



Santa Nella County Water District

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(7/15-16/14) Board Meeting- Item 10
Urban Water Drought Emergency Regulations
Deadline: 7/14/14 by 12:00 noon



July 11, 2014

State Water Resources Control Board
PO Box 100
Sacramento, CA 95812-2000

RE: Comment Letter – July 15, 2014 Board Meeting
Item 10: Emergency Water Conservation Regulations (Regulation)

Dear State Board,

The Santa Nella County Water District (District) is a Special District that provides water and wastewater services to the small community of Santa Nella. Santa Nella is located along the Interstate 5 corridor in Merced County, about 10 miles west of Los Banos. The community consists of approximately 40 businesses and a residential community population of 1308 people. The majority of the water use is commercial as there are several truck stops, gas stations and fast food restaurants that provide services to travelers commuting between northern and southern California.

We purchase wholesale water from San Luis Water District, a Central Valley Project (CVP) contractor. We are subject to the M&I allocation restrictions that San Luis Water District receives from the Bureau of Reclamation. We also have a secondary water source, an active water well that was drilled about 40 years ago.

The community is severely affected by the drought because we only received about 65 percent of our historical water use due to the strict CVP water allocations for the 2014 water year. We increased well pumping but the water level has dropped about 90 feet in the past three years and therefore we must be very careful pumping the ground water. We have instituted a very strict Water Conservation Program (Program), allowing outside watering only two days per week, no washing down of driveways or buildings including mobile homes and trailers, and car washing is not allowed without a shut off nozzle, as well as other types of restrictions to reduce water usage.

Since implementing the program we constantly receive complaints that many customers are completely disregarding the Program outside normal District business hours. It is difficult to monitor outside water usage as we employ only six full time employees that work Monday through Friday. Two of the field employees rotate after-hours on-call duty (the phones are manned 24 hours a day, seven days a week for emergencies by forwarding to the on-call operator). These employees take Program violation complaints by phone, but are unable to perform any physical enforcement activities, such as issuing citations, because we cannot afford to pay the on-call operator over-time to physically respond to the violators and issue citations after hours. They are only allowed to respond to emergencies.

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Based on these factors, the following are my comments to the [proposed] Regulation:

Temporary Water Restrictions

We already have a very strict Program in place. The problem is enforcing the Program. How can we police and issue citations after-hours if we do not have the manpower or the money to pay employees to respond to violators after normal business hours? We can attempt to raise water rates to cover costs for responding to violators after normal business hours, but this requires time and money. It would take months and money to prepare a Water Rate Study, and then a public hearing under Proposition 218 before we could even raise rates, and rates could only be adjusted if there was no majority public protest.

And how can we enforce fines of \$500.00 for each day of violation when we have trouble getting customers to pay their water bills on time? Santa Nella is a disadvantaged community and we spend many hours performing collection duties. We do have an aggressive "shut-off for non-payment" procedure, but we also have over 300 un-metered connections with no way to lock out the valve due to the age of the infrastructure. This makes it very difficult to stop people from using water illegally. To enforce the Program at the level the Regulation will require will be very arduous for us and I suspect for other small agencies as well.

I suggest that the State be prepared to fund enforcement activities for small agencies and issue fines at the State level.

Action By Urban Water Suppliers Required

We already have a Program in place that meets the proposed regulation for water suppliers serving fewer than 3,000 connections. As stated in the previous paragraph, it is the inability to enforce the Program after-hours that will make it difficult for our agency to comply. Additionally, the Regulation's proposal of a \$10,000 fine per day, per violation, would completely destroy our small budget. If we cannot police the Program due to a lack of funds, then we certainly cannot pay daily fines for the actions of our customers after-hours.

I suggest that small agencies be exempt from daily fines due to the inability to provide enforcement activities after-hours.

Keeping Track of Urban Water Use

Currently we keep track of all water recorded through meters; from raw to finished water, and then estimate unrecorded water usage. As stated previously we have over 300 un-metered connections, as well as un-metered District uses, and it is difficult to know where every drop of water is going. We have applied for funding to meter a sub-divided mobile home park, but the capital cost is in excess of \$3 million dollars, and the District is not in the position to take on this type of debt service, as grant funding is not available for installation of meters.

Additionally, to prepare a monthly report based on historical usage would burden the District administrative staff. Again, due to the small amount of employees, we all wear multiple hats, and if we are required to provide a monthly report, this would create more work for already overworked employees.

I suggest that the smaller agencies be required to submit semi-annual or quarterly reports instead of monthly reports.

Looking Forward

We already provide notices to our customers in English and Spanish through direct mail. Translating documents into Spanish has been very costly for us because we use a certified translator to protect the District in the event non-English speaking and/or reading customers misinterpret the notice.

We also send out a quarterly newsletter and have spent the past four months discussing the drought and water conservation. We are very interested in a capital project for converting some of our wastewater into reclaimed water, but again, that is a very costly project that the District cannot afford at this time, including any debt service for loan funding, and the operation and maintenance costs required to chemically treat wastewater.

All six employees have been trained about the Program and make every effort to ensure compliance by our customers and in our own District activities. Customers are encouraged through public relations and notices to report leaks, which are repaired immediately.

I suggest that the State provide funding for small agencies to help offset the cost of translating documents into Spanish, and assist to secure grant funding for reclaimed water projects for small agencies that cannot afford more debt service. The application process could be revised to be more streamlined, requiring less paperwork and environmental compliance for areas that are already disturbed with existing facilities. The time it takes to get through the funding process makes it very difficult to secure immediate project funding.

Further Comments

I appreciate all that the State is doing to address the drought, but small agencies like ours must have assistance to police violators and ensure adequate community outreach. The Regulation does not realistically solve the lack of water problem, and places more cost and frustration on already overburdened agencies. The State should be looking at ways to provide more water to South of the Delta water users by lifting environmental pumping restrictions and putting people and farmers first, and animal species last during this drought.

Most people will comply with the Program, but I have found that there are some that do not care about the drought and they demand water. They resent having to pay for water and since they have to pay for it, they are going to use as much as they want. No matter how much regulation you put in place, some will not comply.

We will continue to enforce the Program to the best of our ability because we understand the dire need to conserve water, and it is my duty as the General Manager to ensure that it is done. But I strongly urge you to consider alternatives to this Regulation, including assistance in enforcement activities, exemptions for small agencies, but more importantly, providing water through relaxed environmental regulation instead of punishing people for using water. Do not expect that all Californians will conserve water!

Sincerely,



Amy Montgomery
General Manager