

# CITY OF REDDING



PUBLIC WORKS - ENGINEERING

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May 4, 2015

Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814



Subject: Comment Letter – Emergency Conservation Regulation

Dear Ms. Townsend:

Thank you for the opportunity to provide comments on the Notice of Proposed Emergency Regulation Implementing the 25% Conservation Standard. We commend the State Water Resources Control Board (Water Board) and staff in their efforts to develop the regulations and allowing urban water suppliers like the City of Redding the opportunity for constructive feedback. Following are key comments from the City of Redding:

### **EQUITY - CONSERVATION STANDARD FOR URBAN WATER SUPPLIERS**

Our greatest concern with the new regulation is the lack of recognition for the diversity in climate and land use in the State. The Fact Sheet acknowledged that many had commented on these factors and went as far as to provide that higher water use in the State is often “in areas where the majority of the water use is directed at outdoor irrigation due to lot size, climate and other factors”. Despite this recognition, the regulation takes a very simple and unfair approach including a tiered approach based on residential per capita use regardless of climate and land use as “the best way to achieve the 25 percent water reduction called for the by the Governor”. **The message to urban water suppliers is clear: simplicity before equity.**

In our relatively quick review of the database, we did not find a valley community north of Modesto that was in a tier lower than 7 with nearly all in Tier 8 or 9. Climate certainly is a very big factor as like properties in the valley will need more water than the same type property in the Bay Area and other more temperate coastal communities. In addition, the land use in the valley since California began developing has generally been more rural with larger lots sizes (and related higher water demand) than the Bay Area and other communities along the coast. We absolutely believe the higher gallons per capita water demand for valley communities compared to coastal communities does NOT mean the homeowner in the valley is any less conservation minded than the Bay Area homeowner. Yet, **the regulation rewards the Bay Area (and other coastal community) homeowner and punishes the Valley homeowner.** We don't believe it can be denied that climate and land use are at the core of the differences recognized above and not conservation practices.

**Potential Solution Provided:** We appreciate that the Board staff is in a difficult last minute position in developing and implementing a regulation that will result in real water savings today. Tomorrow doesn't help. The City of Redding (comments attached), Association of California Water Agencies (ACWA) and others provided very simple alternatives to the "one size fits all" approach of the standards (tiers). These approaches recognized climate and land use in a manner that could easily and more fairly be implemented. **The City of Redding urges the State Board to reconsider the standards and consider the more equitable approaches proposed by ACWA and the City of Redding.**

### **EQUITY – ADJUSTMENTS**

As referenced above, the State of California is diverse and our regulations should account for this diversity. The regulations do little in recognizing this diversity although there is potential in allowing staff the flexibility to adjust the conservation standard for a supplier based on local factors. In addition to climate and land use, the following are considerations we believe should be considered:

**Alternative Recycled Water Programs** - we believe that an urban water supplier that has a recycled water program should be provided some adjustment. In particular, the City of Redding has implemented a water and wastewater program that returns one gallon of water to the Sacramento River for every three gallons it removes. Our "recycling" efforts mean that downstream animal and plant life dependent on the Sacramento River benefit along with downstream agriculture and M&I interests.

**Environmental Benefits** – the drought has resulted in tremendous risk for endangered and other plant and animal species relying on the Sacramento River and Delta in Northern California. The City of Redding along with other Sacramento River Settlement Contractors have recognized this and of our own accord modified operations and implemented programs to reduce this risk. Following are some of the more noteworthy efforts we believe should be considered in assigning conservation standards for our community:

- **Operational Changes** – at a cost to the City and its water utility customers, in the last two years the City has increased well production and reduced surface water diversions during late Spring and early Summer to allow for more cold water to remain in the river during critical winter run Chinook migration period.
- **Partner on Environmental Programs** – at a cost to the City and its water utility customers, last Fall the City partnered with the Bureau of Reclamation, Fish and Wildlife, Golden Gate Fisheries Association and the Glenn Colusa Irrigation District on several projects including (but not limited to) the Painters Riffle Project that restored critical spawning habitat on the Sacramento River through the Redding area. In addition, this partnership will continue with spawning gravel and habitat restoration projects planned for implementation over the next few years.
- **Water Transfers** – The City's significant settlement water rights and related contract with the Bureau of Reclamation allowed the City to participate in



downstream water transfer agreements that have and will result in critical needs of urban and agricultural water suppliers to be met as well as allowing the cold water to stay in the Sacramento River longer for the benefit of the winter run chinook and other sensitive environmental resources impacted by the drought.

The individual operational practices that provide a benefit for others in the State impacted by the drought should be considered in developing individual conservation standards for an urban water supplier. **The Water Board regulation should provide some discretion for staff to consider adjustments in the standard as a reward for positive drought related practices.**

### **REQUESTED INPUT**

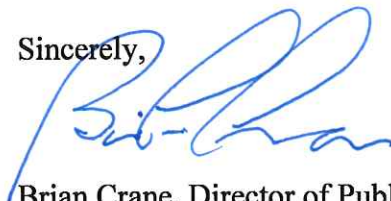
The Fact Sheet regarding the Notice of Emergency Regulation requested input on a couple potential changes to the regulations. The City of Redding's input is as follows:

1. **Double the Number of Tiers** – the City supports the proposal to double the number of tiers using two percent increments. This is a modest change that will provide some relief for urban water suppliers currently in the expanded four percent tiers.
2. **Groundwater Supplies Included in the 4% Reserve Tier** – The City supports including groundwater supplies in the proposed exception allowing suppliers with four years of supply the opportunity for placement in a lower tier. There are basins in the State without much pressure, ample water supply, and that recharge naturally annually. Suppliers in these areas should still be required to meet a conservation standard but some recognition of their water supply source (surface or groundwater) makes for a more equitable regulation.

In conclusion, we want to make it clear that Redding is absolutely committed to water conservation in this drought. Early in the drought we were the first urban water suppliers in our area to implement tiered rates and aggressively pursued water conservation measures developed with our Urban Water Management Plan. In early 2014, we implemented a voluntary conservation program that resulted in double-digit water conservation results through July. In August we were the first in our area to implement mandatory day of the week outdoor watering restrictions along with adoption of the State prohibited actions and increased our conservation savings to a total of over 17 percent by the end of the calendar year. **Our 2014 water conservation results by volume of water places us at 25<sup>th</sup> highest in the State out of 411 urban water suppliers.** We are very proud of that effort, absolutely believe we should do more, but are at a complete loss as to how we are going to achieve a 36 percent reduction. We are not alone in the valley with this position.

Again, thank you for the opportunity to provide comments. I certainly hope the adjustments recommended above by the City of Redding and by ACWA will be carefully considered and that the Water Board adopts an equitable regulation that we can all stand behind.

Sincerely,



Brian Crane, Director of Public Works

## Crane, Brian

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**From:** Crane, Brian  
**Sent:** Wednesday, April 22, 2015 4:44 PM  
**To:** jessica.bean@waterboards.ca.gov  
**Subject:** RE: City of Redding Comments - draft Regulations - Round 2

Ms. Bean,

Thank you for the opportunity to provide comments on the draft regulations implementing a 25 percent statewide reduction in potable water use. I commend the Water Board Staff in their efforts to develop the regulations and allowing urban water suppliers like the City of Redding the opportunity for constructive feedback. Following are key comments from the City of Redding:

### **Conservation Standard for Urban Water Suppliers**

Our greatest concern with the new regulations is the lack of recognition for the diversity in climate and land use in the State. The Fact Sheet acknowledged that many had commented on these factors but discounted the comments because they were (a) accounted for in the State's 20x2020 plan and are only relevant to a longer term conservation approach and (b) that the tiers give many communities in the hotter, inland areas a lower conservation than they would have otherwise been subject to. I do not agree that these points nearly address the inequity in the proposed tiering system.

In my relatively quick review of the data base I did not find a valley community north of Modesto that was in a tier lower than 7 with nearly all in Tier 8 or 9. Climate certainly is a very big factor as like properties in the valley will need more water than the same type property in the Bay Area. In addition, the land use in the valley since California began developing has generally been more rural with larger lots sizes (and related higher water demand) than the Bay Area and other communities along the coast. I absolutely believe the higher gallons per capita water demand for valley compared to coastal communities does NOT mean the home owner in the valley is any less conservation minded than the Bay Area home owner. Yet the regulation rewards the Bay Area (and other coastal community) homeowner and demonizes the Valley home owner. I really don't think it can be denied that climate and land use are, in general, at the core of the differences and not conservation practices.

**POTENTIAL SOLUTION:** I appreciate that the Board Staff is in a tough position trying to put together a regulation that will result in real savings today. Tomorrow doesn't help. A fairer approach may be a simple valley vs. coastal communities analysis that calibrates/pro-rates each based on recognized conservation practices to date. For example, Davis is recognized by many as a progressive community and may be (along with a few other communities) setting a conservation standard that the Board could use to "set the bar" for valley communities. There is probably another set of poor performer communities that set the high end of the bar. The low end of the bar could be set at 15 percent and the high end at 35 percent and all other suppliers prorated in between accordingly. This is certainly a very simple approach that accounts for climate and to a lesser extent (but better than current process) land use.

Land use could be better factored in. Even the valley is characterized by urban and rural areas although the urban areas are much less dense than many coastal communities. A density (population per square mile) for an "urban" compared to "rural" area could be established and a similar conservation proration as summarized above could be done for "urban-valley" and "rural-valley".

The entire State could be done with two or three simple climate zones (coastal, valley, other). I did a quick google search for climate zones in California and the map below popped up. Obviously it could be further dissected but a simple approach like this would be much more fair than the one currently be taken.

**Some other thoughts:**

- **Tiers Based on 2013 Numbers** – maybe tiers should be based on 2013 numbers which also recognize long term conservation efforts but aren't skewed by the craziness of last summer when communities were jumping from limited conservation to voluntary to mandatory conservation.
- **Adjustments** – we believe that recycling in some manner (we think we recycle by returning one gallon to the Sacramento River for every three that we take out) should be taken into account in some manner. Our "recycling" efforts mean that downstream agriculture users, M&I users, and the environment have more water to draw from and this effort should be rewarded in the process. In addition, we note there is a 4 percent adjustment for urban water suppliers that don't take groundwater, do not import water from outside the area, and had average 2014 precipitation. From my perspective this sends a mixed message that "recycled" water conservation practice is not important while conservation is not as important in communities with good water sources.

Despite the above, Redding is absolutely committed to water conservation in this drought. We implemented voluntary measures last winter that resulted in double digit conservation early in the year. Later in the summer we were the first in our area to implement mandatory measures (3 days of the week, limited hours, all State prohibitions, etc.) that increased that conservation to a total of over 17 percent by the end of the calendar year. Not to mention the tiered rates and other conservation measures we have implemented in recent years. We absolutely believe we should do more but am at a complete loss as to how we are going to get to 36 percent. I am sure we are not alone in the valley with these concerns...

Note that City of Redding is an ACWA member and I was very supportive of their last comment letter and the comments made at yesterday's webinar. I have not seen the alternative they will be submitting but am in support of their general position on the regulations better recognizing climate and land use along with more consideration of key adjustments.

Again, thank you for the opportunity to provide comments. I certainly hope we can come up with something that works for all and results in meeting the Governor's goals.

Brian Crane, Director  
City of Redding – Public Works

California Climate Map:

