



April 22, 2015

Ms. Jessica Bean
State Water Resources Control Board
1416 9th Street
Sacramento, CA 95814

Re: City of Tulare recommendation and feedback letter to State Water Board

Dear Ms. Bean,

The City of Tulare appreciates the opportunity to comment and provide feedback on the current draft of the proposed conservation regulations that will execute Governor Brown's recent Conservation Executive Order. It is our belief that conservation is a worthwhile and necessary policy to support globally, and such policies should be implemented in a manner that is as effective and productive as possible. Unfortunately the size and disparate composition of California's demographics, climatological and hydrological areas make the task of creating globally equitable policies very difficult. The city commends the State Water Board for their efforts thus far, though it is our position that there are additional variables and circumstances that need to be accounted for in the calculations for determining R-GPCD which in turn determines the conservation target that has been assigned to the City of Tulare.

Our feedback is as follows:

1. Commercial Agriculture.

We encourage the board to strongly consider and further develop its plans to allow urban water suppliers that provide at least 20% of their production to commercial agriculture to remove that same proportion from the total water production. Historical water production in Tulare illustrates that residential production is by far the most elastic category of production. Conservative measurements of those industries that would qualify as commercial agriculture show more than 20% of total consumption in 2013. It increased to more than 25% in 2014 by the same methodology, while overall production decreased citywide by 10% from 2013 to 2014. Conservation efforts in 2014 were promoted in all production categories; however the residential categories remained the most responsive in their efforts. Removing commercial agriculture from our production totals will present a more accurate picture of Tulare's water production and overall conservation efforts.

2. Rolling Average

The water board has used as the basis for per capita calculations a three month average of R-GPCD covering from July 2014 through the end of September 2014. The City of Tulare recommends that the methodology be updated to use a twelve month average for determining the R-GPCD. The climate and weather patterns in this area produce a widely disparate production pattern throughout the calendar year and a twelve month average would be considerably more representative of the city's water production and conservations efforts while the three month average based on the hottest part of the year produces a strongly skewed picture of Tulare's water production.

3. Unaccounted Production

There are several categories of water production that are not currently being accounted for in the water production reporting and R-GPCD calculations. The City of Tulare supports any efforts to include these categories in future calculations as some of the categories represent water positive practices that support and promote conservation. Other production categories are inelastic and non-responsive to conservation efforts.

a. Recycled and Recharge Water.

The board has identified recycled water as part of a long term positive water use practices, but has as of yet declined to include such practices in the conservation target formulae. The City of Tulare currently provides up to 42 acre feet per day (excluding evaporative loss) of non-potable effluent from its waste water treatment plant to 2900 acres of adjacent fields where it is used in place of potable well water to grow non-edible commercial agriculture materials. In addition, many of our industrial and commercial consumers have identified and engaged in practices that leverage recycled water and 'cow' water to reduce their overall consumption of potable water. The City of Tulare recommends the inclusion of a credit mechanism to account for utilizing non-potable water in place of potable water for uses that do not require the use of potable water.

b. Loss and Maintenance

Of the many instances of water consumption throughout a given municipality, there are some occasions where reduction cannot reasonably be expected or attained. The first instance is loss, the difference between the water produced at the well sites and the water consumed by the businesses and residents. Currently industry standards find that 10% loss on the total production is an acceptable and unavoidable production loss for a given municipal system. Similarly, maintenance practices such as flushing hydrants account for significant losses in its own right that is not captured through a metering device. These are both instances of production losses that are not being accounted for in the calculations for R-GPCD and represent non-residential water production that is inelastic and unavoidable.

c. Construction Meters

Currently construction meters are acquired from the city by contractors for a variety of uses, including dust control. This is another necessary and vital use of water that is unavoidable if the city is to continue to allow new construction to take place within the city. It is unfortunately non-productive in that it does not service residential consumption or ornamental landscaping,

both of which will provide a degree of responsiveness to overall conservation efforts. Like commercial agriculture production, construction water use is typically limited to required practices that are non-responsive and inelastic to conservation efforts because they already use as little water as is absolutely necessary.

4. **The equity of geography**

The City of Tulare is located in the southern end of the San Joaquin Valley, within the Kaweah River Basin. Just as many municipalities from the Central Valley have already reported, there is an appreciable disparity in water needs between much of the Central Valley and the rest of the state. The temperatures are higher for longer periods of the year, even when there are not drought conditions present. As a result, evaporative rates are higher leading to higher necessary consumption to achieve the same end result. Evaporative coolers are one such example. They require more water to achieve the same effect in the Central Valley than in the San Francisco Bay Area. Coupled with differences in economic demographics, Tulare is already identified as a disadvantaged community, and its citizens already pursue conservation efforts for the pursuit of lower bills. While certainly reasonably priced, the cost of utilities throughout the San Joaquin Valley Region are a higher proportion of their income relative citizens located in cooler, more affluent locales up and down the coast. By requiring the residents of Tulare to cut back 32% on their already suppressed water consumption, the board is placing disproportionate conservation requirements on a community on the basis that their consumption is wasteful. This is a requirement built on an inaccurate assumption.

We hope that our comments and feedback have been informative and helpful. The City of Tulare continues to be committed to ongoing conservation efforts and we welcome the opportunity to work alongside the State Water Board to provide more feedback to implement our recommendations. Please feel free to contact Joseph Carlini, Director of Public Works, at (559) 685-4318 or by e-mail at jcarlini@ci.tulare.ca.us with any questions or comments.

Sincerely,



Don Dorman,
City Manager