

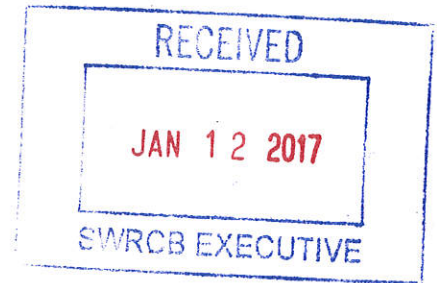
Board of Directors
Lawrence A. Watt, President
Christy Guerin, Vice President
Edmund K. Sprague, Treasurer
Gerald E. Varty, Secretary
Robert F. Topolovac, Director



General Manager
Kimberly A. Thorner, Esq.
General Counsel
Alfred Smith, Esq.

Public Comment
Urban Water Conservation Workshop
Deadline: 1/12/17 12 noon

January 12, 2017



State Water Resources Control Board
Attn: Jeanine Townsend, Clerk of the Board
1001 I Street, 24th Floor
Sacramento, CA 95814

VIA EMAIL: commentletters@waterboards.ca.gov

Re: Extension and potential modification of the current Emergency Regulation

Dear Ms. Townsend,

On behalf of Olivenhain Municipal Water District, thank you for the opportunity to provide the State Water Resources Control Board with input on the extension and potential modification of the current Emergency Regulation. OMWD provides 84,000 customers in northern San Diego County with water, wastewater, recycled water, hydroelectric, and recreational services.

OMWD does not see the need to extend the Emergency Regulation. The May 2016 stress test illustrated that the majority of urban water suppliers have adequate supply to meet their demands, even if drought conditions should persist for the next three years. This, coupled with the fact that precipitation levels throughout much of the state are at or above normal, offers messaging to the contrary of a drought-related emergency. In order to maintain credibility with the public, it is imperative to declare an emergency only when conditions cause an actual threat to water supply. Extending the Emergency Regulation in light of current conditions dampens the effectiveness of the emergency response and could hamper the willingness of customers to reduce usage in future shortages, especially in locales where no shortage in supply exists. OMWD recommends that the Water Board allow the regulations to expire. However, if the Emergency Regulation should be extended, we offer the following suggestions.

1. The current self-certification "stress test" approach for determining conservation standards is a fair and reasonable measure for determining any necessary reduction. Suppliers should be allowed to retain their previously assessed conservation standard, as it considered the possibility of drought conditions for three additional years. As hydrologic conditions have improved throughout much of the state, suppliers should have the option to update their conservation standard to reflect new supply and demand conditions.



1966 Olivenhain Road • Encinitas, CA 92024 • Phone 760-753-6466 • www.olivenhain.com



A Public Agency Providing Water Wastewater Services Recycled Water Hydroelectricity Elfin Forest Recreational Reserve

- 7703
2. The Water Board should utilize the supply and demand approach implemented in the May 2016 stress test as it appropriately accounted for regional differences in hydrologic conditions.
 3. As you are aware, EO B-37-16 requires the Water Board to build off the 25 percent reduction in use and lessons learned through 2016. This proposal should consider what the actual need for reduction is, and allow for fair and reasonable standards. A key lesson learned in 2016 is that assigning conservation standards irrespective of supply, as in the case of the February 2016 regulations, resulted in artificially high reduction requirements for most suppliers. This is evidenced by the fact that the majority of urban water suppliers self-certified that they would have adequate supplies to meet demands even in the event that drought conditions continued for three more years. A hard 25% statewide target does not appropriately reflect necessary reductions due to an emergency. Any assigned conservation standard ought to be validated and warranted based on confirmed reasoning, not an arbitrary figure conceptualized without accounting for actual shortages. No conservation floor, either individually or cumulatively, should be made in the case of an emergency. While some regions may be experiencing water shortages, an arbitrary assigned reduction that does not incorporate supply and demand is not an appropriate emergency response.

If you or your staff should need any additional details pertaining to this assessment of the draft report with recommendations for implementing Executive Order B-37-16, please do not hesitate to contact me at 760-753-6466.

Regards,



Kimberly A. Thorner
General Manager

CC: Kim Craig, Deputy Cabinet Secretary, Office of Governor Edmund G. Brown, Jr.
Assemblywoman Marie Waldron
Assemblyman Rocky Chavez
Assemblyman Brian Maienschein
Assemblyman Todd Gloria
Senator Pat Bates
Senator Joel Anderson
Senator Toni Atkins
Mark Muir, Board Chairman, San Diego County Water Authority
Tom Howard, Executive Director, State Water Resources Control Board ✓
Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board
Planning and Performance
Max Gomberg, Climate Change Mitigation Strategist, State Water Resources Control Board
Peter Brostrom, Water Use Efficiency Section Chief, Department of Water Resources
Dave Bolland, Director of Regulatory Relations, Association of California Water Agencies