



CITY OF SANTA MARIA
UTILITIES DEPARTMENT
Business Services • Regulatory Compliance
Solid Waste Services • Water Resources

2065 EAST MAIN STREET • SANTA MARIA, CALIFORNIA 93454-8026 • 805-925-0951, EXT. 7270 • FAX 805-928-7240

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Jeanine Townsend, Clerk to the Board
State Water Resources Control board
1001 I Street, 24th Floor
Sacramento, CA 95814
Emailed to: commentletters@waterboards.ca.gov



SUBJECT: 02/02/2016 BOARD MEETING (CONSERVATION EXTENDED EMERGENCY REGULATION)

The City of Santa Maria ("City" or "Santa Maria") appreciates the opportunity to comment on the State Water Resources Control Board ("Water Board") proposed Resolution amending and readopting drought-related emergency regulations for urban water conservation ("Emergency Regulation").

The City is a strong advocate for wise use of potable water. Since 2004, the City has been active with the California Urban Water Conservation Council, and in 2014, the City achieved its "20 x 2020" goal for water conservation. In addition, the City employs a full-time water conservation specialist, implements numerous water conservation educational programs, maintains a robust public relations campaign, and conducts monthly evaluations of residential water use using advanced metering infrastructure (AMI) to identify leaks. The City successfully implemented all of these efforts prior to the Emergency Regulation.

Although the City actively advocates and promotes water conservation, concerns remain about extending the existing Emergency Regulation. Santa Maria is a disadvantaged community of more than 100,000 that relies heavily on agriculture for economic vitality. The City's concerns about extending the Emergency Regulation remain fivefold:

- 1) Impoverished communities do not have financial resources to purchase efficient water use appliances;
- 2) Conservation requirements for areas with adequate water supplies and adjudicated water basins are unnecessary;
- 3) The City's urban use of local groundwater is a small fraction of total water used. There are no restrictions on other users of this water supply;

- 4) Extending the Emergency Regulation would create an unnecessary need to raise water rates for a disadvantaged community, causing a social injustice to an already impoverished area; and
- 5) The mechanism for calculating the impact of a new commercial venture does not accurately reflect the true impact if the new venture is a substantially greater water user than existing commercial facilities.

Impoverished communities do not have financial resources to purchase efficient water use appliances.

Santa Maria is an impoverished community. The approximate delinquent monthly utility bill rate is 6,000 out of 20,000 accounts. Nearly 30 percent of water users cannot pay their bills on or before the required due date and do not have financial resources to purchase efficient water use appliances. Furthermore, the City does not have funding to incentivize the community with rebates or other types of incentives.

Conservation requirements for areas with adequate water supplies and adjudicated water basins are unnecessary.

The City derives its local water supplies from the Santa Maria Groundwater Basin, a large, adjudicated water basin that continues to operate within historical ranges. This basin opens to the ocean so that unused water flows out to sea.

The City's urban use of local groundwater is a small fraction of total water used. There are no restrictions on other users of this water supply.

The City's municipal use of the local groundwater supply is less than ten percent of the annual use from the basin. Agricultural use, the greatest percentage of water use of the basin, currently has no conservation requirements. The City's requirement to reduce its water use by 16 percent results in approximately a 1.5 percent reduction in overall use. As stated before, the groundwater basin is large enough to meet those needs, but water conservation is less effective when conservation requirements are required of some of the smallest users in the basin.

Extending the Emergency Regulation creates an unnecessary need to raise water rates for a disadvantaged community, causing a social injustice to an already impoverished area.

The Emergency Regulation has resulted in a situation in which every one percent of water saved results in lost revenue of more than \$250,000. The City's conservation requirement of 16 percent equates to over \$4 million in lost revenue per year. Continued conservation requirements would result in the need to raise water rates, placing an unnecessary financial burden on the portion of the population least able to afford it.

The mechanism for calculating the impact of a new commercial venture does not accurately reflect the true impact if the new venture is a substantially greater water user than existing commercial facilities.

The revised Emergency Regulation allows the City to adjust the conservation standard by a percentage of change in potable water production due to growth, including commercial, industrial, and institutional (CII) connections. New facilities would be adjusted based on the average use per CII connection from February to October 2015. This does not take into account if a very large user enters the Santa Maria. For example, in Santa Maria, the average CII use from February through October 2015 was 20,300 cubic feet. For that same period, a single large fruit processing facility used almost 4,700,000 cubic feet; this was not a wasteful process, but the very nature of the fruit processing plant required a significant amount of water to process the agricultural produce. This adjustment methodology does not take into consideration such situations, and as a result, Santa Maria residents are required to conserve water because of situations beyond their control. The City requests that the SWRCB consider such anomalies if the Emergency Regulation is extended.

The Notice of Public Workshop on Urban Water Conservation requested public input on how to consider precipitation after January 2016 in its implementation of any extension of the Emergency Regulation. The City offers its comments here for Water Board consideration. Although the two are often related, a hydrological drought does not always imply a water supply drought. For suppliers such as the City that have planned for such extended dry periods and secured adequate supply to meet demand, the amount of precipitation does not necessarily relate to the ability to supply the community. Instead of using precipitation as the benchmark for extending the Emergency Regulation, the Division of Drinking Water could verify that water providers have adequate supply to meet demand. As a result, the Emergency Regulation could apply only to those agencies that were unable to demonstrate sufficient water supplies.

The City also requests that the Water Board consider a waiver opportunity for disadvantaged communities that demonstrate adequate water supplies. As an alternative, the Water Board could consider applying revenue achieved through fines or penalties to disadvantaged communities negatively impacted by the existing and proposed extended regulations.

Thank you for your consideration of these comments. The City understands and appreciates the challenges of attempting to create an all-encompassing conservation program for the diverse group of water agencies throughout California.



SHAD S. SPRINGER, P.E., MPA
Director of Utilities