



City of Hemet

(12/7/15) Public Workshop
Urban Water Conservation
Deadline: 12/2/15 by 12:00 noon

445 E. FLORIDA AVE • HEMET, CALIFORNIA 92543 • (951)765-2301

From the Office
of the

INTERIM CITY MANAGER
Gary Thornhill

December 2, 2015

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th floor
Sacramento, CA 95814



Re: *Public Comment on Emergency Regulation for Statewide Urban Water Conservation*

Dear Ms. Townsend:

The City of Hemet appreciates the opportunity to submit comments for consideration in any potential extension or modification of the existing Emergency Regulation for Statewide Urban Water Conservation. The City of Hemet, as one of the few agencies issued a Formal Conservation Order, has been committed to meeting compliance with our specific tasks. In doing so, we have also shared many concerns with State Water Resources Control Board (SCWRB) staff. We believe modification of the current tier structure is imperative for our community to meet conservation requirements in a sustainable way.

1. What elements of the existing Emergency Regulation, if any, should be modified in an extended Emergency Regulation?

The current conservation goal tier assignment, established solely on residential gallons per capita per day (RGPD), ignores a number of important factors that influence water demand and usage. Because of this, the RGPD tier assignment model results in inequitable reduction requirements for many districts and agencies that service inland and desert regions of the state. In moving forward, we are requesting that the State incorporate a method that recognizes the following factors as part of individual district conservation requirements:

Accounting for climate differences across the state/region.

Climate and weather conditions vary dramatically throughout the State. Inland and desert communities experience higher temperatures and dryer climates for longer periods than do coastal and mountain communities. The current tier establishment does not take into account the climate differences in various regions. In order to develop a fair conservation goal the State needs to consider what level of conservation is reasonable in each region based on normal climate conditions.

Accounting for local/regional economic conditions.

Many cities have not experienced any significant economic recovery since the downturn in 2007/2008. Districts such as ours, with a customer base that is comprised mostly of low income and senior residents, already have a historically low RGPD as customers tend to conserve water out of financial necessity. There are very few if any, opportunities for residential outdoor conservation, and additional expectations of an indoor water consumption reduction becomes a health and safety issue for our customers. Economic conditions of service populations need to be considered in any continuance of the current Emergency Regulation as rate adjustments and penalties needed to support the conservation reduction goals are shouldered by what are often already disadvantaged customers.

Recognize conservation efforts in place prior to 2013.

The current Emergency Regulation does not recognize conservation efforts in effect prior to 2013. Those agencies that have been diligent over the last decade in promoting conservation are now struggling to meet conservation goals because the groundwater production numbers from 2013 used as the conservation baseline already reflected efficient water use in many agencies. As a district committed to meeting our 20X2020, we have a long running conservation program in place that represents years of ongoing funding and staffing resources. Previously existing conservation efforts and the ongoing costs to support the program should be considered in establishing any future conservation goals

Credit for participation in projects that support basin restoration.

The state should also consider crediting districts that have established groundwater management programs and have already committed to funding local expenditures for projects related to regional groundwater recharge, water reclamation, restoring aquifers, storm water capture and efforts to reduce and eliminate overdraft. These types of projects should be viewed to be as equally valuable as water conservation with credit given against conservation requirements for dollars spent to improving or repairing water resources. Because availability of water is not uniform throughout the state, conservation requirements should not be assessed without consideration of local supply and existing groundwater management efforts.

Account for agency compliance with RGPD.

Cities that are within state guidelines for RGPD should be recognized and the success of reducing and maintaining those numbers should be a weighted factor in overall compliance. The current "pass/fail" compliance measurement based on overall groundwater production conservation goal is too simplistic. Factors mentioned above make it difficult for many cities to meet both state per capita guidelines and over all reductions.

Consider legal constraints of conservation enforcement.

The current conservation requirements seem to be out of touch with the existing legal structure in which water districts must operate. Given the legal challenges over imposition of water penalties, and tiered rates based solely on water usage and not cost to the producer, the State needs to gain a better understanding of what is realistic in terms of each water district's ability to legally require conservation, or empower local agencies with additional fee generating tools and legislation authorizing those tools.

2. What additional data, if any, should the State Water Board be collecting through the Emergency Regulation and how would it be used?

With a refinement to the current Emergency Regulation, the State should be collecting data to support effective evaluation and inclusion of the factors described in response to question No.1 above.

3. How should the State Water Board account for precipitation after January 2016 in its implementation of any extension of the Emergency Regulation?

Any accounting for precipitation needs to take into consideration that precipitation does not occur uniformly throughout the State. Any offsets given for precipitation should be distributed, at minimum, regionally.

As a final comment, we would request that the State establish an appeal process that allows agencies the opportunity to appeal Emergency Regulation requirements specific to their district, at any time following regulation implementation. Administering aggressive conservation requirements to meet short-term conservation goals has been a learning process for the State and water providers, alike. The current Emergency Regulation and conservation standards were rolled out in an all or nothing fashion with no room for refinement. Allowing for individual conservation goals to be revisited when new information becomes available, agencies will be able to partner with the State in fostering overall conservation success and while developing realistic region specific, cost effective conservation strategies that can remain sustainable for years to come.

The City of Hemet Water Department is committed to making every effort to achieve our current 32% conservation standard and contribute to the overall state wide goal of 25% reduction in water produced. We respectfully submit the comments above in an effort to provide the State with information that we believe will move toward a more equitable and sustainable conservation effort. If you have any questions regarding these comments, please feel free to contact Kristen Jensen, Public Works Director, at kjensen@cityofhemet.org.

Respectfully,



Gary Thornhill
Interim City Manager