



201 Vallecitos de Oro • San Marcos, California • 92069-1453 Telephone (760) 744-0460

April 22, 2015

Ms. Felicia Marcus, Chair  
State Water Resources Control Board  
1001 "I" Street  
Sacramento, CA 95815

Sent via e-mail to [Jessica.bean@waterboards.ca.gov](mailto:Jessica.bean@waterboards.ca.gov)

**Subject: Draft Emergency Drought Regulations issued April 18, 2015**

Dear Ms. Marcus,

On behalf of the Board of Directors of the Vallecitos Water District and the communities we serve, we would like to commend the work being performed by the SWRCB. We recognize the extreme conditions that are impacting the people of California and the vital importance of how water resources are allocated and used. We also recognize that while these regulations apply only to the time period from June 1, 2015, through February 28, 2016, these measures may have long-term consequences.

We whole heartedly support the water use reduction goals and the actions taken to date by the Governor and the SWRCB to ensure water remains available in the event of a 5<sup>th</sup> year of drought.

The following comments are provided on behalf of our agency for your consideration in implementing the Final Regulations being drafted by the SWRCB:

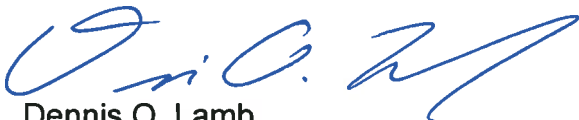
1. Recognize San Diego's regional efforts to develop local water supplies that have reduced the burden on the State's limited water resources. The San Diego region has expended billions of dollars since the 1991-93 drought developing local supplies, yet the draft Final Regulations do not recognize or provide credit for this immense investment. Efforts to continue to develop local supplies should be rewarded and not penalized.
2. Delay the effective date to July 1, 2015, to allow a more reasonable time for agencies to implement new rules which will not even be fully promulgated until May 5<sup>th</sup> or 6<sup>th</sup>.
3. Consider the ramifications of the recent court action in the *San Juan Capistrano* case which calls into question the common practice of using tiered water rates to encourage conservation. "Save Water Item No. 8 of Executive Order No. B-29-15" clearly recognizes that the most effective tool we have is pricing signals that indicate wasteful or high water use is not the best use of water. *The San Juan Capistrano* case effectively eliminates this policy as a basis for tiered rates.

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4. Recognize all agriculture, not just the allowance for agencies with over 20% agriculture, as exempt and provide a reasonable allowance and exemption for combined domestic and agriculture accounts that are certified as an agricultural business product. An agricultural allowance should be allowed to be subtracted for what is a common practice in San Diego of agriculture on lots as small as one acre.
5. Phase in the required target levels over 90 days to allow agencies to determine their greatest areas of effectiveness. None of the agencies in the state, including the SWRCB, want to take unnecessary actions impacting the economy of the state by targeting agriculture, business or growth. To meet the SWRCB mandates, we must implement aggressive actions as of June 1<sup>st</sup>, yet we do not know what we will actually save by aggressively targeting outdoor irrigation uses, not agriculture, across all categories of our customers. Allow Water Agencies the time to phase in regulations to ascertain reductions without targeting the wrong sectors of our users.
6. The SWRCB Fact Sheet on the Draft Regulation clearly states that the CII users are not targeted for their business uses and only exterior irrigation. While we support this as a reasonable initial approach, it clearly transfers the reductions to domestic use, by default and practicality, increasing their required reductions. The incongruity is clear in that the proposed reductions apply to our total water production, less agriculture if allowed. As noted in comment 5 above, adequate time is needed to implement reductions and work with each category type we have. We appreciate the SWRCB's desire to allow us to determine the best way to achieve this, but like your mandate to immediately implement these emergency rules, the time frame for us to react to these new rules is unreasonable and instant implementation is not reasonably possible.

Thank you for your consideration of all of the comments you have received over the past few weeks. We look forward to working with the SWRCB staff over the next few weeks in anticipation of the final Emergency Regulations.

Sincerely,



Dennis O. Lamb  
General Manager

Cc: Board of Directors  
Tom Scaglione, Assistant General Manager  
Jeffrey Scott, Counsel  
Governor Edmund G. Brown Jr.  
Congressmen Duncan Hunter  
Assembly Member Marie Waldron  
Senator Joel Anderson  
Senator Barbara Boxer  
Senator Diane Feinstein