



December 19, 2016

VIA EMAIL: wue@water.ca.gov; commentletters@waterboards.ca.gov

The Honorable Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

The Honorable Mark Cowin, Director
California Department of Water Resources
P.O. Box 942836, Room 1115-1
Sacramento, CA 94236-0001

Re: Comments on November 2016 Public Review Draft, Making Water Conservation a California Way of Life, Implementing Executive Order B-37-16

Dear Chair Marcus and Director Cowin,

The undersigned agencies appreciate this opportunity to submit comments on the November 2016 Public Review Draft on Making Water Conservation a California Way of Life, Implementing Executive Order B-37-16.

As the draft conservation framework report outlines, water resources management in California faces unprecedented challenges from climate change and a growing population. The Chino Groundwater Basin region, located primarily in the western end of San Bernardino County, is at the cutting edge of these challenges, as our region lies in the interior hotter area of southern California and is one of the fastest growing areas of the state.

Collectively, our agencies have worked hard to develop a robust portfolio of local, drought-resilient water supplies that also help us reduce our dependence on imported water. Over the past 15 years, we have invested nearly five hundred million dollars in ratepayer and state/federal funding to develop over 100,000 acre-feet of new water supplies from recycled water, groundwater desalination, storm water capture and recharge and improved water efficiency. We have also done our part to achieve the Governor's mandated reductions in residential water use during the drought. *The success of our collective work is underscored by the fact that the Chino Basin is one of the only regions in the state in which groundwater supplies have not just increased since the beginning of the drought but have grown by a significant amount – over 150,000 AF.*

We appreciate your staff's work in developing the proposed conservation framework as it is critical to improving the resilience of California's future water supplies. The framework is consistent with and helps to implement the state's Water Action Plan, which also recognizes the need for local and regional supply development along with implementation of the California Water Fix.

We also appreciate the extent to which concerns raised by many water suppliers have been addressed in the proposed conservation framework. By emphasizing development of *customized water efficiency targets* based on statewide standards and *local water supplier control* over their actions to achieve the efficiency targets, we concur that the state has "created a durable conservation framework that will be applied equitably and uniformly across the enormous variation in local conditions." The continued use of formal stakeholder involvement processes in future updates of these targets will be essential to allow for public input on technical issues and the potential for unintended consequences. We also support the proposed improvements to water shortage contingency plans which will result in better preparation for and response to future droughts.

We offer the following comments on a few key items that we believe will help improve the final report and better support the implementation of the conservation framework over the next decade:

1. *Explicitly recognize the value of local development of drought resilient, hydrologically independent water supplies in the water shortage contingency plans.* Development of local water supplies that are not impacted by droughts should be deemed fully reliable under all historical drought hydrology and plausible climate change impacts. These supplies include recycled water, potable reuse, desalination and treatment/reuse of contaminated groundwater, and designated storage accounts in sustainably managed groundwater basins. Suppliers that have developed these types of supplies should be recognized for their advanced planning and investments, and these water supplies should not be subject to reductions under shortage conditions. Water suppliers that have validated, reliable base or dry year water supplies of this type should only be required to address shortage levels up to the maximum percentage that can be feasibly caused by hydrologic conditions (see section 4, Shortage levels, Evaluation Criteria).
2. *Clearly provide an adjustment process to ensure that appropriate changes are made to water supplier targets based upon unique local conditions (such as seasonal increases in the population served, use of swamp coolers, and provision of water for horses and other livestock in areas served by water suppliers).* An adjustment process is appropriate as these proposed modifications are local adjustments to customize the water efficiency targets.
3. *Provide an "interim" option for setting equivalent water supplier targets.* Concerns have been expressed by some water suppliers that special conditions in their service areas may result in data gaps that could impede timely, appropriate customization of statewide landscape efficiency standards for their areas by 2018 or 2020. Consider providing an option for identifying an equivalent interim water supplier's efficiency target that may be used until the data gaps are addressed.

4. Allow water suppliers to use self-supplied landscape and evapotranspiration (ET) data if it is of an equivalent or superior quality for the development of customized water efficiency targets. Suppliers would still be required to incorporate the landscape data assumptions and definitions consistent with those used in the state-supplied data set.
5. Provide both water supplier-level and parcel-level landscape data to water suppliers for free. Since the supplier-level data is based on a roll-up of the parcel level-data, we urge that the state consider making both data sets free as no additional costs should be incurred by the state for doing this and it will support water suppliers in implementing their water efficiency programs.
6. Clearly affirm that water rights under the framework are protected consistent with existing law. We appreciate staff's comment that this is their intent, but the framework should include explicit language.

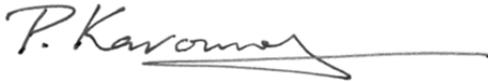
As recognized in the staff recommendations, it will be important for the state to support water suppliers in implementing the framework by providing information, like landscape data described above. Furthermore, technical and financial assistance to support the development of efficiency programs like turf removal and leak detection will significantly help water suppliers in meeting their goals. Regional grant programs like the one currently being implemented by the Santa Ana Watershed Project Authority to provide landscape data and technical support for water rate modifications are good examples of the type of funding that can greatly help water suppliers as they work to meet the efficiency targets by 2025.

It is also important that the framework recognize the significant water conservation and efficiency achievements that water suppliers have attained over the past three decades. We understand the state's urgent focus on the drought and the need to prepare for the increasing impacts of climate change to California's water supplies. However, the state's current level of water efficiency is built on the foundational conservation initiatives that have been implemented by California's retail and wholesale water suppliers over many years and is one reason why the state was successful in reducing its urban water use over 24% during the first nine months that the Governor's mandate was in place. For many of our regional agencies, this successful near-term reduction in urban water use was made *on top of* similarly high levels of reductions made *prior to 2013* through early adoption of urban water use efficiency best practices – achievements that were not recognized in the Emergency Regulation, and that should now be recognized in the conservation framework.

Finally, as we enter 2017, we request that any proposal to extend the Emergency Regulation past February will align with actual statewide water supply conditions and reflect the need for infrastructure improvements to fully capture water supplies when available. It is vitally important to our agencies that we maintain the trust we have developed over many years with our customers when we communicate about the drought and water supply conditions.

We thank you for your staff's extraordinary efforts in preparing the framework for Making Water Conservation a California Way of Life and look forward to working with you in the coming years to implement the framework's recommendations.

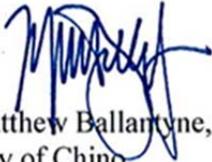
Sincerely,



Peter Kavounas, CEO/General Manager
Chino Basin Watermaster



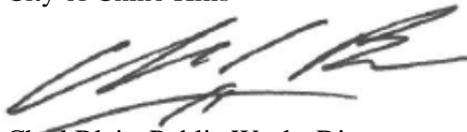
Eunice Ulloa, Executive Director
Chino Basin Water Conservation District



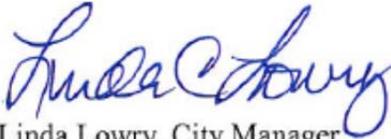
Matthew Ballantyne, City Manager
City of Chino



Rad Bartlam, City Manager
City of Chino Hills



Chad Blais, Public Works Director
City of Norco



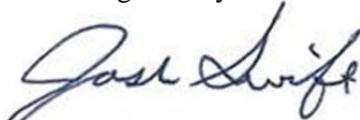
Linda Lowry, City Manager
City of Pomona



Martin Thouvenell, Interim City Manager
City of Upland



Martin Zvirbulis, General Manager
Cucamonga Valley Water District



Josh Swift, General Manager
Fontana Water Company



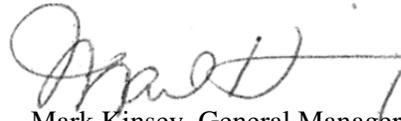
Benjamin Lewis, Jr., General Manager Foothill District
Golden State Water Company



P. Joseph Grindstaff, General Manager
Inland Empire Utilities Agency



Todd Corbin, General Manager
Jurupa Community Services District



Mark Kinsey, General Manager
Monte Vista Water District



Scott Burton, Utilities General Manager
Ontario Municipal Utilities Company



Charles Moorrees, General Manager
San Antonio Water Company



Richard Hansen, General Manager
Three Valleys Municipal Water District



John Rossi, General Manager
Western Municipal Water District