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Ms. Jessica Bean  
and Members of the State Water Resources Control Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Subject: Mandatory Conservation Proposed Regulatory Framework

Dear Ms. Bean and Members of the Board:

The Carmichael Water District (CWD) has reviewed the Notice of Proposed Regulatory Framework for implementation of the required statewide 25% potable urban water savings. We appreciate the opportunity to comment, and hope that our comments will assist the State Water Resources Control Board (SWRCB).

On January 27, 2014, CWD implemented our water shortage contingency plan calling for reductions in water use. In addition, the CWD Board of Directors adopted Resolution 06162014-1 declaring a water shortage emergency condition. With the water shortage emergency declaration, CWD fully implemented the SWRCB's July 15, 2014 Emergency Regulations for Water Conservation. Since implementation of the above actions, CWD has seen reductions of 20% compared to 2013 water use. Although CWD agrees with the need for mandatory conservation there are factors that should be considered further in the SWRCB's approach when developing the regulatory framework.

#### **Past Performance Programs - Factors That Should Be Considered**

- **Meter Program:** CWD is 100% metered and charges customers based on a consumptive charge as well as a set service charge.
- **Leak Detection:** CWD measures unaccounted for water, surveys main and service lines and implements an aggressive repair program. Currently, CWD's audit, leak detection and repair program keep unaccounted for water at just under 10%.
- **Best Management Practices (BMP):** CWD implemented and maintains a BMP program to ensure efficient water use throughout its service area. CWD has been a Sacramento Area Water Forum (Water Forum) signatory since 2000 and has been operating its water conservation program consistent with its purveyor specific agreement under the Water Forum. In addition CWD is a member of the California Urban Water Conservation Council and has actively participated on many of its committees.
- **Beneficial Use:** Since July 2005, CWD, Aerojet Rocketdyne (Aerojet), and Sacramento County Regional Parks Department have collaborated in groundwater remediation projects to prevent contaminant plumes from reaching CWD groundwater supplies resulting in the installation of two Groundwater Extraction & Treatment facilities. One facility, located at Ancil Hoffman Park in Carmichael, utilizes treated water for irrigation of the golf course. The volume of water treated is sufficient to meet about half of the golf course's non-potable irrigation water needs from May through September, and all of the non-potable irrigation water needs from October through April. This innovative approach

has reduced CWD's largest water user's consumption by 50%. Any water not used for irrigation is discharged to the American River for beneficial use.

CWD's collective approach to water conservation, system improvements, and resource management has reduced water production from a 1997 level of 13,646 acre feet per year (af/yr) to a 2014 low of 8,359 af/yr. The result is a 39% reduction in use since CWD began aggressive implementation of water reduction measures. Opportunities for additional conservation measures are becoming increasingly difficult and punitive to CWD customers.

### **CWD Concerns**

- CWD agrees with utilizing 2013 data as the baseline for setting water reduction goals as long as it is approached as an *annual base line and not month-by-month*.
- The placement of agencies in the regulatory framework tiers is of concern to CWD. The use of September 2014 R-GPCD data does not accurately reflect CWD's true annual R-GPCD and reductions. The September 2014 R-GPCD number for CWD in the proposed regulatory framework does not match the data that was submitted.
- The SWRC's proposed regulatory framework does not incorporate demographics (lot size, climate, etc.), past performance programs (completion of meter installations, leak detection and repair programs, etc.) and continued reductions in use. These factors play a significant role in meeting reduction requirements.

### **Suggested Alternative Approach**

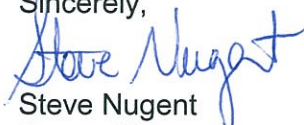
CWD agrees that a tiered approach in meeting the Governor's Executive Order to reduce California's water consumption by 25% may be the best solution and fully supports the SWRCB's current non-prescriptive method at meeting this goal; however, the use of September 2014 data only when determining placement within the tiers is not a truly accurate index to the actual water conservation that has been achieved by CWD.

CWD has calculated its R-GPCD for the full 2014 calendar year utilizing the SWRCB's formula. The results show CWD achieving an R-GPCD of **148** for 2014. This is a much more accurate assessment of CWD's R-GPCD compared to the single month approach that placed CWD at 203 R-GPCD. Annual comparison is a more equitable approach when calculating an agency's placement among the tiers.

A past conservation performance factor needs to be incorporated into the tiered approach. Investment into programs such as 100% completed meter installations and annual leak detection achieve considerable water savings. Agencies should be given proper credit for achieving State mandated goals.

CWD appreciates the need for statewide emergency action. CWD is ready and willing to assist the SWRCB in seeking a workable approach to water conservation during the current drought; however, CWD believes that an annual calendar comparison, along with incorporating past performance programs, leads to a more balanced and equitable method in implementing the Governor's April 1, 2015 executive Order.

Sincerely,



Steve Nugent  
General Manager