



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: May 10, 2010

TO: Natural Resources and Culture Committee

FROM: Alex Ruiz, Interim Director of Public Utilities

SUBJECT: NR&C Committee Agenda of May 12, 2010 – Item #8
Consideration of an ORDINANCE AMENDING THE CITY'S EMERGENCY
WATER REGULATIONS AND MAKING LEVEL 2 DROUGHT ALERT
CONDITIONS PERMANENT

At its May 12, 2010, meeting the Natural Resources and Culture Committee will consider amending the City's Emergency Water Regulations in order to make permanent the current Level 2 Drought Alert conditions. The Public Utilities Department (Department) opposes proceeding with such ordinance amendments given the current response of our customers to the demand restrictions in place, the current water supply allocations expected from our wholesalers, the need to maintain flexibility to respond to changing supply conditions, and the impact such a move would have on the coordinated efforts among county water agencies in responding to the current supply restrictions.

In response to the drought conditions in the early 1990's, San Diego County Water Authority (CWA) member agencies acted independently of each other with limited success. That experience caused CWA to establish a model drought response ordinance for adoption by each regional water agency. All CWA member agencies have adopted the model ordinance. All member agencies but two are currently in Drought Level 2.

The City's current municipal code is working well and any changes to make restrictions permanent are not necessary. Based on water allocations issued by the CWA for Fiscal Year (FY) 2010, the Mayor recommended in May 2009 that the City Council declare Drought Level 2 and the City Council concurred. Under current municipal code language, there is no action necessary to continue Drought Level 2 implementation. The current drought response level can only be changed upon recommendation by the Mayor and a resolution by the City Council.

The Department expects our two water wholesalers, the Metropolitan Water District of Southern California (MWD) and the CWA to assess water supply conditions each year to determine the allocation for local water agencies. The CWA Board is expected to discuss the FY 2011 allocation levels later this month. Depending on weather conditions and resolution regarding pumping restrictions from the Bay Delta, these allocations will change from year to year, and the Municipal Code identifies the corresponding Drought Level necessary to best achieve the reduction targets, including clear triggers for initiating drought response efforts, and in moving from one drought response level to another.

For the near term, Department staff expects to use the yearly allocations from MWD and CWA to dictate the corresponding Drought Level. We anticipate that the upcoming FY 2011 water allocations will necessitate that San Diego continue to remain at Drought Level 2.

The City's Level 2 restrictions have remained in effect since June 1, 2009, and have helped the City meet the 8% CWA reduction target for the current fiscal year by an average reduction of 11.8% since July 1, 2009. Additionally, the consistency in establishing drought response conditions throughout the region has proven successful as the entire region is on pace to meet its target allocation from CWA.

The idea of making Drought Level 2 restrictions permanent in the City of San Diego poses several concerns, which are as follows:

- If adopted, the City of San Diego will differ from the other cities and water agencies in the county, which will lead to confusion and anger by our customers.
- The current levels and restrictions were created collaboratively with the CWA and their member agencies in a regional effort to create consistent rules and restrictions countywide, and to avoid confusion from the public, landscapers, service providers, etc, whose work is performed across jurisdictions.
- If the City differed from the rest of the county, the City will lose the benefit of regional messages from the CWA while the region will lose the benefit of common TV and radio messaging from the City's public education campaign.
- Any proposal to change the current drought response outlined in the Municipal Code should include stakeholder and public input process, as was done previously prior to adoption of the current code.
- Limited staffing approved for Level 2 will need to be converted to permanent status
- Unintended consequences of stunting future economic growth and job creation in the City of San Diego.

Based on the foregoing, we oppose making the current restrictions permanent. This action would

not provide any additional benefit towards achieving the current or anticipated usage reduction targets.



Alex Ruiz

Interim Director of Public Utilities

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