



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

610 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222

April 13, 2015

State Water Resources Control Board

Attn: Jessica Bean

Sent via Email to Jessica.Bean@waterboards.ca.gov

Dear Ms. Bean:

The City of Foster City/Estero Municipal Improvement District (EMID) appreciates the opportunity to comment on the Mandatory Conservation Proposed Regulatory Framework. Please note that EMID is represented by the Bay Area Water Supply and Conservation Agency (BAWSCA), who will be providing comments as well. The following are our comments and questions on the document:

General Comments/Questions

1. The proposed reduction methodology unfairly punishes water agencies that have already significantly reduced water usage prior to 2013 (33% in EMID's case from 2010 to 2013) and subsequent reductions (7% in EMID's case) since 2013. The proposed additional reduction of 20% puts at severe risk millions of dollars of public parks and private landscaping improvements. Is there a desired standard of per capital daily use (e.g., 70 R-GPCD) for communities statewide which, if met, would not trigger further reductions because they would be considered a water-conserving community? Alternatively, could the conservation standard begin at 5% and 10% and then be higher for the highest water users to be more equitable. For example, it seems unfair and inequitable that the proposed 35% reduction in the highest tier will result in an R-GPCD that will range from 107 to 380 while the 20% reduction in the second tier will result in an R-GPCD range from 44 to 88.
2. EMID ramped up conservation efforts in 2010, showing a 40% conservation effort if that year was chosen. Water consumption has

dropped consistently each year since 2010. Can a "Special Case" designation be granted and use 2010 as the agency's base year?

3. Will there be additional funds for public reclaimed water capital projects, private capital projects such as individual rather than master meters in multi-family housing or separate meters for domestic use and irrigation use rather than a master meter, or other water conservation projects?
4. Can the State incorporate agricultural requirements? Language was not included.
5. EMID suggests 70 gpcpd as the target statewide requirement. There appears to be unfairness to the conservation requirement.

Specific Comments/Questions

1. Page 1 – Please describe the timeframe used to establish the usage.
2. Page 2 – What are the penalties for the Informational Orders?
3. Page 2 – What are the penalties for the Conservation Orders?
4. Page 4 – How do we address projects in construction?
 - a. For construction projects where contracts have already been awarded, a change in construction requirements could lead to significant and costly change orders.
 - b. If a construction project has already been issued a building permit, will it be exempt and will the new construction standards on use of potable water for landscaping apply only to new building permits?

If you have any questions regarding our comments and questions, please contact our Public Works Director, Jeff Moneda at 650-286-3288 or jmoneda@fostercity.org.

Sincerely,



Art Kiesel

Mayor/President

City of Foster City/Estero Municipal Improvement District