

Inland Empire Utilities Agency

A MUNICIPAL WATER DISTRICT

(7/15-16/14) Board Meeting- Item 10
Urban Water Drought Emergency Regulations
Deadline: 7/14/14 by 12:00 noon

6075 Kimball Ave, • Chino, CA 91708
P.O. Box 9020 • Chino, Hills, CA 91709
TEL (909) 993-1600 • FAX (909) 993-9000
www.ieua.org

July 14, 2014

The Honorable Felicia Marcus
Chair, California State Water Resources Control Board
Box 100
Sacramento, CA 95812



Re: Proposed Emergency Water Conservation Regulations

Dear Chair Marcus:

On behalf of the Inland Empire Utilities Agency, I am writing to support the Emergency Water Conservation Regulations proposed by the State Water Resources Control Board (Board). I would like to offer brief comments on the emergency regulations and recommend additional measures that that Board may want to implement via emergency regulations in the coming months.

We recognize that the conservation measures called out in the Emergency Water Conservation Regulations constitute the most foundational drought response that water suppliers can and should be implementing in this extraordinary drought. We endorse the Board's approach of requiring all water suppliers and communities to take action to reduce outdoor water usage and calling for water supplier implementation of their existing water shortage contingency plans (or equivalent actions where these plans do not currently exist). The authorization of fines as an enforcement mechanism is an appropriate and, given the inadequate reduction to date in statewide water use, a much needed consequence to ensure that these conservation measures are quickly and fully implemented by all communities.

As a wholesale water agency, we will continue to work closely with our member agencies and the communities we serve to ensure that we are all doing as much as we can to reduce outdoor water usage within our service area. Our Agency plans to review all of our outdoor landscaping to ensure that we are demonstrating best practices at all of our facilities. In addition, we are looking at ways to increase awareness about the drought's severity and to make more funding available to our member agencies for water conservation measures.

Finally, we believe that the monthly reporting required by the proposed regulations is very important. This will help ensure that the Board has solid information about how water is being used which, in turn, will help you and your staff to make better decisions in the coming months and years. Since the Board will specify the data to be reported by water suppliers, we urge that you consider the addition of the following: (1) in order to better determine what losses are in the system, report on potable retail sales in addition to

Water Smart – Thinking in Terms of Tomorrow

Terry Catlin
President

Michael E. Camacho
Vice President

Steven J. Elle
Secretary/Treasurer

Gene Koopman
Director

Jasmin A. Hall
Director

P. Joseph Grindstaff
General Manager

potable water production and (2) report on recycled water usage. The latter is important because recycled water helps to offset potable water use and is a growing source of regional supplies.

Since my testimony to your Board on June 17, 2014, I have had the opportunity to reflect further on your questions about the additional drought measures that this Board should adopt. My recommendations, consistent with my letter of May 2, 2014 to you, are the following:

(1) Identify the standards that can be applied to ensure that everyone is “reasonable” in their use of water.

We believe that setting a standard based on what constitutes a “reasonable” amount of water for the type of beneficial use is more appropriate and equitable than using an arbitrary standard such as requiring a percentage reduction in the use of water. Further, we believe that water agencies should be allowed to figure out how they will best meet that standard, and that this approach will be more successful in achieving real permanent water efficiencies than the use of an arbitrary percentage reduction.

One successful example of this approach is the model landscape ordinance adopted by the Legislature in 2008. The model ordinance was developed through a stakeholder task force led by the California Department of Water Resources. It set a standard for appropriate outdoor water use (.70 ETO in new landscapes and .80 ETO in existing landscapes) that was based upon water efficiency best management practices. However, it did not dictate how sites would be landscaped, leaving the selection of plant material, irrigation technologies, etc. to the property owner. Thus, the compliance standard defines what is reasonable, and leaves the choice of how the standard is to be met to the implementers.

The Board should use this approach to define what is a reasonable amount of water use in any given region by agency service area. As a first step, the Board could combine the model landscape ordinance standard (Model Landscape Ordinance of 2006, AB 1881) with an indoor water usage standard of 55 gallons per person per day (Water Conservation Act of 2009, SB 7x-7). A task force comprised of water suppliers and stakeholders could be assembled to assess other types of water uses (industrial, commercial) and regional considerations. The task force would then make recommendations to the Board on what should be included in an adopted “reasonable” water use standard. Each supplier could then decide how to achieve that level of efficiency and meet the requirement of the state.

Obviously there are challenges to overcome in developing an appropriate standard (or combined standards based on types of beneficial uses). I believe that local agencies and stakeholders could work through those. I also recognize that the process would be uncomfortable and at times difficult. However, without objective standards the state is left to innuendo and supposition about what is a “reasonable” level of water use for a

The Honorable Felicia Marcus

July 14, 2014

Page 3

particular beneficial use or location. If the drought continues, the conflicts over how the remaining water supplies should be allocated will only intensify. Developing standards now, even if they need to be refined as we go forward, is much better than waiting and not having any standards at all.

(2) Establish standards for the appropriate use of turf (lawns).

As the Board's letter points out, in the urban sector, the majority of water usage goes to outdoor landscaping. And the vast majority of this urban irrigation water goes to ornamental turf. It may be time for the Board to establish a clear and coherent vision of what constitutes an appropriate use of turf, and to start delineating between "functional" and "non-functional" or "ornamental" lawns. If this drought continues, ornamental turf may be something that the state cannot afford to sustain.

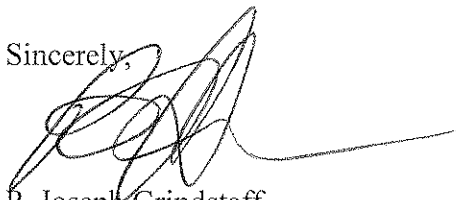
(3) Promote adoption by water suppliers of sustainable water rate structures that encourage conservation.

It is clear that many water agencies are financially vulnerable to events like droughts and significant water conservation initiatives that result in reduced potable water sales. Rate structures that cannot deliver revenue stability at the same time that they encourage water efficiency undercut efforts to ensure reasonable use of the state's water supplies.

The Board should adopt principles that encourage water suppliers to update their water rate structures to systems that are sustainable and ensure revenue stability while increasing levels of water efficiency and capacity to respond to droughts. There are many kinds of rate structures that can achieve this goal. Allocation or budget based rate structures are very effective, but other types of rate structures work as well. The board should require that water suppliers meet standards for sustainable water rate structures, but allow suppliers to determine the type of rate structure that will best meet their needs.

The SWRCB is to be commended for its' leadership during this extraordinary drought. IEUA remains committed to assisting the Board in working on additional steps. Attached, please find our May 2, 2014 letter that contains additional recommendations for actions that the Board should take to reduce water usage and to make water conservation and water efficiency a way of life in the state.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Joseph Grindstaff', with a long horizontal line extending to the right.

P. Joseph Grindstaff
General Manager

The Honorable Felicia Marcus
July 14, 2014
Page 4

Cc: The Honorable Fran Spivy Weber, SWRCB Vice Chair
The Honorable Tam M. Doduc, SWRCB Board Member
The Honorable Steven More, SWRCB Board Member
The Honorable Dorene D'Adamo, SWRCB

Tom Howard, SWRCB Executive Director
Michael Lauffer, SWRCB Chief Counsel

Martha Guzman-Aceves, Office of the Governor
The Honorable John Laird, Secretary California Natural Resources
Mark Cowin, Director, Department of Water Resources
Jessica Pearson, Executive Officer, Delta Stewardship Council

The Honorable Darrell Steinberg, President Pro Tem, California Senate
The Honorable John A. Perez, Speaker, California Assembly
The Honorable Fran Pavley, California Senate
The Honorable Anthony Rendon, California Assembly