

Board of Directors
Lawrence A. Watt, President
Christy Guerin, Vice President
Edmund K. Sprague, Treasurer
Gerald E. Varty, Secretary
Robert F. Topolovac, Director



General Manager
Kimberly A. Thorner, Esq.
General Counsel
Alfred Smith, Esq.

2-7-17 Board Meeting-Item 9
Urban Water Conservation to Implement EO B-29-16
Deadline: 2/6/17 12 noon

February 2, 2017

State Water Resources Control Board
Attn: Jeanine Townsend, Clerk of the Board
1001 I Street, 24th Floor
Sacramento, CA 95814



VIA EMAIL: commentletters@waterboards.ca.gov

Re: 2/7-8/17 BOARD MEETING/HEARING/WORKSHOP – ITEM #9 (Consideration of a proposed Resolution amending and readopting drought-related emergency regulations for urban water conservation to implement Executive Order B-29-15, B-36-15 and B-37-16.)

Dear Ms. Townsend,

On behalf of Olivenhain Municipal Water District, thank you for the opportunity to provide the State Water Resources Control Board with input on the extension and potential modification of the current drought-related emergency regulations. OMWD provides 84,000 customers in northern San Diego County with water, wastewater, recycled water, hydroelectric, and recreational services.

OMWD strongly advocates that the statewide drought-related emergency regulations be allowed to expire. Much of the state is not experiencing drought conditions or water supply shortages. On the contrary, many counties are in a State of Emergency related to severe winter storms and flooding. Continuing with statewide drought-related emergency regulations under these conditions undermines the credibility of local and state agencies. Consider the public perception on the extension of drought-related emergency regulations in areas that are not in a drought, have sufficient supply, and are in a diametrically opposed State of Emergency.

If, even in light of these considerations, the State Board determines that it is necessary to extend the emergency regulations, OMWD offers the following suggestions:

1. **Exclude the areas of California that are not experiencing drought conditions.** As of January 24, 2017, 48.6 percent of California is not in a drought, as determined by the U.S. Drought Monitor.
2. **Exclude water suppliers that are not experiencing a water supply shortage.** 84 percent (343) of California's water suppliers certified through the state's self-certification stress test that they will have sufficient supply to meet demand, even if three more years of dry conditions persist.
3. **Exclude counties in which a flood-related State of Emergency was declared.** On January 23, 2017, Governor Brown declared State of Emergency in response to severe winter storms and flooding for the counties of Alameda, Alpine, Butte, Calaveras, Contra



1966 Olivenhain Road • Encinitas, CA 92024 • Phone 760-753-6466 • www.olivenhain.com

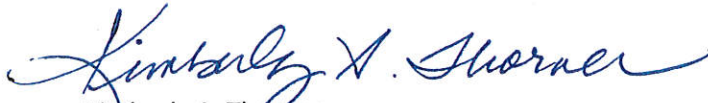


Costa, El Dorado, Fresno, Humboldt, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Orange, Placer, Plumas, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, Yuba, and Del Norte. It is of significant importance to note that the governor did not declare a statewide flood-related emergency, and instead identified only affected counties, perhaps taking heed from previous comments that a one-size-fits-all approach does not work for California. While it is understood that the State Board does not have a direct role in declaring an emergency, it can effect change through providing input directly to the governor that supports allowing local conditions to govern actions.

I am particularly concerned that continuation of "emergency" regulations will be received negatively by my customers who stepped up and conserved during the true emergency. If the state continues to impose emergency regulations on them after the emergency is over, how will they trust us the next time we have a true drought emergency? You were agile and nimble in the implementation of these regulations. Please repeat the same agility and fairness in their rescission.

If you or your staff should need any additional details pertaining to this assessment of the proposed resolution amending and readopting drought-related emergency regulations, please do not hesitate to contact me at 760-753-6466.

Regards,



Kimberly A. Thorne
General Manager

CC: Kim Craig, Deputy Cabinet Secretary, Office of Governor Edmund G. Brown, Jr.
Assemblywoman Marie Waldron
Assemblyman Rocky Chavez
Assemblyman Brian Maienschein
Assemblyman Todd Gloria
Senator Pat Bates
Senator Joel Anderson
Senator Toni Atkins
Mark Muir, Board Chairman, San Diego County Water Authority
Tom Howard, Executive Director, State Water Resources Control Board
Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board
Planning and Performance
Max Gomberg, Climate Change Mitigation Strategist, State Water Resources Control Board
Peter Brostrom, Water Use Efficiency Section Chief, Department of Water Resources
Dave Bolland, Director of Regulatory Relations, Association of California Water Agencies