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(5/5-6/15) Board Meeting- Item 6
Emergency Conservation Regulation
Deadline: 5/4/15 by 10:00 am



Board of Directors

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April 30, 2015

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Comments on Proposed Emergency Regulations Implementing 25% Conservation Standard Released on April 28, 2015

Dear Ms. Townsend:

The Vista Irrigation District appreciates the opportunity to comment on the State Water Resources Control Board (State Board) staff's "Proposed Emergency Regulations Implementing 25% Conservation Standard" (Draft Regulations) and "Urban Water Suppliers and Proposed Regulatory Framework Tiers to Achieve 25% Use Reduction" (Conservation Standard/Tiers Table) released April 28, 2015.

The District also appreciates the fact that State Board staff has reviewed and revised the Draft Regulations and Conservation Standard/Tiers released on April 28, 2015 based on input received from various stakeholders. The revised Draft Regulations have addressed a number of the issues raised by water agencies across the State; however, after reviewing the revised Draft Regulations and Conservation Standard/Tiers Table, we remain concerned with the framework as proposed.

1. State Board staff has indicated that the methodology for calculating the conservation standard has been revised to address disparities in reduction requirements between agencies that have similar levels of water consumption. State Board staff also states that the methodology recognizes past conservation efforts. The District respectfully disagrees; the methodology still punishes those who have achieved sustained conservation and rewards those who have not.

The District's per capita water use has declined by 34 percent since 1990 and 23 percent since 2007. State Board staff has proposed a conservation standard of 24 percent for our District, which means that our customers are being asked to reduce their consumption by 41 percent from 2007 levels. By setting the baseline for conservation at 2013 levels, the proposed framework does not do an adequate job of recognizing long-term, sustained conservation. An agency should be able to be placed in a lower conservation tier if they have achieved significant reductions in consumption prior to 2013.

2. The conservation standard is applicable to all municipal and industrial customers; however, the conservation standard is based only on residential gallons per capita per day water use. If the standard is going to apply to all municipal and industrial customers, the basis of that standard should take into consideration total gallons per capita per day water use. This is the same data that water agencies are using to track their compliance with 20X2020 targets for 2015 and 2020 and should be able to be supplied by water agencies to the State Board just like the residential gallons per capita per day water use figure.

3. The revised Draft Regulations state “each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years’ reserved supply available may submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013.” We suggest that the Draft Regulations apply to all water agencies that have four years’ reserved supply available not just those water agencies that do not receive imported water. Additionally, the definition of reserved supply should include desalinated seawater, recognizing local or regional investments in a “drought-proof” water supply.
4. Throughout this process, it has been expressed that the focus of Draft Regulations is to reduce discretionary outdoor water use. This could be accomplished by establishing stricter statewide landscape restrictions (taking into consideration differing climates) rather than assigning water agencies individual conservation standards. This approach achieves immediate savings and helps protect the economy by focusing on lower priority uses of water statewide.
5. As a final comment, the methodology contained in the regulations has resulted in tremendous confusion among the public and has made the State as well as the water industry look disorganized. The District’s 125,000 customers have seen the Governor declare a 25% cutback level for all Californians, and then the State Board develops conservation standards that have given our District 20% and 24% cutback numbers. Combine that with the 15% and projected 10% water supply delivery reductions from our wholesale suppliers and the fact that as a retail water agency our drought response levels contain even different numbers, our customers are looking at seven different cutback percentage numbers that are being discussed.

The different regulatory framework tiers are pitting agencies against each other, with contiguous agencies facing a wide range of different mandated cutbacks. A collective or regional conservation approach is very difficult when customers in one agency are given a lower conservation number than the customer across the street. Based on our recent experience with water supply cutbacks and drought, simple and common messaging is extremely important when you are trying to achieve a given water use reduction level.

We appreciate the opportunity to provide input on the Draft Regulations and hope the State Board takes our comments into consideration when developing the final framework. Please feel free to contact me with any questions that you may have regarding our comments.

Regards,



Roy A. Coox
General Manager