

State of California

The Resources Agency

OFFICE MEMO

TO: Tom Gohring

DATE: March 5, 1999

FROM: Ed Craddock

SUBJECT: BMP Certification

The following comments summarize the Water Conservation Office's thoughts on the certification procedures discussed at the CALFED/CUWCC workshops.

Environmental Costs and Benefits

This analysis should be included in the exemption process. At a minimum, it should be quantified from the water supplier perspective and discussed qualitatively for customers and the society as a whole. The methods described in the CUWCC guidelines for cost-effectiveness should be acceptable now and modified as the state-of-the-art improves.

Wholesale Water Agencies

Retail water agencies should assume primary responsibility for implementing BMPs. Wholesalers should only have to comply with the existing MOU. However, CALFED must ensure that accounting systems are in place so wholesalers can accurately verify the destinations of transferred water.

Compliance Review

Up to the present, we have been Ex-Officio members of the CUWCC Steering Committee. It would be most appropriate for DWR to be Ex-Officio in all CUWCC forums. Therefore, we support our participation in the technical review process for certification but as a non voting member. Voting should be left to Group 1 members that file BMP reports and Group 2 members.

Due Process for Appeals

An incremental process that provides for strong technical assistance and assurances to the retailers is appropriate. The goal should be to attain certification of all signatories. If an appeal does arise from either Group 1 or 2, it should be settled by binding arbitration.

Other Issues

1. Certification of non-signatories needs to be defined. It doesn't seem appropriate to force them into the CUWCC. However, they still must file urban water management plans including BMPs with DWR. The relationship between CUWCC and DWR and the certification of plans must be firmed up in legislation modifying the Urban Water Management Planning Act.
2. This process should be contingent upon the provision of adequate funding to carry out these rigorous procedures and provide massive technical assistance. If not, the program does not have a life of its own as CUWA has consistently stated.