



ESTABLISHED 1850

CITY OF VACAVILLE

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December 2, 2015

Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814



Transmitted by email to the Clerk of Boards at commentletters@waterboards.ca.gov

Dear Chair Marcus and Board Members D'Adamo, Doduc, Moore and Spivey-Weber:

The City of Vacaville appreciates the continued leadership of the State Water Resources Control Board (State Water Board) in responding to the historic California drought of 2011 to 2015. We recognize the uncertainty of 2016 precipitation, snowpack, and water supply conditions, and the desire of the State Water Board to ensure adequate water supplies for all of the state's water users. Thank you for the opportunity to contribute to this discussion.

Urban water users in the City of Vacaville, and in the Greater Solano County Region, have responded proactively to Governor Brown's initial emergency request to conserve water and the State Water Board's subsequent Emergency Regulations, achieving some of the highest conservation levels in the State in both 2014 and 2015. We understood the need for urgent action to avoid water supply sources dropping below critical levels throughout the State. However, now that there has been more time to evaluate regional conditions individually, we respectfully request the State Water Board to take other factors into consideration, rather than an extension of the current Emergency Regulation without amendment.

The most significant issue we have with the current Emergency Regulations is that they do not take into account regional investments in water storage and supply infrastructure. In the 1950s, water agencies in Solano County participated in the construction of the Solano Project, which includes the 1.6 million acre-foot Lake Berryessa. Over the past 50 years, the participating member agencies of the Solano County Water Agency (SCWA) have paid over \$50 million for the Solano Project, those costs being paid by our water customers. This wise investment has provided Solano County with a surface water supply source that is 98% reliable in any given year. Lake Berryessa was designed to provide seven years of storage capacity when full, with little to no rainfall. Currently, even after four years of the worst drought in recorded California history, the City of Vacaville has three years worth of water stored in Lake Berryessa. In the late-1980s, the SCWA member agencies made additional investments in the North Bay Aqueduct, a component of the State Water Project.

These, and other water system investments, have provided the City of Vacaville and the other SCWA member agencies with healthy, reliable water portfolios, at a significant cost to our water customers. The strict, mandatory water conservation standards placed on the Solano County region's water agencies without consideration of these investments has resulted in an inappropriate and excessive financial burden on those water agencies, and subsequently their customers, in the form of unnecessary lost revenues and rate increases.

We recommend the following modifications to the Emergency Regulations should they be extended into 2016, to reduce the inequity between regions of the state, while still reaching the State's goals.

- The regulations should include a relatively simple adjustment to water agencies' conservation standards to recognize the vast climatic differences in the state, similar to what the Sacramento Regional Water Authority and the Association of California Water Agencies recommended to the State Water Board when the Emergency Regulation was first developed in early 2015.
- The regulation should recognize and promote regional water conservation efforts, by providing for a regional compliance option to meet conservation standards.
- The regulation should recognize in setting conservation standards the past investment in water storage and supply infrastructure, and development of drought resilient supplies.
- The regulation must be flexible and responsive to dynamic hydrologic conditions through the winter and spring of 2016.

When the Emergency Regulation was developed and adopted last spring, time was of the essence. The vast majority of water agencies responded by meeting or exceeding Governor Brown's desired 25% statewide reduction, and many agencies met or exceeded their assigned conservation standards over the critical summer months. We appreciate the State Water Board's commitment to taking the time necessary to improve the Emergency Regulation should it be extended. The City of Vacaville shares the State Water Board's desire to effectively respond to this historical drought, and we continue to invest in both long-term and near-term drought conservation efforts. However, we can only support extending the Emergency Regulations if the drought extends an additional year, and the Emergency Regulations are appropriately modified to take into consideration regional conditions. The modification of the Emergency Regulations to incorporate the suggestions presented in this letter will increase equity and flexibility for water agencies and will ultimately allow for a more effective statewide drought response.

Sincerely,

A handwritten signature in blue ink that reads "Laura C. Kuhn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Laura C. Kuhn
City Manager

cc: Len Augustine, Mayor
Royce Cunningham, Director of Utilities