org if you have any questions or require clarification to these comments.

Sincerely,



James L. Smyth
General Manager