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(12/7/15) Public Workshop
Urban Water Conservation
Deadline: 12/2/15 by 12:00 noon

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

December 2, 2015



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: Comment Letter – Urban Water Conservation Workshop

Dear Ms. Townsend,

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

To date, OMWD is meeting the 32% reduction assigned to us by the State Board, and we will draw \$2.5 million from our rate stabilization fund this fiscal year alone to minimize the impact of those reductions on the residential, agricultural, commercial and industrial customers we serve.

We support the Association of California Water Agencies (ACWA) stated position that significant issues of equity, unintended consequences, and insights gained require modifications to the Regulations if the State Board determines prior to the expiration of the existing Regulations that an extension is justified.

In consideration of the challenges that OMWD has experienced while implementing the existing Regulations, we strongly urge the State Board to incorporate the following modifications:

- Allow water purveyors to form regional alliances by which to meet reduction targets, as is provided for in Urban Water Management Plans and SB X7-7, acknowledging that drought messaging is disseminated most effectively from a regional rather than agency-specific standpoint. This regional compliance can still achieve the same water savings in any one area through voluntary alliances, an especially important option in shared mass media markets.



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- Continue the Agricultural Water Exclusion so as not to penalize agencies supplying water to an industry of critical importance to California's health and economic welfare. Regulations should also allow for regional rather than simply agency-specific approach to Agricultural Water Management Plans.
- Give consideration to sustainable water supplies developed by local agencies, which would appropriately recognize the investments made by ratepayers in new long-term, local water supplies and conservation and transfer agreements. For example, OMWD was one of the original project proponents for San Diego County Water Authority's Carlsbad Desalination Project, permitting for which was an exhaustive process lasting well over a decade. Emergency regulations that do not provide sustainable local supply credits for projects like the Carlsbad Desalination Project will discourage agencies to undertake these types of complex and expensive projects that ultimately support the Governor's California Water Action Plan. Additionally, it is imperative that water reuse (e.g., recycled water, indirect or direct potable reuse) be included among locally developed water supplies in any new regulations as they have been an effective strategy for agencies statewide in reducing demands upon imported water.
- Mandate reductions only on the percentage of water supplies that are delivered via the State Water Project or Central Valley Project. Supplies from the Colorado River Basin and especially locally developed supplies, many of which were developed specifically to prevent reductions in times of drought, should not be subject to the same reductions.

OMWD has been a leader in conservation efforts responding to the drought. We responded aggressively to the Regulations with higher "drought rates" for our customers, dedicated staff positions and outside contractors to focus specifically on enforcement of water use restrictions, and we fined customers for repeated violations of the restrictions. We have directly engaged our 200 heaviest users to offer our assistance reducing their water use, offered several additional conservation workshops to customers, and conducted audits of all customers designated as agricultural. We partnered with California State University San Marcos on a graduate study through which student interns canvassed our service area with information about the drought. We opened the first recycled water fill station in San Diego County to allow residential customers the option of meeting irrigation needs with a sustainable source of water.

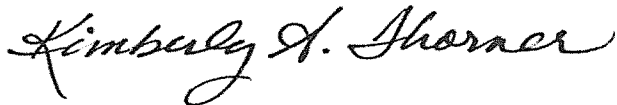
As good stewards of our water supply we have achieved this reduction through a great deal of effort in communicating with our customers about the Regulations. Communication is a two-way street, however, and we have found ourselves repeatedly responding to certain questions from Californians in our service area that we are obliged to share with you prior to implementation of any future state regulations. Of specific concern to these customers is why the State Board is requiring them to adhere to a specific weekly irrigation schedule if they have reduced their water use by 32% or more, why none of their conservation efforts prior to 2013 are being considered, why they are asked to reduce their use at all when local wholesalers assert that local water demands can be met, why they are being asked to reduce more than other areas of the state that have not invested via higher water rates in water supply projects, and why water agencies have not been more assertive in challenging the restrictions imposed by the State Board. We are hearing these questions from our customers regularly in our board

meetings and during our community presentations. These questions deserve consideration as you move forward.

OMWD understands the difficulty in balancing statewide water supplies against water users' demands, legal challenges, water agency protests, pressure from environmental groups, and so forth; your efforts in doing so, especially as you engage the public for comment, are appreciated. We believe that the considerations we have offered above each represent a common sense approach to navigating the next several months' worth of drought should the State Board determine it is necessary to extend or modify the Regulations.

If you or your staff should need any additional details pertaining to our assessment of the proposed modification and extension of the Regulations, please do not hesitate to contact me at 760-753-6466.

Regards,



Kimberly Thorner
General Manager

CC: Wade Crowfoot, Deputy Cabinet Secretary, Office of Governor Edmund G. Brown, Jr.
Assemblywoman Marie Waldron
Assemblyman Rocky Chavez
Assemblyman Brian Maienschein
Assemblywoman Toni Atkins
Senator Pat Bates
Senator Joel Anderson
Senator Marty Block
Mark Weston, San Diego County Water Authority
Tom Howard, Executive Director, State Water Resources Control Board
Caren Trgovcich, Chief Deputy Director, State Water Resources Control Board
Planning and Performance
Max Gomberg, Climate Change Mitigation Strategist, State Water Resources Control Board
Dave Bolland, Association of California Water Agencies, via email, daveb@acwa.com