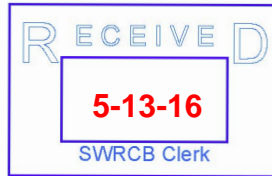


VALLEY CENTER MUNICIPAL WATER DISTRICT

A Public Agency Organized July 12, 1954

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(5/18/16) Board Meeting- Item 10
Conservation Extended Emergency Reg
Deadline: 5/16/16 by 12:00 noon



May 13, 2016

Ms. Felicia Marcus, Chair
State Water Resources Control Board
1001 "I" Street
Sacramento, CA 95814

Sent via e-mail to: commentletters@waterboards.ca.gov.

Subject: Comments – Proposed Extended Emergency Regulation for Urban Water Conservation to be Considered by the SWRCB on May 18, 2016

Dear Ms. Marcus:

Initially we want to thank you for the opportunity to comment prior to and then participate in the May 18, 2016 Public Hearing on the **Proposed Extended Emergency Regulation State Water Urban Water Conservation** ("Extended Regulation"). Further, we also want to express our appreciation for the attention and tremendous effort the State Water Resources Control Board ("State Board") and the involved State Board staff have invested in this arduous process and more critically, the serious and thoughtful consideration given to our input over the last year or so. Finally, we believe that a valuable outgrowth of this process is that all parties involved have gained a greater understanding of each other's concerns and objectives which hopefully leads to a mutual agreed to way forward for California Water.

With respect to the proposed Extended Regulation we are generally very pleased and supportive with the direction and overall content of the draft. We would, however, like to offer the following comments:

1. End-User Requirements in Promotion of Water Conservation (Sec. 864) - We support the provisions to continue promotion of water conservation among our retail customers, including the prohibitions to prevent water waste. We also recommend continuing the mandatory conservation measures for the hospitality industry (re-using towels in hotels and serving water only on request in restaurants, bars) which sends an important message and maintains a degree of awareness among the public for the need to conserve in the ongoing drought.

2. Self-Certification of Supply Reliability for Three Additional Years of Drought (Sec. 864.5) - We much appreciate the willingness of the State Water Board to modify the regulations, based on comments provided by the state's water agencies, and strongly support the proposed supply-based self-certification approach that accounts for each community's unique supply conditions reflecting actual shortages projected within a supplier's service area.

A. Our support also comes with the following recommended technical changes:

1. **Additional Time** - Provide an additional week for compliance by amending Sec. 864.5(a) (2) and 864.5(a) (3) to June 22 and Sec. 864.5(b) (4) (e) to June 15. This allows wholesale and retail agencies some additional time to ensure that their calculations are quality-assured, which is particularly necessary where there are several levels of wholesale suppliers.

2. **July Compliance** - Provide for urban water suppliers that are unable to meet the June 22 deadline to comply with the self-certification requirements beginning in July, complying with the applicable conservation standard in section 865 through June 2016.

3. **Regional Supply Sufficiency** - Provide an option that would allow wholesalers to evaluate the sufficiency of available aggregate supplies to meet the aggregate demands of the urban water suppliers they serve. Assuming a wholesale water agency can demonstrate regional supply sufficiency, no additional analysis would be needed by its retail water agencies for their self-certification reporting. This would offer a more streamlined reporting and enforcement option for the State Board.

4. **Conservation Standard Calculation** - Amend 864.5(a)(4)(b) to calculate the conservation standard based on the first year, rather than the third year to reflect immediate emergency conditions rather highly conservative “worst case” conditions associated with the third year hydrology.

5. **Three Year Basis for Potable Demand Calculation** - Amend 864.5(a)(4)(b)(2) to calculate potable water demand based on an average of three years including 2015, which is expected to better reflect lower water user demand in the face of continued drought conditions as would be communicated by water suppliers, the state, and the media.

6. **Account for Recycled Water Conversions** - Adjust Potable Demand at the Retail Level to Account for Recycled Water Conversions. Retail agencies that have reduced their potable demand through conversions to recycled water should be able to adjust their baseline demand accordingly.

3. No Need for Mandatory Conservation Floor -We oppose a mandatory water conservation floor as it is unnecessary and undercuts the logic of setting conservation standards based on actual regional and local water supply conditions. By retaining the basic water waste prohibitions outlined in Sec. 864, essentially the State Board has established a de-facto conservation floor.

4. Monthly Conservation Reporting (Sec. 865. (b) (1) & (2)) - We also understand the need for and support the continuation of the monthly monitoring but would underscore the need that any continued or additional conservation reporting actually supports and enhances the effectiveness of ongoing local conservation efforts by retail water agencies often with limited staff and technological resources.

5. Agricultural Water Management Plans - Paragraph 12 of Executive Order B-29-15 required that Agricultural water suppliers that supply water to more than 25,000 acres shall include in their required 2015 Agricultural Water Management Plans a detailed drought management plan. Further, Paragraph 13 of Executive Order B-29-15 required agricultural water suppliers that supply water to 10,000 to 25,000 acres of irrigated lands to develop Agricultural Water Management Plans and submit the plans to the Department by July 1, 2016.

Pursuant to Paragraphs 12 and 13 of Executive Order B-29-15, fourteen retail water agencies within the San Diego County Water Authority service area, including the Valley Center Municipal Water District, in conjunction with the San Diego County Farm Bureau developed the “San Diego Regional Agricultural Water Management Plan, January, 2016, and submitted said plan to the Department of Water Resources, and it is currently under review by DWR.

Executive Order B-37-16, Paragraph 12, states that “the Department (of Water Resources) shall permanently require the completion of Agricultural Water Management Plans by water suppliers with over 10,000 irrigated acres of land. Further, Paragraph 13 states, “ The Department (of Water Resources), together with the California Department of Agriculture, shall consult with agricultural water suppliers, local governments, agricultural producers, environmental groups, and other partners to update the requirements for Agricultural Water Management Plans. The update draft requirements shall be publically released by January 10, 2017.”

We would ask that the State Board support recognition by the Administration and the Department of Water Resources of the previously referred to “San Diego Regional Agricultural Water Management Plan, January, 2016,” the contents of which were approved by the Department of Water Resources and deem it in compliance with whatever revised standards are developed by January 10, 2017 under it is required that all agricultural water management plans developed under the new standards are required to be updated. In this manner the recent investment of time and resources in the San Diego plan just recently submitted will not have been wasted.

Long-Term Water Use Efficiency Standards

Finally, using the spirit of cooperation that has evolved over the last year as a starting point, we look forward to an open, thoughtful and inclusive process for future collaboration with the State Water Board and Department of Water Resources on the Governor’s May 9th Executive Order directive regarding the development and implementation of Long-term Water Use Efficiency and making “Water Conservation a California Way of Life.”

In closing, we want to again thank the State Board and its staff for its tireless commitment and effort given during past year and for its careful consideration of the input and contribution by the California Water Community in dealing with the unprecedented Drought Emergency. Through our joint efforts we have helped bring California through a very difficult period and have better prepared the state for the next severe drought which will surely come our way.

Sincerely,



Gary Arant
General Manager

Cc:

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kathy.frevert@waterboards.ca.gov