



THE CITY OF SAN DIEGO

May 16, 2016



Sent via Electronic Mail: commentletters@waterboards.ca.gov

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

Subject: Comment Letter - May 18, 2016, BOARD MEETING (Conservation Extended
Emergency Regulation)

Dear Chair Marcus and Members of the Board:

Thank you for this opportunity to comment on the Staff Proposal for Extended Emergency Regulation for Urban Water Conservation that was issued by the State Water Resources Control Board (State Water Board) on May 9, 2016. We agree that it is appropriate to consider a revised approach for the extended conservation regulations since water supply conditions have improved, but also because encouraging a robust adaptive water management planning process is elemental for achieving long-term water supply reliability statewide.

Proposed Supply-Based Approach

The City of San Diego (San Diego) strongly supports the general approach proposed by State Water Board staff to allow individual retail agencies the ability to establish and self-certify 2016 conservation standards based on a demonstration of local potable supply adequacy in 2016 and three additional dry years. We supported the Supply-Based approach in our previous letter dated April 14, 2016, and we now ask the State Water Board to adopt it, with some minor edits, at its May 18 Board Meeting. Our proposed edits are as follows:

1. Allow Additional Analysis and Reporting Time

The proposed regulation would require water wholesalers to submit by June 8, 2016, data associated with water supply availability for the next three years and then require retail water agencies to utilize this information to submit and self-certify its conservation standard by June 15, 2016. This timeframe is very aggressive, especially considering the fact that agencies such as ours have multiple wholesale water providers from which to collect data. We ask for consideration an additional week in the reporting deadlines to allow sufficient time for an orderly and robust evaluation process.



2. Allow the Option for Wholesalers to Report Expected Supply Sufficiency within their Service Territory

The proposed regulation directs water wholesalers to report the volume of water that it expects it would deliver to each urban water supplier in each of the next three years so that each retail water agency can complete and submit its own supply sufficiency assessment. We support this approach but also request the addition of an optional approach allowing water wholesalers the ability to evaluate the supply sufficiency of available aggregate water supplies to meet the aggregate water demands of the urban water suppliers they serve. Assuming the wholesale water agency can demonstrate regional supply sufficiency, no additional analysis would be needed by the retail water agencies for their self-certification reporting. This offers a more streamlined reporting option.

3. Base Future Demands on Years 2013 – 2015

The proposed regulation directs water suppliers to project future demands based on an average of total annual potable water production from the years 2013 and 2014. San Diego recommends that the State Water Board instead incorporate a three-year average production from 2013-2015 to more accurately represent continued water-use efficiency responses related to continued curtailment of some discretionary water uses and continued statewide encouragement of water conservation efforts.

4. Continue Hospitality Industry Promotion of Water Conservation

The proposed regulations recommend eliminating two end-user requirements that we believe have been highly instrumental in communicating the importance of using water wisely: a) requiring restaurants to serve water only upon request; and, b) requiring hotels and motels to offer patrons the option of having towels and linens laundered daily. The conservation messages supported by these actions are especially important in tourism communities such as San Diego. As such, San Diego established them as permanent water waste prohibitions in its municipal code back in 2011. San Diego encourages the State Water Board to likewise and incorporate these water use prohibitions as permanent in California.

Conservation Floor

In its meeting announcement, the State Water Board encouraged those submitting written comments to address the question of whether there should be a conservation floor incorporated into the extended emergency regulation. San Diego believes that the 20x2020 framework established by SB 7x 7 establishes the State's conservation floor for each water agency in terms of a gallons per capita goal for 2015 and 2020. As long as an agency is meeting or exceeding its 20x2020 goals for 2015 and if that agency projects no supply shortages in its report to the State Water Board, then no emergency exists and the addition of an arbitrary conservation floor is not justifiable within the scope of this regulation.

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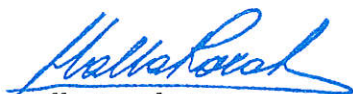
Reporting during Emergency Conditions and Permanent Framework for Water Use

San Diego supports the ongoing reporting requirements in the proposed regulation. Additionally, we would like to suggest future consideration of adding reporting metrics related to the impacts, if any, that continued indoor water conservation is having on wastewater systems. San Diego's wastewater flows have been reduced by 10% since 2012, largely as a result of the water conservation regulations. We have seen related increases in solids and chemical use for sulfide control in the collections system. Increased levels of suspended solids due to water conservation and waste diversion from landfills (another California policy priority) have the potential to impact the operations of our wastewater facilities and is making clearer to us the integrated nature of water management policy decisions.

As an agency that is embarking on a large-scale water reuse program, we support policies to assure that future wastewater flows will be sufficient to ensure viability or functionality of recycling and reuse. When discussions on the long-term conservation framework ensue, we hope that the State Water Board will promote an approach that looks at the full spectrum of integrated water management issues and opportunities before us and not just look at water conservation as a stand-alone item.

The City of San Diego thanks the State Water Board for your continued leadership. We have actively participated in the conservation discussions over the past year and a half and we look forward to continued dialogue on the design of a permanent framework for water-use efficiency.

Sincerely,



Halla Razak, P.E.
Director, Public Utilities Department

CP/slh