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To: [DWR Water Use Efficiency](#)
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Subject: Comments Resulting from the 9/19/16 and 9/20/16 UAG Meetings at MWD Headquarters in LA
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DWR/SWRCB;

Having attended both days at MWD, I would like to offer the following comments:

I. WSCP Comments:

A. Project Timeline

In general terms the implementation schedule seems reasonable in that it provides for interim targets, phase in, progress reports, and full implementation of all provisions by 2025 for residential and outside irrigation standards and 2030 for CII standards.

If, as was expressed by one UAG Member, some water agencies want to implement on a faster time schedule, then by all means, they should do that in their own service areas. There should also be care taken to coordinate the implementation schedules with other regulatory implementation and reporting requirements to avoid duplication of effort and data reported wherever possible.

One final suggestion might be to consider a modification to the implementation schedule to allow medium and small scale agencies more time to come into compliance, say 2027, 2030. This approach is often used in federal and state regulation based upon service connections or population.

Recommendation - In general stay with the implementation schedule outlined at the 9/19 and 9/20 meetings, but consider a sliding scale for implementation enforcement allowing smaller to medium size agencies more time to reach compliance with the assistance of DWR prior to being subject to formal enforcement actions by the SWRCB. Example - 25,000 or more service connections: 2025; 10,000 to 24,999 service connections: 2027; and 3,000- to 9,999 service connections, 2030.

B. Annual Water Supply Assessments

As recommended in prior comments, the annual water supply assessments should be relegated to the coming water year based upon water supply data typically available to the supplier by the late spring or early summer of each year.

Requiring a five year look ahead for water supply is very speculative. The water agency's water supply shortage response strategies and measures over a five year period will be contained in the UWMP documents which will be reviewed for adequacy by DWR. Further, initiating increasing staged shortage responses based on declining levels of surplus rather than actual shortage could force water agencies to pursue development of expensive surplus supplies, actions which are

suspect from a financial/rate payer perspective and legally questionable as being growth inducing under CEQA. Essentially, based upon what was presented on 9/19, unless a water agency has a verifiable surplus of 25% or more, that agency will always be in some stage of shortage response. This will result in confusion among the public (“We have a surplus of supply but we have to cut back 10%, huh?”) and make it difficult for water agencies to support economic expansion by extending additional water service for residential or commercial development. In other words, this approach set up a water agency to exist in perpetual synthetic drought.

Recommendation: It is recommended that water agencies be required to perform and report an annual water supply assessment and then take whatever actions (if any) are proscribed in their respective WSCP as necessary to balance supply and demand. This could mean accessing alternative supplies or asking customers to reduce water use or both. Potential actions to balance supply and demand will be contained in the agency’s UWMP.

II. WUE Targets Comments

A. Indoor Targets

There seemed to be some agreement on the 55 gpcd as the initial indoor target, with the understanding that the target could be refined over time based upon the phasing of more water efficient appliances and plumbing fixtures. It should not be forced down just to reach a lower number without some scientific basis to support a lower number.

There should be, however, an opportunity for an agency to seek a higher standard based upon weather considerations or other circumstances which might force in-door gpcd for a given community.

B. Population

What will be the source to determine the population of an agency service area. The 2010 census will be almost a decade old by 2018, 2019, and the 2020 census will be just around the corner. Will the census data be accurate enough in any given year on which to base a water agencies enforceable indoor water allocation? Between each census, what data will be used to verify an agencies population growth to secure an increasing gpcd allocation?

Recommendation: An acceptable methodology must be developed to allow water agencies to verify census data or offer alternative data and then moving forward add population between each census to adjust the indoor water use allocations.

C. CII Water Use

A performance-based approach with standards developed by working with the various CII segments will result in greater water use efficiency without the unintended negative economic consequences which might be associated with an across the board percentage reduction or mandates enforced by the state of retail water agencies.

D.Municipal/Public Health and Safety/Construction Water Use

Under SB X 7-X these types of water use were included in the overall water usage of an agency. However, at this point it is unclear where water used for public health and safety (fire -fighting, fire training, hydrant flushing, street sweeping, water main flushing to maintain water quality water quality testing) will be provided for under the current approach. It is certainly not included in the indoor allocation, the outdoor irrigation allocations. Also, water use for dust control and compaction is intermittent, and may not be represented in any CII performance based measures for given year or period of time. However, having water available for this use critical to residential and commercial development and economic expansion is critical for a water agency to be able to let that activity go forward without pulling water from other CII uses or even the indoor residential and outdoor landscape irrigation allocations.

Recommendation: A reasonable provision must be made to allow for these uses in addition to domestic and CII allocations.

E.Outside Water Use

People who conserved by letting landscaping go during the Drought Emergency should not be punished by being left with a “0” outside water use budget. The same goes for communities. The comment was made at one point that the “City of Sacramento must be afforded the water needed to turn dead landscape in to new water efficient landscapes.” Well said.

Recommendation: A water agency’s outside water budget must be based upon ***irrigable acreage*** rather than irrigation acreage to avoid the issues of inequity between communities and people within communities.

F.Commercial Agricultural Water Use within Urban Water Agencies

The question was raised as to how commercial agricultural water use in urban water agencies would be accounted for and addressed in the WUE Targets, and the response was that it was uncertain at this time.

Recommendation: A possible approach may be to provide agricultural agencies an allocation based upon ETA and water demand on irrigable acreage similar to that for landscape irrigation within whatever efficiency measures are forth coming from the ag process.

G.Cultural Shift

In general, what is being proposed via the Governors Executive Order to make “Conservation a California Way of Life” is significant cultural shift in the way Californian’s have traditionally thought

about and water and water use on a daily basis. While water agencies have been very effective at developing and managing water supplies during normal supply and drought conditions, they are not well equipped and qualified to enculturate almost 40 million Californian's into the water ethic desired by the Governor.

Recommendation: The state of California must make the significant, long-term investments needed in mass media messaging and education to make the public aware and understand why this transition is needed to make it successful and lasting.

As always, thank you for the opportunity to comment and feel free to contact me if you should have any questions.

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