



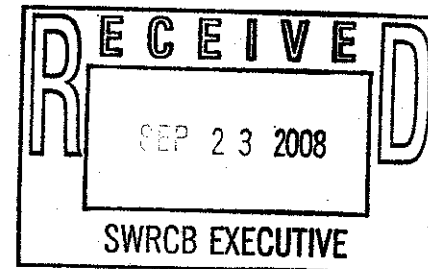
THE CITY OF SAN DIEGO

10/1/08 Board Workshop
Urban Water Conservation
Deadline: 9/23/08 by 12 noon

September 23, 2008

VIA U.S. Mail & VIA e-mail: commentletters@waterboards.ca.gov

Ms. Tam Doduc, Chair
and Members of the California State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Dear Chair Doduc and Members of the Board:

Subject: Comment Letter – Proposal to Establish Urban Water Conservation Regulatory Program

The City of San Diego's Water Department (SDWD) appreciates the opportunity to submit comments related to the State Water Board's proposal to establish an urban water conservation regulatory program.

The City of San Diego's Water Department is an established leader of water conservation efforts in California. As a charter signatory to the California Urban Water Conservation Council's (CUWCC) 1991 Memorandum of Understanding (MOU), San Diego has actively implemented conservation best management practices for nearly two decades. As a result, the City of San Diego has added approximately 270,000 new residents to its service territory since 1989 and yet overall demands for water remain at 1989 levels.

San Diego is a semi-arid region with relatively little groundwater supplies. As such, the City of San Diego must import between 85 – 90% of its drinking water supplies to meet demands. Water conservation is a very important and viable resource option that we have incorporated into our long-term water supply plans, including our Urban Water Management Plans.

We ask that you consider our comments identified below as the State Water Board deliberates on the need for and scope of a potential Urban Water Conservation Regulatory Program:

1. Identify and Focus on "Low-Hanging Fruit" Opportunities

In San Diego, the BMPs aimed at retrofitting devices associated with plumbing code efficiencies have either been accomplished or are very near to being accomplished. We've implemented tiered pricing and 70% volumetric rates. Our next conservation frontier is related to water-use



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outdoors. Irrigation efficiency is generally considered to be the most difficult BMP to implement, monitor and maintain as it requires changes in human behavior.

The "low-hanging fruit" of many of the BMPs has been accomplished in Southern California. The next increment of meaningful water conservation programs will be more expensive per acre-foot. It is important to note that the CUWCC's MOU requires water agencies to implement only cost-effective conservation programs. Given the high cost of local and imported water in San Diego, water conservation will remain a cost-effective voluntary alternative for the foreseeable future.

Rather than mandating BMP activity for those agencies such as ours that have actively pursued water conservation programs on a voluntary basis, the State Board should – as a first step – concentrate efforts on bringing into compliance those agencies that have elected to not pursue water conservation programs or are able to employ the cost-effectiveness clause to opt out of pursuing meaningful water conservation programs due to the relatively inexpensive cost of their water supplies.

2. Expand stakeholder roles and accountability

In the spirit of Integrated Regional Water Management (IRWM) Planning, it is time to seek out and establish a broader coalition of stakeholders, including water agencies, land-use agencies, storm water agencies, counties, manufacturers, and other groups that can effectively conceptualize and promote deeper, more effective water conservation programs.

Unfortunately, the CUWCC's MOU identifies water agencies as the sole responsible authorities for affecting water conservation. Following this logic, only water agencies are held accountable and suggested for punitive measures when lacking compliance. While this approach may be administratively expedient for the CUWCC and the State, other responsible parties should be included to increase the likelihood of increased conservation.

We recommend the CUWCC and the State Board consider establishing a broader coalition of partnering stakeholders – at the State and local levels – that share the responsibility and accountability of effective water conservation programs.

The State Board could assist retail water agencies by providing outreach and water conservation goals that are in concert with the 20x2020 goals for other State and even federal agencies. Some of our largest customers include the Navy, Marines, Caltrans, and UCSD.

3. Consolidate multiple water conservation initiatives already underway

As the State Board knows, there are already several initiatives underway in California to accomplish water conservation, including:

- the Governor's 20x2020 goal (Department of Water Resources)

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- AB 32 Scoping Plan (Air Resources Board)
- CUWCC internal update of its BMPS
- AB 1420 compliance guidelines
- IRWM Planning – Proposition 84 guidelines
- AB 1881 - Model landscape ordinance

Given that the above initiatives are expected to be more fully developed within one year, we urge the State Board to allow sufficient time for the maturation of these policies and then pursue an integrated suite of consolidated programs working together towards water conservation goals before launching an regulatory program prematurely.

Additionally, the next few years are expected to witness mandatory conservation programs associated with drought in much of the State. The City of San Diego is preparing drought procedures expected to be implemented within one year. Our water supply assessments for new projects already identify offsets for water demands above planned development. The efforts we undertake to address the drought are expected to be above and beyond the CUWCC's BMPS.

Conclusions

The SDWD welcomes the State Board's efforts to promote water conservation statewide – especially with regard to those water agencies that have not previously promoted active conservation programs.

Our primary concern with the proposed regulatory program is the possibility that agencies such as ours, that have already committed to active conservation programs, will be penalized by demand hardening and bureaucratic intricacies. Additionally, the impending drought situation has and will initiate demand reduction programs beyond the CUWCC's BMPs. At a time when extraordinary measures are being introduced, we believe that a new regulatory program would be premature at this time. We need to understand all the dynamics underway, consolidate efforts and create a streamlined approach. We urge the State Board to allow sufficient time for review and consolidation of existing initiatives prior to launching a regulatory program.

The CUWCC and the State should allow an expanded role for additional stakeholders, perhaps through the IRWMP process. We plan to work closely with the CUWCC in 2009 to explore how its MOU might be expanded to include critical stakeholder partners such as land-use and stormwater agencies as principal players.

Finally, we would appreciate the assistance of the State Board and other State agencies to promote water conservation at a higher level. Some examples include:

- a statewide messaging campaign promoting water conservation in all sectors (similar to the "Flex Your Power" energy conservation campaign)
- establishment of a rural water use efficiency program at the State level (and in the DWR's water management strategies)

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- clear communication to State and federal water customers that they lead by example and employ water conservation practices on site immediately.

If you have any questions on the matters represented in this letter, please feel free to contact Ms. Marsi Steirer at (619) 533-4112.

Sincerely,

 (ASST. Dir., FOU)
J. M. Barrett
Director of Public Utilities

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