



Environmental Utilities
Administration
2005 Hilltop Circle
Roseville, California 95747

(2/2/16) Board Meeting- Item 7
Conservation Extended Emergency Reg
Deadline: 1/28/16 by 12:00 noon

January 26, 2016



Felicia Marcus and Members of the State Water Resources Control Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Sent via email: commentletters@waterboards.ca.gov

Re: 2/2/16 BOARD MEETING (Conservation Extended Emergency Regulation)

Dear Chair Marcus and Board Members,

Thank you for the opportunity to comment on this proposal to extend the Emergency Conservation Regulation to respond to the current drought.

The City of Roseville appreciates that the State Water Resources Control Board staff and board members have heard our concerns about the inequity of the current Emergency Conservation Regulation; and have now incorporated a proposed climate adjustment that accounts for the challenges of a hotter, drier climate that is not within our control.

Additionally, we also appreciate the addition of a growth adjustment that accounts for growing communities like ours - a product of being a desirable place to live, work and do business, which has led to planned growth in our community since 2013.

Notwithstanding these positive elements in the proposed Emergency Conservation Regulation, the City of Roseville continues to have serious concerns about the overall regulatory approach of the proposed Emergency Conservation Regulation in the following ways:

The proposed Emergency Drought Regulation undermines our future ability to continue to locally invest in drought resilient water supplies

Fortunately, due to years of proactive drought planning and a community willing to take the call to conserve seriously, the City of Roseville's water conservation efforts have consistently exceeded our 28 percent state conservation target. From January 2015 to December 2015, the City of Roseville conserved 33 percent, compared to the same period in 2013.

These results, which our community takes great pride in; were possible through the goodwill and cooperation of our community based on their belief that decades of local investments in drought resilient infrastructure would actually provide a benefit realized during times of drought.

We recognize that in Section 865(f)(3) of the proposed Emergency Conservation Regulation there is a process for local agencies to certify by March 15, 2016, and potentially gain a credit to reduce their local agency conservation target, for drought resilient supplies developed after 2013.

First, it is important that all drought resilient supplies, in this proposed certification process, be evaluated on the drought resiliency benefits they have brought to their communities and to the state.

In Roseville's case, we have invested millions of dollars over nearly 20 years in a recycled water system that now produces 1 billion gallons of recycled water annually.

Additionally, Roseville has made investments, before 2013, in developing an Aquifer Storage and Recovery Program that allows the city to bank excess water, in times of plenty, into the groundwater basin, for later use during droughts.

These proactive, local drought resiliency investments were made possible through proactive local planning and from utility revenue that came from members of our community that felt it was a wise investment that would better prepare our community for future droughts.

These local drought resiliency investments must be recognized by the State Water Resources Control Board as a credit, and must be recognized for a longer period than just 2014 and beyond. If these local investments are not recognized in a credit, in this way, it sends a message that local investments in drought resilient supplies really don't matter and that the State can arbitrarily negate any benefit that comes from that local investment.

Question then becomes – will local ratepayers want to invest local resources in drought resilient infrastructure in the future? In the spirit of the Governor's recent update to the California Water Action Plan, which seeks partnership between local agencies and the state in developing drought resilient infrastructure and water supplies, we ask that the State Water Resources Control Board strongly consider this question and the long term implications it could bring to the State's own policy vision.

The proposed Emergency Drought Regulation must have specific criteria and milestones to evaluate the nexus between actual hydrological conditions and the regulation

In addition, we strongly encourage the State Water Resources Control Board to explicitly address in the proposed Emergency Conservation Regulation the need to reconsider the extended emergency regulations in April 2016 based on hydrologic conditions. Sierra snowpack, storage in the State's major reservoirs, projected runoff, cumulative precipitation, available local water supplies, and other factors can be used to assess the extent to which ongoing drought represents an "emergency" statewide and in each region.

Continuing to expect these sacrifices without clear and convincing evidence of an ongoing drought emergency will reduce the public's trust in state and local agencies and hinder both short and long term achievement of water conservation and efficiency goals.

A vague promise to check back in April isn't enough, in our opinion. We ask that the State Water Resources Control Board direct State Water Resources Control Board staff

to develop specific criteria and milestones by which the nexus between actual hydrology and the regulatory framework can be evaluated. This data driven evaluation can provide a justifiable basis for the Governor and the State Water Resources Control Board to continue the regulations, relax or end the Emergency Conservation Regulations.

In summary, we thank the State Water Resources Control Board for considering our comments and being open to considering regulatory approaches that stand up to the expectations of our local water customers - that a continued call to conserve will still respect local drought resiliency investments made over the years; and that any Emergency Conservation Regulation is justified by data and milestones that recognize hydrological conditions are changing, hopefully for the better.

Sincerely,



Richard D. Plecker, P.E.
Environmental Utilities Director

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