



## San Diego County Water Authority

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May 13, 2016

Delivered by e-mail to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

#### MEMBER AGENCIES

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Municipal Water District

City of Del Mar

City of Escondido

City of National City

City of Oceanside

City of Poway

City of San Diego

Fallbrook  
Public Utility District

Helix Water District

Lakeside Water District

Olivenhain  
Municipal Water District

Otay Water District

Padre Dam  
Municipal Water District

Camp Pendleton  
Marine Corps Base

Rainbow  
Municipal Water District

Ramona  
Municipal Water District

Rincon del Diablo  
Municipal Water District

San Dieguito Water District

Santa Fe Irrigation District

South Bay Irrigation District

Vallecitos Water District

Valley Center  
Municipal Water District

Vista Irrigation District

Yuima  
Municipal Water District

#### OTHER REPRESENTATIVE

County of San Diego

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

Subject: May 18, 2016 Board Meeting (Extended Emergency Regulation for Urban Water Conservation)

Dear Chair Marcus and Members of the State Water Board:

Thank you for the opportunity to provide comments on the proposed revisions to the urban water conservation emergency regulation. We appreciate the willingness of the State Water Board to modify the regulations, based on comments provided by the Water Authority and other water agencies, to incorporate a supply-based self-certification approach, that accounts for unique supply conditions of each community and reflects the actual shortage conditions projected within a water supplier's service area. By taking into account actual conditions, the approach accounts for supplier investments in reliable drought-resilient local supplies and conservation.

In the San Diego region, the Water Authority and our member agencies have made significant investments since the 1990s to provide a reliable supply for the San Diego region. These investments include drought resilient supplies, namely recycled water, groundwater, brackish groundwater, and seawater desalination, as well as carryover storage for use in prolonged droughts. Our region has also prioritized conservation, with per capita potable water use down approximately 40 percent since 1990. By basing a supplier's conservation standard on available supplies, it provides incentive to continue to invest in drought resilient local supplies and conservation.

We strongly support the revised supply-based approach. We also offer the following recommendations to the proposed regulation for your consideration.

### **Include an Option for Wholesalers to Report Expected Supply Sufficiency within their Service Area**

We recommend that the State Water Board provide an option that would allow 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 option would offer a more streamlined reporting option.

### **Incorporate 2015 Demands**

We recommend using three years to establish an average baseline potable demand. In addition to 2013 and 2014, 2015 should be included when determining average demands under Section 864.5(b)(2). Including 2015 will provide an average potable demand that is more representative of actual demands, and will more accurately reflect projected demands over the next 3 years. Using these three years would still provide a very conservative analysis that incorporates demand from 2013 before the Governor declared a statewide drought.

### **Adjust Potable Demand at the Retail Level to Account for Recycled Water Conversions**

The proposed regulation should provide an option for retail suppliers to adjust their baseline demand for any new recycled supply placed into service after the baseline period, with supporting documentation. Agencies within our service area have made investments to convert their potable demand to recycled water, which should be accounted for and incentivized.

### **Do Not Set a Minimum Conservation Standard or Floor**

In response to the State Water Board's request for input on whether there should be a conservation floor, it is not appropriate to set a minimum conservation standard when there is sufficient supply to meet demand projected, particularly given the conservative set of assumptions proposed to calculate a required conservation standard (i.e. using the 3<sup>rd</sup> consecutive dry year and incorporating demands from 2013). This conservative approach to determine adequacy of supply obviates the need to establish an additional conservation standard. In addition, to set an arbitrary minimum standard defeats the intent of the process, which is to establish a conservation standard based on projected available supplies. It also disincentivizes future investments in reliable drought resilient supplies, which require both time and funding to develop. Conservation is an important ongoing component of the Water Authority's long-term strategy to increase the reliability of our

supply, and we will continue to actively support efforts to promote regional water use efficiency in collaboration with our member agencies.

**Maintain Conservation Requirements for the Hospitality Industry**

We recommend continuing the conservation requirements contained in the current emergency regulation for the hospitality industry. These ongoing efforts not only save water, but also send an important, on-going public message about the need to continue to conserve.

**Provide Additional Time to Submit Information**

The proposed time schedule may be problematic for agencies, particularly when it requires sharing of water supply information through multiple wholesalers. We request the regulation be revised to allow for an additional week to submit supplier information to the State Water Board, allowing wholesale water suppliers until June 15 and urban water suppliers until June 22, 2016.

**Governor's Executive Order**

Looking forward, we will continue to actively engage and collaborate with the State Water Board and Department of Water Resources on meaningful ways to support the Governor's May 9<sup>th</sup> Executive Order regarding permanent long-term water use efficiency. Agricultural Water Management Plans and Urban Water Management Plans, which incorporate Shortage Contingency Plans, are important long term planning documents that incorporate supply and demand management and drought planning. The Water Authority and our member agencies have spent significant time and energy to proactively develop these plans, and recommend that any new requirements, resulting from the Executive Order, be incorporated into the next regularly scheduled updates of these plans.

We appreciate the willingness of the State Water Board and its staff to work together with the water agencies in an adaptive manner to craft a regulation that takes into account actual supply conditions and investments made in reliable water supplies and water use efficiency.

Sincerely,



Maureen A. Stapleton  
General Manager