



Santa Margarita
Water District



January 28, 2016

The Honorable Felicia Marcus, Chair and Board Members
State Water Resource Control Board
c/o Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



**Subject: February 2, 2016 BOARD MEETING
(Conservation Extended Emergency Regulation)**

Dear Chair Marcus and Board Members:

Thank you for the opportunity to provide input to the State Water Resources Control Board (State Board) on the Proposed Extended Emergency Water Conservation Regulation (Emergency Regulation) issued for public review on January 15, 2016. We are committed to helping the State manage water resources sustainably during the current drought conditions and into the future.

We appreciate the effort made by the State Board to convene a water conservation workgroup to incorporate experiences from the current Emergency Regulation and improve equity for all water suppliers in the proposed extension. In those workgroup meetings many proposals were made to improve the fairness and equity of the Emergency Regulation, including a growth equity adjustment. We recognize that the current proposal does include some adjustments to improve equity and takes into account some stakeholder recommendations, however the adjustments are limited and do not promote true equity. This is especially true of the proposed growth adjustment.

The proposed method of calculating a growth adjustment is complex and does not properly recognize or adjust for the impacts of growth on an agency's ability to meet its Conservation Standard. Concerns with this calculation include the following:

- Provides less than half the water needed for efficient indoor use for new homes.
- Additional residential connections will not provide enough data to calculate population accurately. The number of persons per household for each supplier is required and the number of households. A single connection may, as in the

case with residential multi-family connections, represent several new households.

- Many agencies do not have landscape area information readily available for residential homes. The proposed method will require an estimate of irrigated area for many agencies, limiting the accuracy of the data.
- Using the state standard irrigation application rate of 55 percent of local ET, which was adopted in 2015, does not correctly reflect the state landscape standards or ordinances that were in place when the growth actually occurred. Development from 2013 to 2015 was required to comply with a standard that allowed 70 percent of local ET.

The population assumptions and the use of the lower 55 percent standard in the SWRCB’s proposed calculation, automatically discounts the new demands that would be associated with water-efficient growth from 2013 to 2015. This discount is then compounded by multiplying the percent change in potable water production from growth since 2013 by the water supplier’s conservation standard.

The impact of the discounting is illustrated in the table below. The table shows the Estimated New Demand in Gallon per Capita per Day (GPCD) using the State Board’s proposed calculation. This calculation incorporates the discount effect of underestimating population and using the 2015 landscape standards. Under the proposed methodology this discounted adjustment is then reduced further by multiplying it by the supplier’s conservation standard, resulting in a SWRCB Proposed Growth Adjustment per New Resident that is only a small fraction of what is required to provide growth equity.

Water Supplier	Percent Growth Since 2013 ¹ .	Estimated New Efficient Demand (GPCD) ¹ .	Supplier’s Conservation Standard	Proposed SWRCB Daily Water Use Allowed
Eastern MWD	2.2%	110	28%	31 gallons
Irvine Ranch Water District	3.5%	112	16%	18 gallons
Santa Margarita Water District	2.1%	104	24%	25 gallons
Elsinore Valley MWD	7%	162	28%	45 gallons

1. Based on proposed method of estimating new demand included on the proposed Emergency Regulation (indoor + outdoor+ commercial) used in SWRCB’s Proposal. Variations for new water growth between water suppliers exist due to differences in climate, housing density and proportion of residential and non-residential growth.

To improve the equity of the adjustment we request that the growth adjustment be applied by simply subtracting the calculated percent of new, demand from the conservation requirement. The growth equity adjustment should not be multiplied by the supplier's water conservation standard. This modification still discounts the demand associated with new growth due to the population assumptions and use of the newer efficiency standard for outdoor water use in the calculation, but removes the compounding effect. This would partially offset the impact of new demand for suppliers trying to meet their conservation targets and helps remove an unjust burden from suppliers that have experienced significant economic development.

This methodology is very similar to the workgroup recommendations previously presented to State Board and will more appropriately adjust for the impact of growth. The state's average growth from 2013 to 2015 is estimated at 1.8% based on population data from the Department of Finance. These adjustments will provide some equity to those suppliers and to their customers who without the adjustment would be burdened with disproportionate water savings requirements.

We also recommend that all equity adjustments be applied to a water supplier's current conservation requirement before any adjustments for sustainable supplies are made. Equity adjustments improve the fairness of the Emergency Regulation and account for various conditions that impact residential water use across the state. Only after the equity adjusted Conservation Standard is calculated should it be adjusted by up to eight percent if an agency has developed sustainable supplies.

Thank you for your consideration of our comments. We look forward to working with you and your staff to develop and implement an equitable and appropriate Emergency Regulation moving forward.

Sincerely,



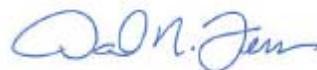
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