



City Council
311 Vernon Street
Roseville, California 95678



November 24, 2015

Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Transmitted by email to the Clerk of Boards at commentletters@waterboards.ca.gov

Subject: City of Roseville Comment Letter Re: Emergency Regulations for Statewide Urban Water Conservation

Dear Chair Marcus and Board Members D'Adamo, Doduc, Moore and Spivey-Weber:

The State Water Resources Control Board (State Water Board's) continued leadership in responding to this unprecedented drought is appreciated. As a direct diverter from Folsom Reservoir, we certainly recognize, first-hand, the uncertainty of 2016 water supply conditions and the need to balance all of the statewide system's demands. The City of Roseville appreciates this opportunity to contribute to the discussion and we want to share our experiences managing the drought at the local level in the hope that it will inform your consideration of any potential extension of the Emergency Regulations for Statewide Urban Water Conservation (Drought Regulations).

As you are well aware, since the Drought Regulations have been in place, the Sacramento region has consistently been one of the best performing regions in the state in terms of achieving our conservation targets. Within the region, Roseville has consistently exceeded its 28% target, with some months during the summer nearing a 40% reduction compared to the same months in 2013.

This has been possible through years of local investments in local drought resiliency and local conservation, but most importantly through years of extensive public education and outreach resulting in the willingness and good will by our customers to do the right thing and conserve water.

While our city takes pride in our conservation performance, we still believe that the "one size fits all" approach of the current Drought Regulations are fundamentally inequitable in how those conservation targets impact inland parts of the state, such as the Sacramento region, by not factoring in the reality of climate differences within the state.

As a result, our success in conservation hasn't come without some significant impacts that are beginning to mount – such as an inordinate burden of economic losses on the region's citizens in the form dead and dying landscapes and trees, and a significant financial burden on our city's water utility in the form of lost revenues which is resulting in significant water rate increases to our customers that are helping the city exceed state conservation targets.

Since 2013, the City of Roseville has seen net revenues reduced by \$1 million, even with drought surcharges and our City Council is considering water rate increases as much as 20% to make up for this revenue loss and untimely impacts from the *San Juan Capistrano* decision. As a local water provider, these rate increases are not taken lightly, burdening low and fixed income residents, eroding business bottom lines, and leading to a growing amount of customer dissent and anger over rate increases that customers associate to the drought and the State's requirements. This anger and drought fatigue is beginning to wear on our customers and we

believe it will continue to make encouraging our customers to keep conserving more difficult in the future, despite our best efforts.

The inequitably applied conservation targets are also leading to an alarming die-off of urban trees that make up our urban forests. These urban forests are not only critical to livability and well-being, but contribute to energy savings, stormwater capture, dust control, wildlife habitat and beneficial carbon sequestration. The loss of our urban forests by these regulations will be a sad legacy that would extend far beyond this current drought, but can be avoided, by making modifications to any newly extended Drought Regulation.

With that in mind, we recommend the following modifications to the Drought Regulations, should they be extended into 2016, to reduce the inequity among regions of the state, while still reaching the state's goals:

- As we suggested when the emergency regulations were developed, a relatively simple adjustment that recognizes the vast climatic differences in the state should be included.
- The regulations should recognize the past development of drought resilient supplies, such as recycled water, in setting conservation targets.
- The regulations should recognize and promote regional water conservation efforts, by providing for regional level compliance with the targets.
- The regulations must be flexible and responsive to developing hydrologic conditions through the winter and spring of 2016.

Attached to this letter is more detail information, addressing the core questions you want to answer during the upcoming December 7 workshop, prepared by the Regional Water Authority that explains these recommended changes in more detail.

We sincerely hope that any extended Drought Regulations is crafted in a way that is equitable to all regions in the state by accounting for the reality of climate differences within the state, accounts for local investments in drought resilience supplies and builds in a clear nexus for the regulation to be continued relative to hydrological conditions through the winter and spring of 2016.

We also hope that future Drought Regulations are crafted in a way that does not destroy the beautiful and critically important urban forests that have existed in inland communities throughout the state for many decades.

Making these requested modifications will go far to help the City of Roseville continue its level of conservation success, while providing state conservation requirements that local water customers can still support, because they can see Drought Regulations that are equitable. This equity will build good will that supports the notion to continue doing the right thing - conserve water during this historic drought.

Thank you for the opportunity to comment.

Sincerely,



Carol Garcia, Mayor

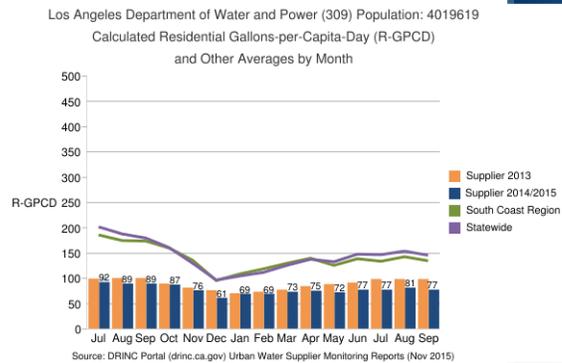
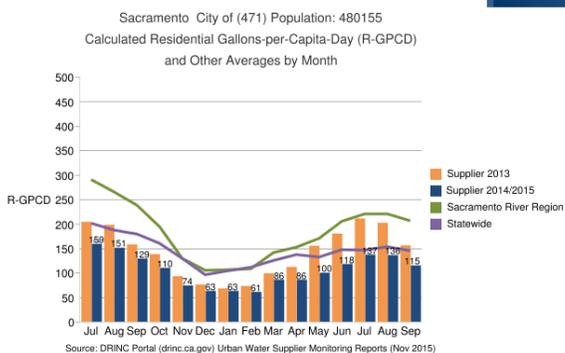
cc: Roseville City Council
Senator Jim Nielsen
Assemblywoman Beth Gaines
John Woodling, Executive Director, Regional Water Authority

1. What elements of the existing Emergency Regulation, if any, should be modified in an extended Emergency Regulation?

Climate Adjustment - Any extended Emergency Regulation should be modified to recognize the effects of climate on water use by adjusting water agency conservation standards based on their relative evapotranspiration (ET) rates as compared to a statewide average ET rate. For example, Water agencies with higher ET rates compared to the state average ET would receive a reduction in their current conservation standard. This modification would more accurately assess inefficient outdoor water use by first accounting for the differing biological water requirements of landscapes throughout the state. A low water use landscape still requires more water to survive in hotter, drier areas of the state when compared to cooler, wetter areas. More water doesn't correspond to waste.

This seasonal change in demand increases a water agency's residential gallons per capita per day (R-GPCD) monthly figure in the summer months when compared to winter months and contributes to a higher yearly average R-GPCD. A climate adjustment will mean Californians will make comparable commitments to water conservation. Inland residents shouldn't be expected to replace dead landscapes and lose trees, while those on the coast aren't expected to stress their landscapes beyond recovery.

The inequity of the current regulations is exacerbated by the metric used for target setting. The emergency regulation applies a conservation standard based on peak summer water use, but the standard must be achieved throughout the June through February period. Such a standard does not reflect the differences in seasonal water use in California (Figures). Water use directly varies with seasonal weather patterns, especially in inland areas where summer water use is often double winter water use because of the demands of landscapes. As a result, conservation targets as high as 36%, based on high summer water use, and must be maintained throughout the fall and winter. Coastal communities are not impacted by this condition as their water use remains more uniform throughout the year.



With the recent reporting, the State Water Board now has a wider range of monthly R-GPCD figures. We recommend that the individual water agency R-GPCD figures that serve as the basis for assigning conservation standards be recalculated based on annual, rather than seasonal water use.

These adjustment to recognize climate as a driver of water use will increase the equity of the emergency regulation. They can be fairly applied to all water agencies. No water agency is untouched by the effects of climate. While we agree that watering nonessential landscape material such as ornamental turf grass is not a priority of the state in this drought, preserving higher value landscape materials such as trees and shrubs, playing fields, and defensible space around structures is a priority for maintaining quality of life, habitat, public safety and the overall health of the environment. Many inland water agencies and water users are having to choose between meeting their conservation standards and protecting their longer term priorities listed above.

Regional Compliance - Any extended Emergency Regulation should incorporate a regional compliance option. A regional compliance option will achieve the same calculated water savings, but would promote increased regional coordination in public outreach messaging, regionally funded advertising buys, and joint conservation programs. The regional compliance option works by gathering a group of water agencies united

by similar water sources, a common wholesale agency, media markets, or other local factors, calculating the required water savings for each participating agency and then rolling it up into a regional conservation standard. The participating water agencies then work towards collectively meeting the regional conservation standard. If the region collectively meets the regional conservation standard, all the participating water agencies are deemed successful at complying with the Emergency Regulation. If the region does not meet the regional conservation standard, the region is deemed not successful and the participating water agencies are still held accountable to their individual State Water Board assigned conservation standard.

This additional compliance option would not require any further changes to individual water agency conservation standards (beyond the climate adjustments above), baselines, or reported production figures and relies on voluntary participation from individual water agencies that choose to form a multiagency region. The regional compliance option maintains accountability while improving flexibility at the local level and strengthens regional partnerships that will be beneficial to the state of California beyond the drought.

2. What additional data, if any, should the State Water Board be collecting through the Emergency Regulation and how would it be used?

RWA supports the State Water Board's current reporting efforts during this drought. The transparency and depth of the current available data is useful for both water agencies and policy-focused organizations. The monthly data collection allows for a steady stream of information on the state's conservation progress. The availability of this data also allows media outlets to continue to report on the drought. This increase in coverage keeps the need to conserve in the spotlight for the state's residents and businesses.

Regarding additional data collection, the State Water Board should first identify objectives to be achieved through data collection and then identify what supplementary data is available to achieve those goals. New data should only be collected to support a new goal and the process should be clearly communicated to the water agencies. Water agencies already have numerous existing reporting responsibilities. New reporting requirements will involve additional staff time, redirecting time from other staff activities.

Additional reporting may be necessary depending on any modifications or additions that are formally adopted to an extended Emergency Regulation such as the regional compliance option. For example, a regional agency may be required to submit supplementary data to the State Water Board on behalf of the region's participating water agencies.

3. How should the State Water Board account for precipitation after January 2016 in its implementation of any extension of the Emergency Regulation?

An extended emergency regulation should reflect the water supply needs of the state. Unfortunately, the expiration of the current regulations in February, may be difficult time to assess water supply conditions for 2016. In addition, conditions will vary by region and water source. The arrival of a strong El Nino could magnify the variations between regions depending on how, when and where precipitation occurs.

Continuation of high water conservation targets, in the absence of direct evidence of an extreme ongoing drought, will make it difficult to drive customer behavior to continue to achieve the targets. Loss of the good faith efforts of California's residents will have a negative impact on both short and long-term water efficiency improvements.

While we recognize the intention of the State Water Board to adopt extended emergency regulations to prepare for a continuing drought, we urge you to create flexibility to adjust targets to base on periodic evaluations of water conditions.

At minimum, the State Water Board in partnership with the California Department of Water Resources, the United States Bureau of Reclamation and a statewide representation of water agencies should evaluate snowpack, reservoir levels, groundwater conditions, projected runoff, and available local supplies on April 1,

2016 to guide implementation of emergency regulations for the remainder of 2016. If conditions have improved from 2015, either statewide or regionally, the State Water Board should be prepared to modify the emergency regulations to adjust the state conservation standard, and therefore individual water agency conservation standards. The ultimate goal is to match a water supply need with a conservation standard to fulfill that need.

At the same time, the continued declaration of a drought emergency should be reassessed in partnership with the Governor's Office. The people of California are responding to the need to conserve on the premise that we are in an emergency situation. Continuing to hold Californians accountable to emergency drought conservation levels beyond what is necessary will diminish the trust between the state and its people, and between local water providers and their customers. This trust will be needed to prepare for and respond to the inevitable future droughts that California will experience. Water agencies will continue to invest in water efficiency improvements to reduce longer-term water demand without the driver of emergency regulations.

In conclusion, RWA and the Sacramento region's water agencies share the State Water Board's desire to effectively respond to this historical drought. We continue to invest in both long-term and drought conservation efforts. At the Governor's request, the region voluntarily saved 19% in 2014. In 2015, we continue to conserve, saving 29% from January through October. We support extending the Emergency Regulation if the state identifies a continued need to conserve. The modification of the Emergency Regulation to incorporate the effects of climate on water use and the addition of the regional compliance option will increase equity and flexibility for water agencies and will ultimately allow for a more effective statewide drought response.