

April 22, 2015

SENT VIA E-MAIL: Jessica.Bean@waterboards.ca.gov

Chair Felicia Marcus and Board Members
C/O Jessica Bean
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Comments - Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction

Dear Chair Felicia Marcus and Board Members:

The Casitas Municipal Water District appreciates the opportunity to contribute stakeholder comments regarding the State's consideration of drought emergency regulations. The State staff has made several positive changes to the original proposed emergency regulations that will enable water suppliers to communicate the desired response to the end users and to monitor water use over a broader period of time. The following comments are provided to assist the Board in their regulation:

Urban Water Management Plan

Now may be the time to compare the condition of each agency's water supply with the agency's Urban Water Management Plans and Water Shortage Contingency Plan actions. The State should consider that in accordance with the Water Code, Division 6, Chapter 3, the Legislature has required urban water suppliers to prepare and adopt an urban water management plan in the manner set forth in Article 3, commencing with Section 10620. Section 10630 provides that the intent of the Legislature is, in enacting this part, to permit levels of water management planning commensurate with the numbers of customers served and the volume of water supplied. A key element of each plan is the inclusion of the agency's assessment of water supply reliability and vulnerability to seasonal and climatic shortages, and to include the agency's water shortage contingency plan that addresses water supply deficiencies (Section 10631). In some cases, the State's proposed drought emergency regulations may not provide due consideration of the local agency's management of water supplies under a State accepted UWMP.

Dependence on Imported Water – Reduction in Conservation Standard

The District supports the reduction in the conservation standard for agencies that do not rely on the importation of water. Section 865(c) (2) sets an extraordinarily high and perhaps unattainable bar with the requirement of having had received an "average annual precipitation in 2014" in order to be considered for a reduction in the conservation standard. There are very few locations, if any, that received an average precipitation in 2014. The State's assignment of conservation standards should

consider the current status of local water supply and demands, the local actions stated in each agency's UWMP, and the local agency's independence from imported water to meet local water demands. The amount of precipitation in 2014 should not be criteria for the eligibility for a reduction consideration.

Transitions between Water Resources

The District supports the conjunctive use of local water resources and maintaining equity in water being made available to all customers of the district. Over the course of the drought, there will be transitions by water users from one water resource to another that can result in a negative conservation value for the urban water supplier. For example, a CII customer that uses water from one resource in 2013, and then finds the resource depleted due to drought in 2015 and shifts the CII demand during the 2015 summer to the urban water supplier's water resource. There is no CII customer's use in the 2013 report from the urban water suppliers. The 2015 report documents an increase in CII use due to this shift from one resource to another. The 2015 reporting by the urban water supplier will possibly result in a non-compliance with Section 864(b)(2) when compared to the 2013 use.

In this same transition issue, the District has been asked by various CII customers about what water is available and what limits are in place when the transition occurs under the proposed regulations. If there was no 2013 water usage recorded in the data submitted to the State, does that preclude the CII from transitioning between water resources.

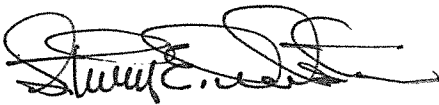
The State should consider the urban water supplier's reporting that can be substantiated with appropriate documentation, before entering into the application of violations.

Bi-monthly Water Use Determinations

The proposed regulations do not address the many comments received concerning the reporting of bi-monthly water use. The State should consider clarifying this issue before, rather than after the regulations are adopted. The District is implementing on July 1, 2015, the monthly reading of water meters – but will be comparing monthly sales to the bi-monthly sales of 2013. A guideline for conversion from bi-monthly to monthly records should be considered by the State to assure a reasonable comparison of the agency conservation performance.

The Casitas Municipal Water District recognizes the challenging task that has been placed before the Board to implement the Governor's executive order during one of the most difficult times for our State. The District also recognizes that the real work is ahead with attaining end user responses to meet the standards set by the Board's action.

Sincerely,



Steven E. Wickstrum
General Manager