

Dear Ms. Bean:

We appreciate the opportunity to provide comments to the proposed regulations for Drought Emergency Water Conservation which were made available to us on Monday. If we should be sending our comments to someone other than you, please let me know. Our comments are as follows:

1. Section 864. End-User Requirements: It does not appear that the water saving measures addressed in this section are required to be adopted by Urban Water Suppliers (UWS). While it would be logical for a UWS to adopt some or all of these measures so that they can be enforced locally by the local agency and thereby serve to assist that local USW in meeting their prescribed conservation goals, we do not interpret the draft regulations as requiring the USW to do so. Can you confirm?
2. Section 865 (b)(2). Monthly Reporting: As I am sure you are aware, a typical UWS would rely on production meters and wholesale water delivery meters to enable reporting of monthly "potable water the urban water supplier produced". Percent residential use, and reporting of commercial, industrial and institutional (CII) sector uses would rely on totalizing customer meter reads for all the customers in each of those user categories. It would appear that the only other demands on the system that are not subject to reporting are dedicated irrigation accounts for commercial and institutional customers, and water losses and leaks. Does the State intend that dedicated irrigation accounts be counted in the residential, or CII categories that are served by the dedicated irrigation meters? If so, that will require significant reprogramming of ours and probably many other UWS's utility billing system in order to compile the data in that manner. If not, shouldn't the State be requesting the irrigation uses in the same manner as being required for Residential and CII uses?
3. Section 865 (c)(1). Total Reduction: It is our understanding that the State is allowing the local UWS to develop strategies to lower overall water production across all user categories including reducing water losses and leaks with no particular priority as to which customer class or system loss category provides the water savings. Please confirm.
4. Section 865 (c)(2). Request to Reduce Conservation Target: It would not appear logical to require average annual rainfall in 2014, and non-use of groundwater as a prerequisite to requesting a 4 percent conservation target. It is my understanding that nearly the entire State received below normal rainfall last year which would exclude almost all UWS from this provision regardless on the integrity of their water supply. In the Sonoma and Marin County area where UWS rely primarily on the Russian River system via wholesale water deliveries from the Sonoma County Water Agency (SCWA) and other local sources, the current outlook is not dire as it is for those systems that rely on Sierra snowpack, or the California or Central Valley Water projects. In fact, the current water supply pools in Lakes Sonoma and Mendocino that supply the SCWA system are currently reported at 88 and 68 percent of water supply capacity, respectively, which would never trigger the level of drought emergency response contained in the subject draft regulations. Rainfall in the Santa Rosa Basin is reported at 82 percent of normal since September 1, 2014. The region does not have any groundwater basins categorized as High Priority by DWR, although three are in the Medium Priority category. The region and this UWS typically practices conjunctive use whereby ground waters are not used as a significant supply source except in times of surface water curtailments, which are not anticipated for the

foreseeable future. Please consider revising the criteria in this section to make it feasible for those UWS systems that do not rely on severely impacted water supply systems in the State to have the opportunity to request a reduction in the stated conservation reduction targets. Average rainfall and use of groundwater should not be the screening criteria to prevent those UWS that currently have a favorable water supply outlook to be prevented from lowering their conservation targets to the 4% allowed in this section.

5. Section 865 (c)(3 – 10). While the need for water conservation is clear and the practice should be a goal in good water years and bad, the subject regulations appear to take a simplistic, “sledgehammer” approach to the need within the State. The regulations do not appear to recognize the immense diversity of the State with respect to climate, land uses, cultural patterns of water use, and water supply. But rather, the regulations appears to address what is clearly the need for water systems that rely on the Sierra snowpack, the State and Central Valley water projects, and the Lower Colorado System. Those other UWS appear to be lumped in for good measure ignoring the fact that many of us are thankfully not in the same dire condition and normally, except for the crisis elsewhere in the State, would not be embarking on such draconian measures as will be required to meet the draft regulation’s prescriptive conservation reduction targets. Please consider revising the targets contained in this section to take into account the availability of water supply to a UWS such as those served by the Russian River system, availability and use of alternative supplies such as reclaimed water, conjunctive use practices, and other regional factors.
6. Section 865 (e). The City of Petaluma has a number of industrial customers that process commercial agricultural products for market. It would seem logical that if the subject regulations allow subtraction of water supplied for commercial agricultural uses (which we assume means irrigation of crop and grazing lands, and stock watering), the water used to support the processing of agricultural products such as poultry, dairy, and beef should also be allowed to be subtracted from water production that are subject to the conservation reduction goals. Please consider making that suggested change.

Please let us know if you would like any clarification to our comments and we would be pleased to offer suggested language changes to the draft regulations should you desire. Again, we sincerely appreciate the opportunity to provide comment during the public review process and would respectfully request your agencies and the Water Control Board’s careful consideration of our concerns and suggestions.

Sincerely,
Dan St. John, F.ASCE, Director

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