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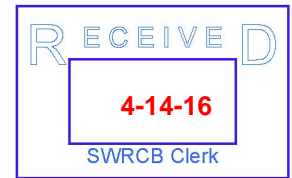
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(4/20/16) Public Workshop
Urban Water Conservation
Deadline: 4/14/16 by 12 noon



April 14, 2016

Delivered by e-mail to: 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 – Urban Water Conservation Workshop"

Dear Chair Marcus and Members of the Board:

Mesa Water District (Mesa Water®) appreciates this opportunity to provide comments to the State Water Resources Control Board (State Water Board) regarding possible additional modifications to the Extended Emergency Water Conservation Regulation (Emergency Regulation), in consideration of current water supply conditions.

Mesa Water provides retail potable and recycled water service to 108,000 residents of Costa Mesa, parts of Newport Beach, and unincorporated areas of Orange County including John Wayne Airport. Mesa Water provides 100 percent of its water from a blend of sustainably-managed local sources of groundwater, with imported water as a backup source.

Water agencies statewide are continuing to implement the unprecedented mandatory water use restrictions at significant continued cost, while drought conditions have been substantially alleviated by this winter's precipitation and snowpack, and local and regional water supplies are fully adequate to meet water user's needs.

Mesa Water is providing comments in response to the three questions posed in the meeting notice distributed by the State Water Board.

1. What elements of the existing February 2016 Emergency Regulation, if any, should be modified and how so?

Mesa Water believes that the Emergency Regulation should now be rescinded by the State Water Board based on uniformly secure water supply conditions statewide as a result of significant winter precipitation and snowpack, and local water supply projects that have come online and/or were expanded. Although precipitation and snowpack conditions may be only "normal" or even somewhat "below normal" in some regions, sufficient surface water supplies are clearly available to water agencies statewide such that storage is being fully replenished and the emergency status of this drought has been substantially alleviated. California water users are aware that the severity of the drought has been mitigated, and it is extremely important to acknowledge that, for now, conditions no longer warrant extraordinary emergency conservation mandates.



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Mesa Water does support statewide voluntary improvements in water use efficiency; however, we do not support a statewide continuation of the "End User Requirement in the Promotion of Water Conservation" such as in Section 864, because Mesa Water already has equivalent and/or stricter permanent restrictions in its Water Conservation and Water Supply Emergency Program. This duplicative layer of regulation is confusing for customers and puts an undue burden on local administration.

If the State Water Board makes a determination that some form of mandated water use restriction for individual water suppliers must be retained until this Emergency Regulation expires in October, Mesa Water recommends that the regulation be restructured to allow water agencies to submit their water supplies and shortfalls and adjust their demand reduction targets accordingly. If the State Water Board determines to reject this idea and yet continues to impose water supplier conservation mandates, the current Emergency Regulation needs to be significantly revised to add the credits and adjustments that have been previously advocated, including:

- Removing caps on local projects that produce sustainable and drought-resilient supplies to fully address the remaining unresolved equity issues and continued disincentives for further investment in local drought-resilient supplies. These sustainable and drought-resilient supplies should be certified by the local agency and/or wholesalers as appropriate.
- Expanding the definition of "drought-resilient supplies" to clearly include any water that requires significant or advanced treatment to meet water quality requirements for distribution as a potable water supply.
- Removing the 2013 project start-date as qualifying criteria for drought-resilient supplies as it cuts off significant pre-drought investments and does not recognize the local funding and planning cycle that has positioned California to meet the challenge of this drought.

2. How should the State Water Board account for regional differences in precipitation and lingering drought impacts, and what would be the methods of doing so?

Due to the interconnectedness of the California water systems, regional differences in precipitation have varying impacts on water supply security for water agencies statewide depending on the level of a water agency's dependence on import supplies versus other supplies. This year, Northern California snowpack conditions, the 2016 State Water Project Allocation of 45%, and diverse water supply investments by water agencies statewide do mitigate effects of regional precipitation deficiencies. Any "lingering drought impacts" will need to be assessed in coming months and appropriate responses targeted to specific conditions that are identified in individual affected communities. Urban water suppliers can be expected to be at the forefront of this effort.



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3. To what extent should the State Water Board consider the reliability of urban water supplier supply portfolios in this emergency regulation?

The State Water Board should rely on existing information on water supply reliability that is already available in individual urban water supplier's Urban Water Management Plans, which include Water Shortage Contingency Plans (WSCP). Mesa Water's Water Conservation and Water Supply Emergency Program identifies various permanent and emergency conservation actions required by the customer and Mesa Water, based on any water shortage or threat of a water shortage. The State Water Board should not place itself in the position of evaluating the reliability of urban water supplier's water supply portfolios or water conservation regulations in the context of the Emergency Regulation.

Conclusion

Mesa Water believes it is time to end the State Water Board's mandatory water use restrictions statewide. Continuing to ask Californians to sustain heroic water conservation efforts that are disproportionate to actual water supply conditions will undermine the credibility of the Administration and California's public water agencies and may make it much harder to generate the required trust and response should emergency conditions re-emerge in the future.

Thank you for considering these comments. Mesa Water continues to appreciate the significant attention the State Water Board continues to give to the Emergency Regulation. I am available to discuss these comments at PaulS@MesaWater.org or 949.631.1200.

Sincerely,

Paul E. Shoenberger, PE
General Manager