



November 23, 2013

Jeanine Townsend  
Clerk of the Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814



Subject: SWRCB Emergency Regulations

Dear Ms. Townsend,

The Rainbow Municipal Water District, while classified as an urban water agency, serves a primarily agricultural customer base in an 80 square mile portion of northern San Diego County. As you may be aware, we were one of the agencies that was issued a Conservation Order by the SWRCB in July but have made great progress in our outreach efforts and are now in your Compliance Category 0. In fact, we are the only agency with a Conservation Order to move into the lowest compliance category.

As the SWRCB considers revisions to the Emergency Regulations related to the drought, it is important that you consider modifications that take clear, rational steps to encourage everyone in the State to take the Governor's Water Action Plan seriously. Here in San Diego County we have been a model of how to do exactly what the Governor's plan called for. We have invested billions of dollars in various projects designed specifically to ensure drought resiliency and reduce our dependency on the Bay Delta. This investment was made by our customers specifically to deal with periods of shortage like that we are seeing now. Water prices in San Diego County are among the highest in the State – our customers made these investments with the understanding that they would have reliable water supplies even in times of shortage. Regrettably, the current regulations have completely taken away the benefit of our investments.

Should the regulations continue as they are currently written, a good number of water supply projects that are intended to provide local, drought resilient water will fail to get off the drawing board. These newer water sources are more expensive – by a wide margin – than imported water, so when a state-imposed regulation restricts or eliminates the very drought resiliency benefit that the supply is intended to provide, project benefits are drastically reduced and the financial viability of the project is eroded.

To that end, we request that the SWRCB consider revising the regulations so that local agencies across the state can achieve reduction targets through a combination of conservation and sustainable supplies, meeting the intention of the Governor's Water Action Plan. The drought regulations correctly seek to manage water supply for areas that are wholly dependent on supplies that are under duress from the drought or over extraction of groundwater. The problem is that the regulations are currently extended to include supplies that are not under similar duress.

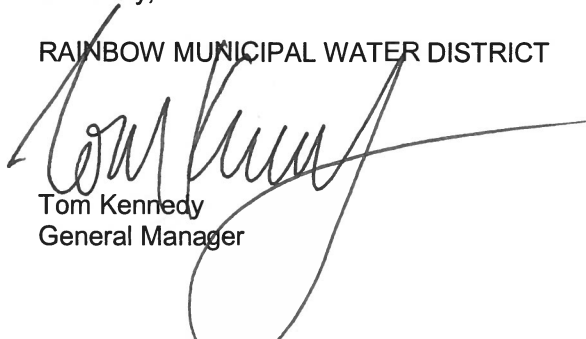
Here in San Diego County we favor an approach that deals with water shortages based on the actual conditions present in the various parts of the State, rather than an overly simplistic – and unfair – system that tries to apply the same standards everywhere irrespective of local conditions. The water suppliers here in San Diego County are working closely with other agencies throughout the state and the State Board staff on very specific recommendations that are both fair to everyone statewide and recognize the decades long effort by the ratepayers in San Diego County to secure a reliable, drought resistant supply of water.

*Jeanine Townsend*  
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I will not reiterate these recommendations here but ask that each receive careful consideration as we work to refine the current regulations.

Sincerely,

RAINBOW MUNICIPAL WATER DISTRICT

A large, stylized handwritten signature in black ink, appearing to read "Tom Kennedy". The signature is written over the printed name and title below it.

Tom Kennedy  
General Manager

cc: RMWD Board of Directors  
RMWD General Counsel