



CITY OF
FOLSOM
DISTINCTIVE BY NATURE



January 28, 2016

Jeanine Townsend
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Transmitted by email to: commentletters@waterboards.ca.gov

Re: 02/02/16 Board Meeting – Conservation Extended Emergency Regulation

Dear Ms. Townsend,

On November 13, 2015, Governor Brown issued Executive Order B-36-15 calling for an extension of urban water use restrictions until October 31, 2016, should drought conditions persist through January 2016. On December 7, 2015, the State Water Resources Control Board (Water Board) held a public workshop to solicit input on elements of the existing emergency regulation, if any, that should be modified. On January 15, 2016, the Water Board released its draft *Proposed Text of Emergency Regulation* for the extension of urban water use restrictions until October 31, 2016. Below are the City of Folsom's (City) comments to the *Proposed Text of Emergency Regulation*.

As discussed in the City's letter dated April 22, 2015 when the State Board issued the initial draft of the emergency conservation regulations, conservation savings are impacted by differing climates. The City agreed with the premise that higher conservation could be achieved in the summer months, but suggested that adjustments be made for fall and winter months due to climate difference across the state. As a result, the City achieved a cumulative reduction in potable water use of 33% from June through August 2015 and saw a decrease to 30% in September down to 28.5% in December. Although not part of the reporting period, the City achieved its highest conservation savings in May 2015 of 39%.

The City supports modifications of the emergency regulations that allow for various adjustments to be calculated based on climate and growth. A climate adjustment allows for water suppliers located in the warmest regions of the state up to a four percent conservation reduction based on their service area evapotranspiration. This adjustment recognizes the inequitable burden that was placed on water customers in warmer regions of the state, but this only provides a modest level of relief.

The growth adjustment factor will also provide modest relief to those water suppliers in order to account for growth and new service connections since 2013. This adjustment

factor will allow water suppliers to account for residential and non-residential water use due to growth within the water supplier's service area between 2013 and 2015. This provides an equitable allowance statewide for not only population growth, but for service connection growth for the non-residential sector. Below are some specific comments related to the growth adjustment factor.

1. What is the end date for the number of additional permanent residents served since January 1, 2013? Does an agency stop this count on December 31, 2015 or does an agency have until March 15, 2016 to include the additional permanent residents served?
2. The same question in number one above applies for the number of new commercial, industrial and institutional (CII) connections since January 1, 2013. On what date does an agency stop counting the number of new CII connections?

In addition to conservation adjustments outlined in the proposed text, the City recommends that the Water Board include language that allows for a reconsideration of the emergency regulations in April 2016 based on hydrologic conditions. This would include factors such as Sierra snowpack, storage in the State's major reservoirs, projected runoff determined by the Department of Water Resources and the availability of local water supplies. These and other factors should be used to determine the extent and need of a continued statewide emergency if hydrologic conditions improve.

The City continues to stress the importance of the prioritization of the available funding to those water suppliers that are assigned the upper compliance tiers to support their greater contribution to the statewide target. The level of public outreach messaging, media engagement, conservation programs and enforcement needed to achieve these conservation standards will require additional funding on top of what was spent in 2015.

As required by the extended emergency regulations, water suppliers are required to submit a monthly monitoring report to the Water Board that includes the amount of water produced for that month compared to that same month in 2013. For the months of June through December 2015, the City conserved 4,507 acre-feet of potable water and 6,169 acre-feet of total (treated and untreated) water diverted from Folsom Reservoir compared to that same time in 2013. Whether treated or untreated, all water diverted for the City's use comes from Folsom Reservoir and is delivered through a single pipeline to the City's water distribution system.

Since Folsom Reservoir is the City's primary water supply source, the City should be allowed to include all water (treated and untreated) conserved in its monthly totals. All of the water used by the City's customers is supplied by Folsom Reservoir and any water conserved, whether treated or untreated, remains in Folsom Reservoir for other uses and for the benefit of other state requirements. In reducing overall water use (including untreated water) across all customer sectors, the City has reduced the total amount of water supplied by Folsom Reservoir from June through December 2013 by 35% compared to that same timeframe in 2015. During that same time, potable water savings resulted in a 28.5% reduction.

Thank you for the opportunity to comment on the draft text of emergency regulations and we look forward to hearing the Water Board's response to our comments. If you have any questions, please contact me at (916) 355-7201.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Palmer', written in a cursive style.

Evert W. Palmer
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cc: Felicia Marcus, State Water Resources Control Board Chair
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John Woodling, Regional Water Authority
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