



City of Guadalupe
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April 21, 2015

Ms. Jessica Bean
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Delivered via E-mail

Dear Ms. Bean,

Fundamental Problem with Proposed Methodology and Recommended Solution

There is a fundamental problem with the conservation methodology the State Water Resources Control Board is proposing. The State Board is using residential gallons per capita per day (R-GPCD) to divide urban water suppliers into tiers, setting conservation standards for each tier based on those R-GPCD's, and then asking that those conservation standards apply to all use. Logically, R-GPCD-driven standards should only apply to residential use. The State Board should establish separate standards to apply against other use – commercial, industrial, institutional, and outdoor irrigation (parks, golf courses, etc.)

The underlying problem with the State's proposed methodology is revealed in the "Smith family" and "Jones family" examples in your latest Fact Sheet. The Smith family is penalized for the potable water use of non-residential customers of their water supplier, while the Jones family benefits. That's inherently unfair. (By the way, the only way the Jones family scenario works in the latest Fact Sheet is if the identified golf course can reduce its use by more than 40%, not 10%. I believe 10% was a typo.)

What I would suggest is that the State Board follow through with establishing residential conservation standards now, since the goal is to decrease outdoor residential use during the coming summer. The State Board should then immediately start a separate process to establish conservation standards for these other uses.

With respect to these separate standards, I would suggest a zero conservation standard for industrial use. This would tie into the zero mandate being proposed for agriculture. If agricultural jobs are important, the jobs of industrial employers are equally important. I would suggest a 40% reduction for outdoor irrigation using potable water sources. Some middle ground number should apply to commercial and institutional use – perhaps 20%.

Recommended Adjustment to the Residential Tiers and Conservation Standards

The eight tiers in the State Board’s proposed regulations is an improvement over the five tiers in the original “conservation framework.” (I write “eight” instead of “nine” since it’s not clear anyone will qualify for Tier 1.) The smaller increase in percentages between each tier is also an improvement. Both do a better job of separating the “haves and have nots” on either side of a break point.

I still believe, however, the State Board should require less conservation on the part of the low residential water use agencies across the state and more conservation by the heavy residential water use agencies. As such, I would recommend the following tier break points and residential conservation standards:

Tier	R-GPCD		# of Suppliers	Residential Conservation
	From	To		Standard
2	0	69.99	30	5%
3	70	84.99	28	10%
4	85	99.99	40	15%
5	100	119.99	54	20%
6	120	139.99	47	25%
7	140	179.99	70	30%
8	180	224.99	62	35%
9	225	Max	80	40%

I have run the numbers and these break points and conservation standards would also achieve the 25% reduction you are seeking vs. 2013.

Recommended Changes to Regulatory Language

Not counting the regulatory language changes which would be needed to incorporate the policy changes above, I recommend the following:

- Sec. 864 (a): First line – add “potable” between “unreasonable use of” and “water”

- Sec. 865 (c)(1): Fifth line – add “residential” between “service area’s relative” and “per capita water usage.”

- Sec. 865 (c)(2): This is a policy recommendation. Groundwater in an adjudicated basin should also be exempt since the adjudication process considers the long-term health of the aquifer. Thus I would recommend:

“Each urban water supplier whose source of supply does not include groundwater, unless that groundwater comes from an adjudicated basin, or water imported from outside the hydrologic region”

Sec. 865 (e)(1): First line – use “provides” instead of “serves” to make the sense clearer.
Also add “water” between “its total” and “production” to make the sense clearer.

Third line – The Government Code reference should be to Section 51201 (b), not 51201 (a). 51201 (b) defines the term “agricultural use.” 51201 (a) defines the term “agricultural commodity.”

Throughout – strike the word “commercial” since the 51201 (b) definition does not reference “commercial” and the word “commercial” does not carry any special significance here.

Sec. 865 (f) (1): First line – add “potable” between “unreasonable use of” and “water”

Sec. 865 (f) (1) (B): Second line – add “potable” between “25% reduction in” and “water consumption”

Sec. 866 (a) (1): First line – add “potable” between “unreasonable use of” and “water”

Sincerely,

A handwritten signature in black ink that reads "Andrew Carter". The signature is written in a cursive, flowing style.

Andrew Carter
City Administrator