

# CITY OF LONG BEACH

OFFICE OF THE CITY MANAGER

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PATRICK H. WEST  
CITY MANAGER

April 13, 2015

The Honorable Felicia Marcus  
California State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

**Re: Long Beach Comments – Mandatory Conservation Proposed Regulator Framework**

Dear Chairwoman Marcus:

On behalf of the City of Long Beach, thank you for considering our comments as they apply to the Governor's April 1, 2015 Executive Order on water conservation regulations. Long Beach appreciates that measures must be taken to conserve water; however, we respectfully request local control be preserved during this process. We believe that our City is best equipped to determine how water conservation can be achieved in our jurisdiction.

In reviewing the State Water Resources Control Board's Mandatory Conservation: Proposed Regulatory Framework, Long Beach has the following comments to the section on Urban Water Suppliers:

**I. Apportioning Water Supplier Reductions**

Long Beach appreciates that the Proposed Regulatory Framework takes into consideration, water conservation achievements that have already been made by urban communities. The City urges the State Water Resources Control Board to continue considering the relative per capita water usage of each water suppliers' service area, and have those areas with high per capita use achieve proportionally greater reductions than those with low use. We are amenable to using September 2014 as a basis for placement of the 411 urban water suppliers into tiers that correspond to conservation standards. This methodology places Long Beach in Tier 2 of the Proposed Regulatory Framework to Achieve 25% Use Reduction Statewide, and would require Long Beach to reduce potable water usage by 20%.

**II. New Reporting Requirements**

The City understands that in order to measure reductions, monitoring and reporting must take place. While monthly reporting may be appropriate, Long Beach urges the State to refrain from requiring reports be submitted more frequently than monthly, as cities have limited resources to dedicate to such administrative tasks.

**III. Compliance Assessment**


The compliance assessment model presented seems reasonable. Long Beach supports comparing year over year data to determine compliance.

**IV. Enforcement**

The City of Long Beach appreciates informal enforcement, in the form of warning letters without monetary penalties, is being considered as a form of enforcement. We believe this type of enforcement will help build a relationship between the City and State as we move towards increased water conservation. While the City understands that monetary penalties may be necessary to enforce water conservation practices, we urge the State to consider a tiered penalty structure rather than a flat \$10,000 per day of non-compliance. Long Beach expects to make our best efforts to conserve water, and we expect that these conservation measures will be uncomfortable. However, to the extent that new technologies and infrastructure may be needed and currently unavailable, a fine of \$10,000 per day of non-compliance could hinder future conservation efforts by diverting scarce funding to paying fines rather than towards water conservation infrastructure. The City hopes that we will not be in a situation that will require this choice to be made, however we would like to urge the State to consider this potential situation as formal enforcement measures are developed.

Thank you for accepting comments on the Mandatory Conservation Proposed Regulatory Framework.

Sincerely,



Patrick H. West  
City Manager

cc: The Honorable Ricardo Lara, State Senate, 33rd District  
The Honorable Janet Nguyen, State Senate, 34th District  
The Honorable Isadore Hall, III, State Senate, 35th District  
The Honorable Anthony Rendon, State Assembly, 63rd District  
The Honorable Mike Gipson, State Assembly, 64th District  
The Honorable Patrick O'Donnell, State Assembly, 70th District  
Thomas Howard, State Water Resources Control Board, Executive Director