



PASADENA WATER AND POWER



January 27, 2016

Sent via email: commentletters@waterboards.ca.gov

The Honorable Felicia Marcus, Chair
and Members of the State Water Resources Control Board
c/o Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

**RE: Comment Letter – 2/2/16 BOARD MEETING
Conservation Extended Emergency Regulation**

Dear Chair Marcus and Members of the Board,

On behalf of the City of Pasadena, we appreciate the opportunity to comment on the draft Extended Emergency Regulation for Urban Water Conservation (Extended Regulation). The City supports the State Water Resources Control Board's ("State Board") leadership in increasing water conservation during this unprecedented drought. The Emergency Regulation adopted by the State Board on May 5, 2015 in response to the Governor's April 1 Executive Order has resulted in sharply reduced urban water use. That said, significant issues of equity, unintended consequences, and insights gained require modifications to the Extended Emergency Regulation.

The City's customer-owned utility Pasadena Water and Power ("PWP") serves about 165,000 people, within a service area of 26 square miles in the San Gabriel Valley of Los Angeles County. The City of Pasadena is a leader in promoting environmental stewardship and urban sustainability. In 2008, Pasadena started an aggressive, sustained comprehensive water conservation campaign following its adoption of the Urban Environmental Accords policy. In early 2009, the City Council adopted a Comprehensive Water Conservation Plan that included a Water Waste Prohibition and Water Shortage Plan ordinance that contains virtually all the requirements of the State Board's Emergency Regulations.

As a result of aggressive conservation actions taken by the City since 2008, PWP's annual net water production for the twelve months ending December 31, 2015 was 30% less than fiscal year 2007 and the lowest since fiscal year 1953.

No penalties for early voluntary conservation efforts

In addition to the proposed Extended Regulation, PWP reiterates its recommendation that the State Board reconsider adjustments for conservation efforts prior to the 2013 baseline year for inclusion in the Extended Regulation. Water agencies should not be penalized for their early voluntary action. The State Board should affirm the importance of local leadership and well-planned water supply investments.

The targets established by the State Board do not consider conservation efforts prior to the 2013 baseline year. PWP's 2013 compliance baseline already had approximately 15% water savings built in as a result of aggressive conservation actions taken by the City. These early reductions make future water savings more challenging and costly.

Consideration of Fiscal Impacts from the Extended Regulation

The City's total estimated additional costs attributable to the Emergency Regulation through February 29, 2016 are projected to be \$732,255. Statewide the fiscal impacts from the Extended Regulation are too high to continue to compel Californians to sustain extraordinary conservation efforts that are disproportionate to the actual need or immediate water supply conditions on the ground. Specifications on how and when it will be determined appropriate to reduce or remove the emergency conservation standards if water conditions become favorable, should be included in the text of the Extended Regulation.

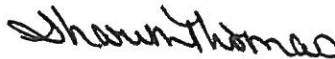
Language consistent with the January 15, 2016 State Board Fact Sheet should be included in the text of the Extended Regulation or an accompanying resolution: State Water Board staff will monitor and evaluate available data on snowpack, reservoir storage levels and groundwater basin levels, and report back to the State Water Board in March and April 2016. If conditions warrant, State Water Board staff will promptly bring a proposal before the State Water Board to adjust or eliminate the Emergency Regulation.

Long Term Urban Water Conservation Policy

PWP appreciates the State Water Board's effort to enforce mandatory cutbacks of water use during the current emergency drought condition, but this is not an effective model to achieve long-term reductions in non-emergency conditions. Provisions adopted in the Extended Regulation should not be used as a template in the development of any long-term rule. PWP looks forward to working through the stakeholder process to consider how the current (non-emergency) urban water conservation policy and regulatory framework may be refined to support and complement the state's broader, long-term water supply reliability objectives.

I appreciate your consideration of our recommendations. Please contact me or Angela Kimmey at 626.744.4409 for any questions or further discussions.

Sincerely,



Shari M. Thomas
Interim General Manager

cc: Tom Howard, Executive Director, State Water Resources Control Board
Caren Trgovcich, Chief Deputy Director, State Water Resources Control Board
Eric Oppenheimer, Director, State Water Board's Office of Research, Planning and Performance
Max Gomberg, Climate Change Advisor, State Water Resources Control Board
Michael J. Beck, City Manager – City of Pasadena
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