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Sent: Wednesday, April 06, 2011 4:10 PM
To: Alemi, Manucher; Davidoff, Baryohay; Jemaa, Fethi Ben; dceppos@ccp.csus.edu
Subject: Draft Agricultural Water Measurement Regulation

Larry Rodriguez
Kern County Water Agency
Level of Support: Qualified Disagreement

We applaud DWR's effort to work with the ASC to develop an agricultural water measurement regulation to can be effectively implemented by the diverse range of agricultural water supplier in California. Over the past year the ASC has provided DWR with a vast amount of input on this matter and we believe that the current draft of the water measurement regulation reflect a significant amount of the input provided by the agricultural stakeholder in the ASC. However, we continue to believe that the regulation can be modified to make it less burdensome to water suppliers and to recognize the tremendous responsibility all district have to provide fair, equitable, and cost effect water services to their customers. Kern County Water Agency's (KCWA) comments on the draft water measurement regulation have been incorporated in to the joint comments submitted by the Agricultural Water Suppliers. KCWA's comments are also reflected in the comment letter submitted one of our member unit districts, Wheeler-Ridge Maricopa Water Storage District. KCWA fully supports the comments submitted by both of these entities.

In particular I would like to reiterate our rational for the proposed changes in §597.3 and §597.4.

Options for Agricultural Water Measurement – The current draft of this section is unnecessary cumbersome and difficult to understand. We believe that the range of accuracy standards provided in Option A are sufficient to meet the requirements for volumetric pricing and reporting. The slightly more stringent accuracy requirements in Option B for devices upstream of multiple customers are arbitrary and will not, in practice, provide an overall improvement in the accuracy of reporting to DWR or to volumetric measurement to customers.

The point has often been raised, by myself and others, that districts will be held accountable to the appropriate level of accuracy by their customers. It has been our experience that where volumetric measurement and pricing is in place customers, whether wholesale or retail, will hold their suppliers accountable to the level of accuracy practicable given infrastructure and cost constraints. Each irrigation season, or more frequently, customers analyze their water delivery charges to ensure that they are consistent with their requests for water and their experience of actual deliveries. Additionally, all water districts are public agencies and have the responsibility of public transparency. As such landowners or customers of the district are provided the right, which they often exercise, to review and comment on pricing structures as well as expenditures for improvements such as metering. In some cases the customer may support a lower level of accuracy for measuring deliveries if the cost of achieving higher levels of accuracy are not supportable. In these cases we believe that the district, with the support of their customers and Board of Directors, will have implemented a measurement and pricing structure in compliance with Sx7-7, regardless of the level of accuracy (not to be taken to the extreme).

Certification and Performance Requirements of Measurement Devices – DWR's attempt to develop a performance measure that provides adequate flexibility to water suppliers have again become overly cumbersome. As discussed above, we believe that accuracy standards and the maintenance thereof are

best handled within the district where local conditions and costs form a portion of the determination of appropriate accuracy levels. Customers will appropriately hold districts accountable for the continued accuracy of volumetric delivery reporting and billing, whether measured at individual farm gates or through an apportionment methodology utilizing an upstream measure point. District's that utilize volumetric pricing have a vested interest in ensuring effective oversight for accurate water measurement, as water deliveries are the source of income for the District. Likewise, customers in those districts have a vested interest in ensuring that their measurement points accurately record water actually delivered. The consequence of this is a regular program of checking, maintaining, and verifying the performance of metering devices, which in most cases will be more thorough than the requirements set forth in §597.4. Therefore, we support revisions to §597.4 which allow for water suppliers to develop their own methodology for verification of accuracy, when it can be shown that the method is more effective than a random sampling protocol.

Thank you again for considering these comments, the joint comments of the Agricultural Water Suppliers and those of Wheeler Ridge – Maricopa Water Storage District. Please do not hesitate to contact me if you have any questions.

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