



PASADENA WATER AND POWER

January 6, 2016

Sent via email: commentletters@waterboards.ca.gov

The Honorable Felicia Marcus, Chair
and Members of the State Water Resources Control Board
c/o Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: Comment Letter - Proposed Regulatory Framework for Extended Emergency Regulation for Urban Water Conservation

Dear Chair Marcus and Members of the Board,

Pasadena Water and Power (“PWP”) appreciates the opportunity to comment on the proposed framework for extension and modification of the Emergency Regulation for Statewide Urban Water Conservation. PWP supports the State Water Resources Control Board’s (“State Water Board”) leadership in increasing water conservation during this unprecedented drought. The Emergency Regulation adopted by the State Water Board on May 5, 2015 in response to the Governor’s April 1 Executive Order has resulted, as hoped, in sharply reduced urban water use. That said, significant issues of equity, unintended consequences, and insights gained require modifications to the Emergency Regulation if it needs to be extended into 2016.

PWP serves about 165,000 people, within a service area of 26 square miles in the San Gabriel Valley of Los Angeles County. The City of Pasadena is a leader in promoting environmental stewardship and urban sustainability. In 2008, Pasadena started an aggressive, sustained comprehensive water conservation campaign following its adoption of the Urban Environmental Accords policy. In early 2009, the City Council adopted a Comprehensive Water Conservation Plan that included a Water Waste Prohibition and Water Shortage Plan ordinance that contains virtually all the requirements of the State Water Board’s Emergency Regulations.

In January 2011, the City Council adopted PWP’s Water Integrated Resource Plan (“WIRP”). The WIRP was developed through an extensive public process and outlines an achievable, long term strategy to meet current and future water needs. In addition to an aggressive program to meet about 20% of forecast demand with new conservation, the WIRP identified several supply initiatives (e.g., reclaimed and storm water capture projects) to reduce potable water use by another 10% or more.

As a result of aggressive conservation actions taken by the City since 2008 PWP’s annual net water production for the twelve months ending December 31, 2015 was 30% less than fiscal year 2007 and the lowest since fiscal year 1953.

Address Equity of Water Use Reduction Targets

In addition to the proposed modifications to the emergency regulation, PWP recommends that the State Water Board reconsider adjustments for conservation efforts prior to the 2013 baseline year for inclusion in any extended emergency regulation.

Under the proposed regulatory framework for extended emergency conservation regulation, water agencies are penalized for their early voluntary action. The target established by the State Water Board did not consider conservation efforts prior to the 2013 baseline year. PWP's 2013 compliance baseline already had approximately 15% water savings built in as a result of aggressive conservation actions taken by the City. These early reductions make future water savings more challenging and costly.

PWP supports recommendations submitted by the California Municipal Utilities Association

In particular, PWP strongly supports CMUA's recommendation that the State Water Board include provision to account for favorable water supply conditions. Just as the State Water Board strengthened the restrictions as the drought worsened, there should be a protocol for reducing the restrictions and conservation standards should water conditions be favorable.

Long Term Urban Water Conservation Policy

PWP appreciates the State Water Board's effort to enforce mandatory cutbacks of water use during the current emergency drought condition, but this is not an effective model to achieve long-term reductions in non-emergency conditions. PWP looks forward to working through the stakeholder process to consider how the current (non-emergency) urban water conservation policy and regulatory framework may be refined to support and complement the state's broader, long-term water supply reliability objectives.

I appreciate your consideration of our recommendations. Please contact me for any questions or further discussions.

Sincerely,



ERIC R. KLINKNER

Interim General Manager

cc: Tom Howard, Executive Director, State Water Resources Control Board
Caren Trgovcich, Chief Deputy Director, State Water Resources Control Board
Eric Oppenheimer, Director, State Water Board's Office of Research, Planning and Performance
Max Gomberg, Climate Change Advisor, State Water Resources Control Board
Michael J. Beck, City Manager – City of Pasadena
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