



April 20, 2015

The Honorable Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: Revised Conservation Regulatory Framework – Proposed

Honorable Felicia Marcus and Members of the Board:

The City of Glendora appreciates the opportunity to provide comments on the State Water Resources Control Board (Water Board) proposal for the Mandatory Conservation Proposed Regulatory Framework released April 18, 2015.

The California State Water Board has requested public comment on the revised restrictions released for public comment on April 18, 2015 which is being considered in order to implement the Governor's Executive Order B-29-15 issued on April 1, 2015.

First, we want to again emphasize that while we continue to recognize the severity of the task being asked by the Governor upon the Water Board and certainly the impacts the long gated drought is having on our Golden State, his directive is short-term at best. We know that urban users, depending on the data sourced, accounts for only 11% to 15% of all water used in the State of California, and that agriculture and environmental restrictions account for all other water used. So in the best of the scenarios where we do obtain a 25% reduction on urban use, the net impact upon the entire system is a 4% statewide reduction.

Can urban users do more to conserve this precious resource? We absolutely can and will. As previously submitted, we have shown the City of Glendora has been doing its part to lead in this endeavor through the attached list of projects and activities we have done since our Phase 1 implementation in 2008.

Second, the revised draft regulatory framework seems to exclude commercial, industrial and institutional users from trying to achieve the mandated 25% order contained within the Governors Executive Order. That directive in part reads:

“5. The Water Board shall impose restrictions to require that commercial, industrial, and institutional properties, such as campuses, golf courses, and cemeteries, immediately implement water efficiency measures to reduce potable water usage in amount consistent with the reduction targets mandated by directive 2 of this Executive Order.”

However, the draft regulatory framework only references commercial, industrial and institutional properties in term of those “not served by a water supplier meeting the requirements of Water Code section 10617 or section 350”.

Those meeting that narrow definition are required to limit watering of ornamental landscapes or turf to 2-days a week, or reduce potable water usage by 25 percent for the June 2015 through February 2016 as compared to the amount used for the same months in 2013.

The proposed regulatory framework continues to be a one-size fits all approach which puts pressure unevenly across the State's communities focusing on residential consumption. This again reflects on why we argue for a regulatory framework needing to be the solution based on the whole picture of potable water usage in our State.

The City continues to believe the formula used to arrive at R-GPCD as being flawed since its inception. We believe most purveyors don't have the documentation to know exactly how many residential customers they have or how much they are using. The billing systems for most water suppliers are based on meter size, not use (residential; commercial and industrial). As an example, the City of Azusa previously reported to have 110,000 residential users. The California Department of Finance reports their entire population at 48,385 for 2014.

Also, we can see the percentage that purveyors report being attributed to residential consumption varies by a wide range from 51% to 85% in just the San Gabriel Valley. I know our city was estimated at 85% but that was only guesswork. We are now engaged in retrieving billing statements for 13,377 customers and developing information, especially in light of the additional reporting requirements the Board is proposing.

The R-GPCD is flawed in that many variables significantly impact the wide diversity of the communities within our State. For instance, while all regions are experiencing the drought, some are more impacted than others, driving the demand for water above normal limits. The City of San Francisco, for example, is experiencing 62 percent of normal precipitation, so outdoor watering habits are benefited by Mother Nature more than Los Angeles, for example, which is at 52 percent according to NOAA.

We understand that various studies indicate that outdoor watering by urban residents usually accounts for 53% of the potable water usage. So core urban areas where high density housing is the norm and the use of hardscape features are more prominent as compared to suburban communities where the SFR is the primary feature are at significant advantage.

City of Glendora Suggestions:


- That Water purveyors be given a global consumption reduction level to be achieved. Leave it to the purveyor to find the solutions best fitting the needs of their service area. We would urge no reduction be greater than the original 20% proposed by the Governor State of Emergency declaration January 17, 2014.
- If the Board still believes that there exists an "interim" need to use the R-GPCD as a way to monitor conservation, then water purveyors be allowed to present evidence to alter the assumptions that may have been reported in the September 2014 report in terms of residential accounts and consumption within the next 60-days of adoption and should that data suggest a placement in a different tier for conservation that it be approved accordingly.
- That the Water Board require that all commercial, industrial and institutional properties fulfill the mandate by the Governor's Executive Order to reduce consumption by 25% in the aggregate as provided by data from the water suppliers.

- That the State Water Board seek counsel as to the impact by Proposition 218 and Proposition 26 upon local government purveyors prior to discussions on rate structure elements within the Governor's Executive Order. Setting rates based on property type and/or rates unrelated to "water costs" may trigger the need for 2/3 voter approval.
- That the State Water Board encourage the Governor to suspend parts of the Public Resources Code and Public Contract Code, as he did for State programs and contracts, to allow the quickest implementation of conservation programs. Being held up by 30, 60 or even 90 days due to technical requirements is counter to the Emergency Nature the State has declared.
- The State Water Board partnering with local agencies to provide best practice information to ensure a true partnership between the State and purveyors.
- That the State Water Board be a voice in recognizing that the State needs to take a stronger leadership and action in developing a truly comprehensive water management policy. There are going to be global elements that need to be changed and altered because the burden of this solution cannot fall primarily upon urban users.

Thank you, again, for your consideration of the above information.

Sincerely,

CITY OF GLENDORA


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