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Martin E. Zvirbulis
Secretary / General Manager/CEO

April 13, 2015

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

Sent via U.S. Mail and E-mail to: Jessica.Bean@waterboards.ca.gov

Subject: Concerns and Challenges with Proposed Regulatory Framework for Mandatory Conservation (as released April 7, 2015)

Dear Ms. Bean:

The purpose of this letter is to provide feedback regarding the Draft Regulatory Framework for Mandatory Conservation established by the State Water Resources Control Board (State Board) on April 7, 2015. We understand the water challenges that face our state and appreciate the various constraints under which the State Board is operating in order to comply with the Governor's Executive Order B-29-15. With that said, the current draft framework creates serious equity and feasibility issues that will result in unintended and unnecessary legal, economic, environmental and operational consequences. We are writing to offer reasonable solutions to these issues that would satisfy the intent of the Governor's Order and maintain equitable implementation among water purveyors.

The Cucamonga Valley Water District (CVWD) has been reshaping the water use patterns and practices of our customers through a variety of outreach efforts, education programs, rebates, water efficient landscape workshops, and other programs. Since last year the District has been operating under a Stage 2 Drought Alert. As a result of these efforts between the period of 2007 and 2013 CVWD customers have reduced their water use by nearly 18%. We will continue to work with customers implementing some of the new provisions included in the Governor's new order.

The conservation achieved by CVWD has occurred as a result of careful planning, investment into projects that diversify our water portfolio, development of local production supplies, and landscape transformation programs. In addition to the above mentioned projects, CVWD has been proactive and ahead of most of the state in other areas of conservation with the utilization of technology such as the installation of "smart" water meters which includes a sophisticated leak detection component.

James V. Curatalo, Jr.
President

Luis Cetina
Vice President

Oscar Gonzalez
Director

Randall Reed
Director

Kathleen J. Tieg
Director

To address the challenges that our region will face in implementation if the regulations are developed from the current framework as proposed, we respectfully and strongly suggest that the State Board consider the following:

- A more thoughtful approach to the implementation of the emergency drought regulations. Given time and consultation, the State Board would avoid the multitude of unintended legal, economic, environmental and operational consequences that will cascade from the current proposed framework. We would allow reasonable time for consultation with water managers and other stakeholders, who can help foresee full implications of various implementation pathways and head off unintended consequences.
- A no-more-than 25-percent reduction from all California water suppliers, as noted in the Governor's Executive Order. Any requirement above 25% mandated reduction creates disparate, negative impacts to disadvantaged communities through the inland valleys of California and other non-coastal communities.
- Using the existing 5-year base period thresholds established, adopted, and submitted to the State by water agencies in compliance with existing state law (SBx7-7), to account for climatological variations in water needs and pre-2013 conservation activities. Use of gallons per capita per day for a single snapshot in time is bad science, not a best management practice, and results in inequitable treatment and punishment of responsible stewards implementing pre-2013 conservation measures and in punishing customers who's water needs are greater due to living in a hotter, drier climate. In addition, the 5-year base period threshold data is readily available, and would alleviate some of the administrative burden on State Board staff.

In response to the information that was distributed to water agencies we have reviewed the data we provided to the State Board through our reporting. We are auditing our numbers and submitting information for your consideration. The reporting process deadline of the 15th of each month is problematic for our agency due to the fact that we have a bi-monthly billing system. Therefore our consumption data that we have provided is based on estimation rather than actual consumption data. Attached to this letter we have included our data from 2013 through 2014. If the current data collection method is continued we would request that our data be reconciled once all of our billing is accounted for the reporting month to ensure its accuracy.

No one is more committed to water reliability, safety and affordability than the Cucamonga Valley Water District. CVWD and our region have been extremely proactive in implementing demand management programs to exceed the SBx7-7 requirements. The State Board must recognize the effort and resources that have been expended to reduce demands prior to the Governor's declaration. As such, we respectfully urge strong consideration of our suggestions as we work together to address the challenges we face as a state.

Thank you for your consideration and for the open dialogue.

Sincerely,

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

Martin E. Zvirbulis
General Manager/CEO

Attachment: CVWD 2013-2014 Consumption data

cc: Cucamonga Valley Water District, Board of Directors
City of Rancho Cucamonga
City of Fontana
City of Ontario
City of Upland
County of San Bernardino
Inland Empire Utilities Agency
Association of California Water Agencies.

Urban Water Supplier Reporting Tool Data

Public Water Systems: Monitoring Report

		Cucamonga Valley Water District (719)											
		Stage 1		Stage 1		Stage 2		Stage 2		Stage 2		Stage 2	
		No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
		Jan 2014	Feb 2014	Mar 2014	Apr 2014	May 2014	Jun 2014	Jul 2014	Aug 2014	Sep 2014	Oct 2014	Nov 2014	Dec 2014
		31	28	31	30	31	30	31	31	30	31	30	31
1	Urban Water Supplier												
2	Stage Invoked												
3	Mandatory Restrictions												
4	Reporting Month	Jan 2014	Feb 2014	Mar 2014	Apr 2014	May 2014	Jun 2014	Jul 2014	Aug 2014	Sep 2014	Oct 2014	Nov 2014	Dec 2014
5	Days in each month	31	28	31	30	31	30	31	31	30	31	30	31
	Total Monthly Potable Water Production												
	This year's monthly production	3,815.5	2,972.3	3,360.4	4,393.6	5,751.7	5,390.5	6,121.8	5,579.6	5,212.2	4,724.8	3,585.9	2,229.2
	Average system water losses	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%	6.0%
	This year's monthly production minus water losses	3,585.4	2,793.1	3,157.8	4,128.6	5,404.9	5,065.4	5,752.6	5,243.1	4,897.9	4,439.9	3,369.6	2,094.8
	2013 monthly production (for the same month as above)	2,677.0	2,571.1	3,622.9	4,263.8	5,023.5	5,450.0	5,952.6	5,922.6	5,527.9	4,586.4	3,644.7	3,305.5
	Units	AF	AF	AF	AF	AF	AF	AF	AF	AF	AF	AF	AF
6	Percentage Residential Use	68.7%	66.8%	62.0%	60.4%	60.1%	62.7%	66.4%	65.3%	63.3%	63.9%	65.5%	67.4%
	Qualification	The ratio of residential water use over total use is seasonal and varies by month. This data was based on consumption data gathered from water meter reads. The sample size was all accounts, therefore CVWD has a high confidence in the data. January 2014 through October 2014 residential ratio is based on actual data. November 2014 thru February 2015 residential ratio is based on previous year. Population numbers are based on CVWD's 2010 Urban Water Management Plan and were interpolated by month. Water losses were assumed at 6% based on the 2010 UWMMP and other actual data.											
7	Total Population Served	203,149	203,231	203,313	203,395	203,477	203,559	203,641	203,723	203,805	203,887	203,969	204,051
8	Residential Gallons per-Capita-Day (R-GPCD)	127	107	101	133	168	169	197	177	165	146	117	73
9	Optional - Enforcement Actions												
10	Optional - Implementation												
11	Optional - Recycled Water Units												
12	Email	BradenY@CVWDwater.com, EduardodeE@CVWDwater.com											

Urban Water Supplier Reporting Tool Data

Public Water Systems: Monitoring Report

1	Urban Water Supplier	Stage 2	Stage 2																	
2	Stage Invoked	Yes	Yes																	
3	Mandatory Restrictions	Jan 2015	Feb 2015	Mar 2015	Apr 2015	May 2015	Jun 2015	Jul 2015	Aug 2015	Sep 2015	Oct 2015	Nov 2015	Dec 2015							
4	Reporting Month	31	28 31	30	31	30	31	31	30	31	30	31	31							
5	Total Monthly Potable Water Production																			
	This year's monthly production	2,898.6	2,765.5																	
	Average system water losses	6.0%	6.0%																	
	This year's monthly production minus water losses	2,724.7	2,599.6																	
	2013 monthly production (for the same month as above)																			
	Units	AF	AF																	
6	Percentage Residential Use	68.7%	66.8%																	
7	Qualification	The ratio of residential water use over total use is seasonal and varies by month. This data was based on consumption data gathered from water meter reads. The sample size was all accounts, therefore CVWD has a high confidence in the data. January 2014 through October 2014 residential ratio is based on actual data. November 2014 thru February 2015 residential ratio is based on previous year. Population numbers are based on CVWD's 2010 Urban Water Management Plan and were interpolated by month. Water losses were assumed at 6% based on the 2010 UWMNP and other actual data.																		
7	Total Population Served	204,133	204,215																	
8	Residential Gallons-per-Capita-Day (R-GPCD)	96	99																	
9	Optional - Enforcement Actions																			
10	Optional - Implementation																			
11	Optional - Recycled Water																			
12	Units																			
12	Email																			