



THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

Office of the General Manager



VIA ELECTRONIC MAIL: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

May 13, 2016

The Honorable Felicia Marcus, Chair  
and Members of the State Water Resources Control Board  
c/o Jeanine Townsend  
Clerk to the State Water Board  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Re: May 18, 2016 BOARD MEETING (Conservation Extended Emergency Regulation)

Dear Chairwoman Marcus and Members of the State Water Resources Control Board:

The Metropolitan Water District of Southern California (Metropolitan) welcomes the opportunity to provide comments on the State Water Resources Control Board's (State Board) proposed extended emergency regulation for urban water conservation and to reiterate our unwavering commitment to conservation and a sustainable water future. In addition, Metropolitan appreciates the State Board using the input it received from the public workshop held on April 20, 2016, and other stakeholder input to develop the proposed regulation adjusting the statewide conservation requirements. The addition of a self-certification, supply-based approach is a positive step that will help agencies establish requirements and messaging that is consistent with their local conditions. Set forth below are Metropolitan's comments on the proposed regulation:

A. A Commitment To Conservation, Regardless of Supply Availability

Earlier this month, after careful consideration of current water supply conditions, Metropolitan's Board of Directors declared a Regional Water Supply Alert. This Alert sends the message to all agencies within Metropolitan's service area that local drought and conservation ordinances must remain in effect through June of 2017. While supply conditions have improved compared to recent years, Southern California remains in a drought condition. As a result, Metropolitan's region will continue to use the local tools most effective in each area to achieve continued water savings. Metropolitan also supports and recognizes that a commitment to eliminating wasteful water use practices and behaviors is a long-term requirement. As such, Metropolitan looks forward to engaging in discussions about new long-term conservation goals beyond the current 20 percent by 2020 targets. An approach that heightens the State's focus on efficient outdoor water use in a non-emergency framework will be important for our future.

For decades, Metropolitan has actively promoted and invested nearly \$1 billion to conserve imported water through its pioneering region-wide programs in water conservation, water recycling, and groundwater recovery (Metropolitan's *Annual Report to the California State Legislature on Achievements in Conservation, Recycling and Groundwater Recharge* (February 2016) at p. 3).<sup>1</sup> In response to the continuing drought, Metropolitan committed \$450 million to conservation device rebates and turf removal incentives for tens of thousands of homeowners and businesses throughout the region. Going forward, Metropolitan's region will continue to find innovative ways to increase efficient water use. To that end, Metropolitan has partnered with the U.S. Bureau of Reclamation, U.S. Environmental Protection Agency, Southern Nevada Water Authority, Central Arizona Project, and the Southern California Gas Company on a program known as the Innovative Conservation Program (ICP)<sup>2</sup>. The ICP is a grant program providing \$500,000 in funding to support proposals that conduct research and investigate new technologies and behaviors that can be used to make further gains in water use efficiency. Proposals under this program must be submitted for evaluation by May 23.

B. Urban Water Wholesalers Should Be Allowed To Calculate The Volume Of Water They Expect To Deliver To Urban Water Suppliers In The Aggregate

Section 864.5(e) of the proposed regulation states: "Each urban water wholesaler shall calculate, to the best of its ability, and no later than June 8, 2016, the volume of water that it expects it would deliver to each urban water supplier in each of the next three years under the assumptions identified in subdivision (b), and post that calculation, and the underlying analysis, to a publicly-accessible webpage" (emphasis added). However, it is not possible for all wholesalers to calculate the volume of water they expect to deliver in the future to each individual urban water supplier. For example, some wholesalers such as Metropolitan do not have contracts with their member agencies for future water sales. Also, many wholesalers deliver different combinations of supply sources to other urban water suppliers. As a result, calculating supply projections for each urban water supplier would be difficult, if not impossible.

Instead, Metropolitan suggests that the State Board allow wholesalers to calculate the total volume of water they expect to deliver in each of the next three years in order to meet aggregate demands from their member agencies/urban water suppliers. Wholesale suppliers would still provide their assumptions,<sup>3</sup> calculations, and underlying analysis for regional demands and available supplies, as proposed in the extended emergency regulation. (Section 864.5(e).) Since a wholesaler's total potable water demand for each of the next three years will be the

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<sup>1</sup> A copy of this report is available at [http://www.mwdh2o.com/PDF\\_About\\_Your\\_Water/2.1.1\\_Regional\\_Progress\\_ReportSB60.pdf](http://www.mwdh2o.com/PDF_About_Your_Water/2.1.1_Regional_Progress_ReportSB60.pdf).

<sup>2</sup> Further information available at <http://www.bewaterwise.com/icp.html>.

<sup>3</sup> The State Board should also clarify that assumption (b)(4) does not apply to wholesalers, such as by revising the text in Section 864.5(e) to state: "... under the assumptions identified in subdivision (b)(1) through (3), ..."

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wholesaler's average annual total potable water production for the years 2013 and 2014 (Section 864.5(b)(2)), it is not necessary to pinpoint deliveries to each urban water supplier.

C. The Posting Format May Vary Between Wholesalers

Section 864.5(e) of the proposed regulation provides that each urban water wholesaler shall "post that calculation, and the underlying analysis, to a publicly-accessible webpage." Metropolitan understands the State Board's interest in ensuring the transparency of the wholesalers' calculations and their underlying analyses. Also, because each wholesaler has different operating and management schemes, Metropolitan appreciates the State Board allowing wholesalers flexibility in selecting which format they may use to provide this information on a publicly-accessible webpage. The important point is that, regardless of the format, each wholesaler will post for public review its calculation and underlying analysis for the volume of water supply available and which it expects to deliver to urban water suppliers in each of the next three years under the assumptions in Section 864.5(b)(1) through (3).

Metropolitan appreciates having this opportunity to comment on the State Board's proposed extended emergency regulation for urban water conservation. We also look forward to continuing to work with the State Board on the emergency regulation, new long-term water use efficiency goals that build upon the 20 percent by 2020 targets, and updated requirements for urban Water Shortage Contingency Plans as set forth in Governor Brown's Executive Order B-37-16. If you have any questions or would like any additional information, please contact Deven Upadhyay at (213) 217-6686.

Very truly yours,



Debra C. Man  
Assistant General Manager/Chief Operating Officer

cc: Grace Chan  
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