



Mark N. Kinsey  
GENERAL MANAGER

December 2, 2015

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814  
Submitted via e-mail to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



### Comment Letter – Urban Water Conservation Workshop

Dear Honorable Chairperson Marcus and Board Members,

Monte Vista Water District (District) respectfully submits the following comments on the State Water Resources Control Board's (State Water Board) potential extension and modification of the existing Emergency Regulation for Statewide Urban Water Conservation (Emergency Regulation) if drought conditions persist into 2016. These comments are in response to the State Water Board's notice requesting public input through a public workshop on urban water conservation to be held on December 7, 2015.

To date, the District's water customers have exceeded their 24% water use reduction goal compared to 2013. This is on top of significant water use reductions since the late 2000s when the current extended drought began. From June through October this year, our customers have used **41% less water** than they did in 2007. Our customers are achieving record-low levels of water use despite 15% growth in population, significant commercial development, and economic recovery from the Great Recession. Such extraordinary conservation efforts come at a cost, both to agency revenues and to our customers' quality of life.

Governor Brown's November 13 Executive Order authorizes the extension of urban water use restrictions if drought conditions persist, with a requirement to consider modifications "to address uses of potable and non-potable water, as well as to incorporate insights gained from existing restrictions." Despite expected increases in precipitation due to El Niño, we believe drought conditions will continue through 2016. We also believe it is appropriate and necessary for the State Water Board to consider improvements to the Emergency Regulation to address significant issues associated with equity and recognition of past conservation efforts and investments.

The following recommended modifications to the existing Emergency Regulation are organized based on the three questions posed by the State Water Board in its notice:

# Water District

10575 Central Avenue, Post Office Box 71 • Montclair, CA 91763 • (909) 624-0035 • FAX (909) 624-4725 • [www.mvwd.org](http://www.mvwd.org)

Sandra S. Rose  
PRESIDENT

Tony Lopez  
VICE PRESIDENT

Philip L. Erwin  
DIRECTOR / BOARD AUDITOR

G. Michael Milhiser  
DIRECTOR

Manny Martinez  
DIRECTOR

**1. What elements of the existing Emergency Regulation, if any, should be modified in an extended Emergency Regulation?**

- **Consider moving the baseline.** Although the Governor declared a drought emergency in 2014, an extended drought has existed in the State since 2007. The District and many other agencies have responded to this extended drought through enhanced conservation programs, recycled water development, increased local storage, and efficiency-based rate structures. Moving the baseline to a pre-drought period would recognize these earlier conservation efforts, the benefits of which extend through today. It would also provide the State Water Board with a better regulatory framework for addressing the “new normal” of long-term drought conditions which include intervening wet years.
- **Use a better metric.** The District has significant reservations regarding the use of Residential Gallons Per Capita Per Day (R-GPCD) as a metric for apportioning water supplier reductions. Because of differences in account type tracking (single- vs. multi-family, residential vs. dedicated irrigation) and billing frequency (monthly vs. bimonthly), each agency must necessarily use a different method to estimate the percentage of residential use for a given month. In contrast, the Gallons Per Capita Per Day (GPCD) metric established by SBX7-7 has been fully standardized and is already used by water agencies to comply with existing non-emergency regulations. Alternatively, the State Water Board may want to consider requiring that water agencies meet the State’s efficiency-based standard (55 GPCD indoors, 80% reference evapotranspiration outdoors) established by SBX7-7 and AB 1881. However, this standard would require data, such as the total square footage of irrigated landscape within an agency’s service area, which may not be available to many agencies.
- **Incorporate proposals to address equity issues.** The District supports the following proposals developed by water agencies and submitted collectively through the Association of California Water Agencies’ letter dated November 30, 2015, which address inequities built into the existing Emergency Regulations:
  - a. Climate Adjustment
  - b. Growth Adjustment
  - c. Recycled Water Adjustment
  - d. Sustainable Supplies Credits (desalination, potable reuse, and conserved water transfers)
  - e. Groundwater Credits
  - f. Regional Compliance Option

**2. What additional data, if any, should the State Water Board be collecting through the Emergency Regulation and how would it be used?**

- **Require only needed data.** There is no need to add additional data submittal requirements to the regulation, except as necessary to implement the proposed climate and growth adjustments.

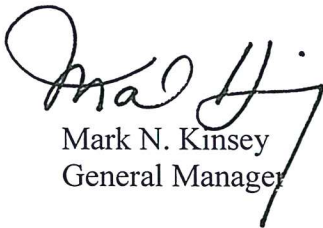
**3. How should the State Water Board account for precipitation after January 2016 in its implementation of any extension of the Emergency Regulation?**

- **Adjust restrictions based on water supply conditions.** There should be a direct connection between mandatory demand reductions and current water supply conditions, taking into account potential increased precipitation and storage levels. There should also be a direct connection between mandated water use restrictions and local supply conditions for individual water purveyors. Before applying or extending restrictions, the State Water Board should consider the supply situation of each water agency and whether they are experiencing shortages or have resilient supplies due to forward-thinking investments.

Monte Vista Water District appreciates your and your staff's time and consideration in reviewing our comments. If you have any questions, please feel free to call me directly at (909) 267-2170.

Sincerely,

*Monte Vista Water District*



Mark N. Kinsey  
General Manager