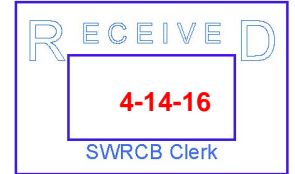




City of Pittsburg
Water Utilities Department
65 Civic Ave.
Pittsburg, California 94565



April 14, 2016

Delivered by e-mail to: 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

Subject: Comment Letter – Urban Water Conservation Workshop

Dear Chair Marcus and Members of the Board:

The City of Pittsburg (City) appreciates the opportunity to provide input on potential revisions to the February 2016 Emergency Regulation. Beyond consideration of possible amendments, we believe that changes in water supply conditions across the state warrant lifting the statewide emergency declared last year and ask the State Water Board to consider lifting the emergency regulations. We recognize there may be some regions and/or communities with lingering challenges, and we encourage the State Water Board to focus efforts on those areas. Regardless of the emergency regulation, the City remains fully committed to water use efficiency and will continue to ask our customers to conserve water.

1. What elements of the existing February 2016 Emergency Regulation, if any, should be modified and how so?

Lift the Statewide Emergency Regulation to Reflect Current Conditions and Available Supplies. Recent precipitation, snowpack, and increased local supply development have significantly improved water supply conditions for many individual suppliers and regions in both Northern and Southern California, providing benefit to agencies across the state that rely on such supply sources. Application of emergency regulations needs to adapt to these changing conditions. In some regions, water supply conditions have turned to surplus, and very public images of spilling reservoirs have a compelling impact on water users. Water agencies have worked hard to earn the support of our communities in achieving unprecedented reductions in water use during the drought emergency. Given the improved conditions, we are concerned about turning the strong public support for improving water efficiency toward a sentiment of dismissiveness if statewide regulations do not adapt to reflect the changed conditions.

Please eliminate any reporting requirement from the City, except possibly % reduction compared to 2013.

2. How should the State Water Board account for regional differences in precipitation and lingering drought impacts and what would be the methods of doing so?

Implement Self-Certification Supply-Based Approach in Lieu of Statewide Conservation Mandate. Given that local suppliers are the best equipped authority to assess the sustainability of local supplies, we support a self-certification process for urban water suppliers in lieu of a statewide conservation mandate. Such a self-certification approach would be appropriate only for a Governor-declared drought emergency.

If the existing emergency were to continue, the self-certification would require urban water suppliers, either individually or as a region, to report in June 2016 on available supplies (including surface water and groundwater storage) and demands with a look-ahead projection through October 2016. Self-certification at a regional basis would be an available option if all urban water agencies in the region agree to this approach.

Suppliers would report on their anticipated supplies and demands through October 2016 by providing information to the State Water Board. If available supplies are sufficient to meet anticipated demands and maintain supply reserves for future drought periods to pre-drought-levels, the supplier would be exempt from a mandated conservation standard under the current Emergency Regulation. If available supplies are not sufficient to meet anticipated demands, the actual shortage level identified would serve as their standard through October 2016. If a supplier does not submit data to self-certify, their current conservation standard would default to the adopted state standard. Given the current hydrologic conditions, we expect that this would be a lower, less-restrictive standard.

The State Water Board would have the ability to verify agencies' certified supply figures by requesting documentation that would support the figures (e.g., urban water management plans, integrated regional water management plans, water master annual reports, groundwater plans, drought management plans).

Focus Support on Water Suppliers and Communities Needing Assistance. We support the State Water Board in using its limited resources most effectively by focusing efforts on water suppliers and rural disadvantaged communities (DACs) with severe shortages and/or water quality issues. In focusing its efforts in this direction, the State Water Board can provide the necessary services and recommend funding for those that need the most help.

3. To what extent should the State Water Board consider the reliability of urban water supplier supply portfolios in this emergency regulation?

When a statewide governor-declared drought emergency does exist, City would support an amended Emergency Regulation that considers the multitude of unique local conditions, allows local discretion in fully utilizing available resources. The City has made a sizable investment to provide emergency and drought water storage in Los Vaqueros Reservoir. It is a financial burden to have made this investment and then have to significantly cut back in the water sales (and revenue). This affects the ability to pay for the storage project without a significant rate increase, or alternately, affecting our ability to fund much needed capital replacement.

4. Climate adjustment

As interpreted by staff, the current climate adjustment refers to using a weather station within the service area. If a weather station was not available, a CIMIS station from an adjacent area was not accepted. We submitted data from two CIMIS station, one on each side of the City. We have 50 years of temperature data, but not ETo. We were not told that the climate adjustment data submittal was denied. In addition, "weather station" was not clearly defined. Please correct this regulation, if it is used again.

From SWRCB staff:

“Regarding the CIMIS or comparable weather station data. The State Water Board has to abide by the language that appears in approved regulation. Below is an excerpt:

Sec. 865. (F)(1)(D)

[..]In lieu of applying its default service area evapotranspiration, a supplier may use specific data from CIMIS stations within its service area that have at least a five-year period of record, or a three year continuous period of record, to identify a more specifically-applicable evapotranspiration for its service area. **If no CIMIS station exists within the supplier’s service area, a weather station of comparable accuracy, meeting the preceding period of record requirements, may be used. [...]**

This shows that we are not able to allow the use of CIMIS or comparable weather station data from regions **outside** the service area and we don't have the flexibility to make exceptions.”

5. Growth adjustment

The formula for growth adjustment was set so that a 5% growth yielded a 2% decrease in the conservation savings requirement. I missed why 5% doesn't more closely resemble 5%. It seems like growth is being punished. Please correct this regulation, if it is used again.

I would suggest the following: % allowed + (% allowed * growth rate)

For the example of a 36% reduction below it would be: $74\% + (74\%)*(0.05) = 78\%$

The calculation adopted and shown below results in an increase of 2% for a growth of 5%.

Percent Change in Potable Water Production Due to Growth since 2013 = $[792,000,000 \text{ gallons}] / [16,000,000,000 \text{ gallons}]$	0.05	or 5%
Growth Adjusted Conservation Standard = $36\% * [1 - 0.05]$	34	%

City's Conservation

The City has been committed to continued water use efficiency since the 1977 drought, whether or not it was mandated by the State, during all hydrologic conditions. We have worked closely with our water utility customers to establish reasonable targets to achieve 20% per capita reductions by the year 2020. We have invested \$6,000,000 in recycled water and funding for radio controlled irrigation controllers, plus the investment made through increased water rates in Los Vaqueros Reservoir.

We hope our comments are helpful.

Sincerely,

Walter C. Pease

Director of Water Utilities

City of Pittsburg

(925) 252-6966