

HUMBOLDT BAY MUNICIPAL WATER DISTRICT

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July 14, 2014

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000
Via email: commentletters@waterboards.ca.gov
and Facsimile (916) 341-5620

Re: Comment Letter for July 15 Board Meeting - Item 10: Emergency Water Conservation Regulations

Humboldt Bay Municipal Water District (District) respectfully submits these comments on the proposed Urban Water Conservation emergency regulations. The District finds itself in what may be a unique position in this exceptional drought year.

The District supplies wholesale water to three cities (Arcata, Blue Lake, and Eureka) and four community services districts (Fieldbrook-Glendale, Humboldt, Manila, and McKinleyville) for ultimate delivery to retail customers, and thus qualifies as an urban water supplier. With the loss of two large industrial customers, the District has reduced its water usage by approximately 80% since the mid-1990s. Furthermore, the District's source of supply – Ruth Reservoir – was filled to capacity in February 2014 and remained full until May 2014. Due to the District's full reservoir and reduced demands, the District is not currently experiencing any water shortage. The District's current water supply is sufficient to carry it through at least two more years of drought. The District's reservoir was able to serve all of the District's water needs during the driest three-year period on record (October 1989 to September 1992), and this was before the 80% reduction in demand.

None of the foregoing is to say that the District, its Board, or the municipalities it serves do not recognize and acknowledge the severe drought in the state. Indeed, the Board has taken action to draw attention to the drought and to encourage voluntary conservation (see attached). However, imposing strict outdoor residential water-use restrictions and fines when no shortage exists will not create any benefits for drought-afflicted communities, will not measurably augment the District's supplies, and would in fact hinder the District's ability to impose and enforce such restrictions if they are needed in the future.

The District currently diverts less than 20% of the amount allowed under its water rights. Because the District's rights are on the Mad River, a coastal river not connected with other watersheds, additional reductions of diversions will not free up water for communities in need. Perhaps more importantly, if strict water-use restrictions and fines are implemented when customers know that the District is not experiencing any shortage, end-users will be less inclined to comply with mandatory conservation measures now or in the future, when a shortage may actually exist. It is counterproductive for the District to "cry wolf" when there isn't any shortage and thereby damage the District's credibility with its end-users. The District's options for reducing outdoor water use will be far more effective, and its calls for mandatory conservation given more weight, if they are reserved for implementation only during actual shortages. The District's current outreach and call for voluntary conservation should be sufficient given the District's water supply situation.

To that end, the District requests that the proposed regulations include a waiver procedure under which the State Board or its designee could decide, on a case-by-case and fact-specific basis, to waive application of proposed Sections X.1 and X.2 for urban water suppliers that find themselves in unique situations such as the District's. A waiver provision could be inserted as Section X.2 (f) "The State Water Resources Control Board, or its designee, may waive application of these Sections X.1 and X.2 as to an urban water supplier and its service areas if the said urban water supplier can demonstrate good cause for such a waiver."

Sincerely,



Carol Rische
General Manager

cc: ACWA
HBMWD Wholesale Municipal Customers

Resolution No. 2014-01
Resolution of the Humboldt Bay Municipal Water District Board of Directors
Urging Heightened Water Conservation Awareness By Customers In Response To Drought

The Humboldt Bay Municipal Water District Board of Directors does hereby resolve as follows:

WHEREAS, California is experiencing one of the most severe droughts on record and the 2014 water year has been one of the driest in decades and follows two consecutive dry years throughout the state; and

WHEREAS, even after recent rain and snowfall, the state's major reservoirs remain well below average levels for the date and the statewide snowpack is less than a third of normal, with little time remaining to recover in 2014; and

WHEREAS, we understand that many areas of the state will face water shortages this year; and

WHEREAS, the State Water Project has announced an initial allocation of zero for its customers in 2014 while the federal Central Valley Project has announced the lowest-ever allocations for its contractors, creating a real possibility that 25 million Californians and more than a million acres of farmland will receive no water from the projects this year; and

WHEREAS, Governor Brown declared a drought state of emergency on January 17, 2014, and called on all Californians to do their part to reduce their water use; and

WHEREAS, Though our local water supply, Ruth Lake, is full and the District has ample supply to serve our community, we recognize that water supplies elsewhere are low so we urge Humboldt County residents to be aware that conditions vary around the state, and to use water wisely to maximize supplies and protect water reserves; and

WHEREAS, Humboldt Bay Municipal Water District and its Municipal Customers have partnered to provide information on water conservation, and other strategies to stretch supplies, via the Urban Water Management Plan (UWMP) Workgroup;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Humboldt Bay Municipal Water District recognizes that California is in a statewide drought and there is a critical need for all Californians to use water wisely on an ongoing basis to heighten their conservation efforts given the drought conditions; and

BE IT FURTHER RESOLVED, that the Board of Directors thanks its Municipal Customers and the community at large for their ongoing water efficiency efforts.

Adopted and approved this 1st day of May, 2014 by the following votes:

AYES: Directors Hecathorn, Laird, Rupp, Sopoci-Belknap and Woo

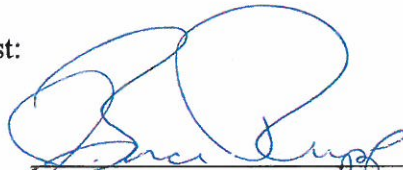
NOES: None

ABSENT: None



Aldaron Laird, President

Attest:



J. Bruce Rupp, Secretary/Treasurer