



Helix Water District

(2/2/16) Board Meeting- Item 7
Conservation Extended Emergency Reg
Deadline: 1/28/16 by 12:00 noon

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January 27, 2016

To: commentletters@waterboards.ca.gov

**Subject: February 2, 2016 Board Meeting – Item 7 (Conservation Extended
Emergency Regulation)**

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

Dear Chair Marcus and Commissioners of the State Water Resources Control Board:

We appreciate the board's continuing efforts to revise the Extended Emergency Regulations to ensure they are equitable, reasonable and support long-term water management planning. The revisions included in the Proposed Text of the Draft Emergency Regulation released on January 15, 2016, show that the board acknowledges the importance of developing drought-resilient supplies, as well as the challenges that climate and growth have created for water suppliers when meeting their water savings targets. However, while we are encouraged that the regulations continue to move in the right direction, they still do not go far enough in recognizing differences throughout the state.

Increasing the cap on drought-resilient supply credits to eight percent and increasing the overall cap for all credits to eight percent is appreciated and is a definite improvement over the previously proposed caps of four percent. However, we continue to oppose the seemingly arbitrary nature of the caps. Successful drought management is, and has been achieved through conserving water *and* investing in new drought-resilient supplies. Individually, neither will bring California through the worst drought in the state's history. Additionally, the arbitrary caps threaten to discourage ratepayers from supporting future water supply investments. This could limit California's ability to address the impacts of a growing population and a changing climate and also attract and retain businesses. As such, we continue to encourage the board to further modify the regulations to provide a one-for-one credit for drought-resilient supplies and to allow suppliers to take credit for all adjustments for which they are eligible.

We also continue to oppose limiting credit for drought-resilient supplies to only those developed after 2013. To equitably reflect the long-term investments that communities have made in drought-resilient supplies, the emergency regulations should provide credit for supplies developed prior to 2013. Pre-2013 supplies have better prepared California for this drought and future droughts by helping to reduce, forestall, or in some cases eliminate shortage impacts. In addition, these early investments in supplies are consistent with the Governor's Water Action Plan.

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Lastly, the proposed text also added language stating that State Water Resources Control Board staff would monitor snowpack, reservoir and groundwater basin levels, and prepare adjustments to the regulations as conditions warrant. Again, we are encouraged that the board heeded the suggestions of water stakeholders to add this language on how the regulations would end. However, we continue to emphasize that more specific benchmarks regarding the levels that snowpack, reservoir, and groundwater need to reach in order for the emergency regulations to be lifted still need to be clearly defined. This would help to avoid any confusion between the State Water Resources Control Board staff, water suppliers and the ratepayers who are tasked with conserving.

Again, we want to thank you for the opportunity to comment on the Proposed Text of the Draft Emergency Regulation. We anticipate that the final regulation that is adopted will offer a more balanced, flexible, local approach to drought management given our current supply challenge while also better preparing the state for future droughts.

Sincerely,



DeAna Verbeke
Board President
Helix Water District



Carlos Lugo
General Manager
Helix Water District