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Richard W. Hansen, P.E.

VIA ELECTRONIC MAIL: commentletters@waterboards.ca.gov



May 16, 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 Three Valleys Municipal Water District (TVMWD) is thankful for 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 commitment to conservation and a sustainable water future. We also appreciate 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. Below are our comments on the proposed regulation:

A Commitment To Conservation, Regardless of Supply Availability

Earlier this month, after careful consideration of current water supply conditions, TVMWD's water wholesaler, the Metropolitan Water District (MWD), declared a Regional Water Supply Alert. This Alert sends the message to all MWD agencies and their customers 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, the region will continue to use the local tools most effective in each area to achieve continued water savings. This in no way signals a return to normal for our region, but rather is recognition that a commitment to reducing wasteful water use practices and behaviors is a long-term requirement. TVMWD therefore looks forward to engaging in discussions about new long-term conservation goals beyond the current 20% 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.

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”. 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 do not have contracts with their member agencies for future water sales. Additionally, 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 very difficult.

Instead, TVMWD 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, 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 wholesaler’s average annual total potable water production from 2013 and 2014, it is not necessary to pinpoint deliveries to each urban water supplier.

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.” We understand the State Board’s interest in ensuring the transparency of the wholesalers’ calculations and their underlying analyses and because each wholesaler has different operating and management schemes, TVMWD 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).

TVMWD 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% by 2020 targets, and updated requirements for urban Water Shortage Contingency Plans as set forth in Governor Brown’s Executive Order B-37-16. Thank you for your consideration of our comments. If you have any questions or comments, please contact me at 909-621-5568.

Sincerely,



Richard Hansen, P.E.

General Manager

Three Valleys Municipal Water District

cc: Senators Lois Wolk, Ed Hernandez, Bob Huff, Connie Leyva, Carol Liu, Tony Mendoza
Assembly Members Ian Calderon, Ling-Ling Chang, Roger Hernandez, Chris Holden, Freddie Rodriguez