



March 11, 2015

Felicia Marcus, Chair
State Water Resources Control Board
c/o Clerk to the Board
P.O. Box 100
Sacramento, CA 95812-0100
Via email: commentletters@waterboards.ca.gov

Re: Proposed Emergency Regulations Section 865

Dear Ms. Marcus:

The California Golf Course Owners Association (CGCOA) represents more than 900 golf courses in California, responsible for the employment of over 128,000 California citizens, with wages in excess of \$4 billion and a statewide economic impact exceeding \$13 billion.

CGCOA certainly understands the critical need to address California's water crisis in a significant and meaningful way, and desires to be an integral part of the solution to the challenge before us. We have concerns, however, that the Proposed Emergency Regulations, as drafted, do not recognize the value and importance of Alternative Means of Compliance to turf dependent businesses working diligently to conserve water while maintaining turf in a condition that will enable them to stay in business by providing a satisfactory product to California golf consumers.

The proposed regulations, as written, appear to overlook the water conservation savings realized by those municipalities that have successfully developed and implemented alternative means; most notably, Los Angeles Water and Power Department and San Diego County Water Authority. Nor does the proposed language appear to leave the door open to Alternative Means of Compliance in those municipalities where such options are currently under consideration, including Sacramento and Ventura Counties, among others.

Furthermore, there are a substantial percentage of water providers in the state, particularly in smaller communities, where Alternative Means of Compliance have not been implemented or where the implementation process is still very formative, but where alternative means should remain an option.

We urge the Board to recognize the critical importance of flexibility in the regulation of water usage, to allow the continuance of successful Alternative Means of Compliance programs, and to allow for the implementation of Alternative Means of Compliance for local municipalities deeming such programs a viable option.

Consistent with recommendations offered by other golf industry stakeholders, the California Golf Course Owners Association urges the Board to clarify the language of the Proposed Section to ensure that these "alternatives" to day of week restrictions, so long as they "*achieve a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation or turf with potable water by the persons it serves to no more than two days per week*" – are permissible. Further, that they are permissible to adopt if they have not yet been adopted or implemented.

In addition, we recommend that the Board clarify the language of the proposed Section to permit urban water suppliers to sanction an alternate plan that includes both allocation-based rate structures and budget-based allocation structures.

Adding the **bold and underlined** words below to Section 865(b)(2) so that it reads as follows would accomplish that purpose:

“2) An urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures **or budget-based allocation structures** that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate **or budget** structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.”

We also recommend that the subject “summary” language be amended as follows to avoid any confusion about a two-day-per-week applicability to “Large Landscapes”:

“Proposed section 865 directs urban water suppliers to implement the stage of their water shortage contingency plan that imposes mandatory restrictions on the number of days that outdoor irrigation is allowed, requires those urban water suppliers without adequate drought shortage contingency plans to adopt them or other measures to promote conservation within thirty days, and report monthly water production information to the State Water Board. This section also requires urban water suppliers that don’t already impose a limit on the number of days that outdoor watering is allowed to limit outdoor irrigation of turf and ornamental landscapes to no more than two days per week. **“Alternative Plans” approved as specified for Large Landscapes satisfy the requirement.**”

Ultimately, water conservation and responsible water stewardship are the goals. We embrace those goals, want to work alongside the State Water Resources Control Board and local water providers to meet the goals, and simply request that the means for reaching or exceeding the conservation goals allow turf dependent businesses the flexibility necessary to remain in operation through these extremely challenging times.

I welcome your call or email should you wish to discuss our concerns in greater detail. I may be reached at (916) 214-6495 or mconnerly@connerlyandassociates.com.

Respectfully,

Marc Connerly, Executive Director