

## CALAVERAS COUNTY WATER DISTRICT

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January 12, 2017

VIA EMAIL TO: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov), [felicia.marcus@waterboards.ca.gov](mailto:felicia.marcus@waterboards.ca.gov)

The Honorable Felicia Marcus, Chair  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

Attention: Ms. Jeannie Townsend, Clerk of the Board

SUBJECT: Letter of Comment, Urban Water Conservation Public Workshop, January 18, 2017

Dear Chair Marcus,

Thank you for holding a public workshop on urban water conservation on January 18, 2017 for the State Water Resources Control Board to receive input on the proposed extension of the Emergency Regulations for Statewide Urban Water Conservation.

I represent the Calaveras County Water District, which provides water service to about 21,000 people in the foothills of the Sierra Nevada Mountains. During the worst of the drought in 2015, our customers, communities and businesses made incredible sacrifices through reducing water use. Moreover, our residential customers reduced water use by nearly 40 percent during summer months. These monumental sacrifices came at a serious financial cost to the District with consumptive revenues decreasing dramatically, which is significant for a small district like CCWD. After passing the water supply "stress test" in May 2016, the District certified that it was 100 percent drought prepared. Since passing the stress test, our customers have continued to conserve an average of 15 percent, which exceeds the mandatory water conservation standard assigned to the District in 2015. Furthermore, we are on track to meet or exceed our SBX 7-7 objective.

Calaveras County's water supplies are primarily sourced from the Stanislaus, Calaveras and Mokelumne river systems. These rivers feed into several major reservoirs that provide our water supply, including New Spicer Meadow and New Hogan reservoirs. We have witnessed an incredible series of storms in recent weeks that have drenched California, particularly the central and northern portions. This has led to heavy snowfall in the high country and rapid filling of our reservoirs at lower elevations. The amount of precipitation in our region in January 2017 has exceeded 1982-1983 levels, which are the wettest on record. These extremely favorable hydrologic conditions ensure that CCWD will have the required water supplies to meet customers' demands this year and in the years to come. Not only is our region not experiencing drought conditions, many areas have experienced significant water surpluses.

Given the local conditions within our watershed there is no compelling reason to continue stringent emergency water conservation measures. If this were to be done, it would create a serious credibility breach between us and our customers, other local agencies and our communities. We have worked very hard to build trust with our customers and our communities and we would not want to lose that trust by imposing conservation measures that are clearly unwarranted. In addition to losing the public's trust, the State also risks losing credibility with water suppliers. We strongly believe that water management is most effective when performed at the local level, based on local and regional conditions. In addition, we note that ample water supply conditions are not unique to Calaveras County, but are widespread and therefore we urge the state recognize this fact by allowing the emergency conservation regulation to expire.

We recognize that the state endured a prolonged drought between 2012 and 2015. We also recognize that, despite near-normal precipitation in the 2015-2016 wet season and above-average precipitation in 2016-2017, the drought continues to have some lingering impacts. Transitioning from emergency water rationing to sustainable water use efficiency programs is a top priority for the District, and we expect our customers will continue to use less water in the years to come than they did in 2013. As the guardians and stewards of our region's water supplies we will continue to husband our resources and plan not just for this water year but the future. We will do this consistent with the California Water Action Plan, the State Water Plan, SGMA, our two IRWM Plans and our recently updated Urban Water Management Plan. Extending the emergency regulation is not necessary, nor is it the proper tool to impose on regional water management, in light of the above-average precipitation levels the state is experiencing.

We wish to emphasize that managing water in California is not just about conservation. It is the implementation of a suite of actions called for in the California Water Action Plan (CWAP) as updated by the State each year. The State referred to CWAP in a recent press release and said that conservation was a top priority. We agree that conservation is one of the top priorities in the plan, but the CWAP also contains goals that include the development of new surface water storage, groundwater improvements, flood protection, watershed restoration and improved planning efforts, among others. In short, the CWAP calls for the integrated management of resources: something we as water managers have embraced at CCWD as the foundation of our management. Conservation is but one of many actions that must be carried out in an integrated fashion to attain the plan's goals.

Thank you for the opportunity to provide written comments on the series of questions posed in the notice of public workshop that was distributed by the State Board on January 6, 2017.

- 1. What elements of the existing May 2016 Emergency Regulation, if any, should be modified? Should the State Water Board wait until the hydrology for the current water year is known (April or later) before proposing adjustments to the current method for calculating conservation standards? And, should the State Water Board allow suppliers to update or modify their conservation standard calculations (and if so, how)?**
  - Due to above average rain and snow throughout much of California and the lack of drought conditions throughout the vast majority of the state, we do not believe the State Board should extend the emergency regulation. Rather, we urge the State Board to let the emergency regulation expire. The declaration of a drought emergency should only be applied when it is truly a drought and an emergency. We will lose the

confidence of the public if the drought emergency is continued when such a declaration is not supported by the actual hydrologic conditions.

- If the state does not extend the emergency regulation, as we are suggesting, hydrologic conditions could still be evaluated later this spring so that the Board may be kept informed of local, regional and statewide water supply conditions.
- If the State still decides to extend the emergency regulation, suppliers should be allowed to use the same stress test that was approved by the State Board in May 2016 to update/modify its conservation standard calculations. If a water supplier can show that it has adequate water supplies to meet customer demands for the current year, and if the next three years are dry, it should not be assigned a mandatory conservation standard. Additionally, the Board should have monthly updates regarding supply conditions and rescind the drought emergency regulation as it becomes readily apparent a drought emergency does not exist in California this year.

**2. Should the State Water Board account for regional differences in snowpack, precipitation, and lingering drought impacts differently than under the current emergency regulation, and if so, how?**

- If the State Board decides to extend the emergency regulation, we believe the “stress test” is the proper tool to determine whether water suppliers are adequately for potential drought in future years, and we suggest the state continue using the existing stress test system to evaluate regional differences.

**3. Executive Order B-37-16 requires the Board to develop a proposal to achieve a mandatory reduction in potable water use that builds off the mandatory 25 percent reduction in previous Executive Orders and lessons learned through 2016. The Board, however, is not required to act on this proposal. Should the Board act now, or later if conditions warrant, to a conservation standard structure like the one the Board adopted in February 2016 to achieve a mandatory reduction in water use? Should the Board set a conservation floor, individually or cumulatively?**

- We do not believe the conservation standard structure equitably accounted for local water supplies, nor did it adequately account for water supply reliability investments made by water suppliers. Additionally, the credits and adjustments the State Board adopted in February 2016 for factors such as evapotranspiration did not go far enough to address the significant differences in local conditions. Both these methods rely too heavily on the residential gallons per capita day (RGPCD) used by customers within service areas.

As the State Board considers extending the emergency regulation, it must recognize the fact that many parts of the state are not experiencing emergency drought conditions due to significantly improved hydrologic conditions that cannot be rationally called a drought. Additionally, along with continued investments in the development of drought-resilient supplies and integrated resources management, local and regional systems are more resilient now than they were just five years ago. The State Board should allow the emergency conservation regulations to expire.

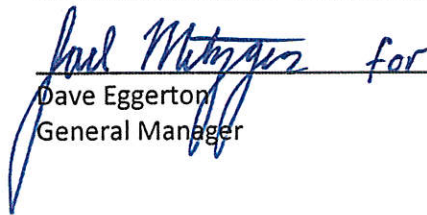
If small, isolated areas of the state continue to face challenges supplying their communities with water, the state should focus its attention on assisting those communities. But there is no compelling reason to extend the emergency regulation for all suppliers when the overwhelming majority of the state is not experiencing drought conditions.

However, despite evidence to the contrary, if the State Board decide to extend the emergency regulation, our primary request is that the water supply "stress test" that is currently in place continue to be used to determine whether mandatory conservation measures are necessary within a water supplier's service area and that the Board carry out monthly updates regarding supply conditions to justify why drought emergency regulations are imposed supported by specific data that has been peer reviewed.

Thank you for the opportunity to comment. We look forward to continued collaboration with State Board staff to develop policies that meet the objectives of the California Water Action Plan, while protecting local water supplier authority and preserving the trust of the people of California.

Sincerely,

CALAVERAS COUNTY WATER DISTRICT

 for  
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Dave Eggerton  
General Manager

Ecc:

*The Honorable Frances Spivy-Weber, Vice Chair, State Water Resources Control Board*

*The Honorable Dorene D'Adamo, Member, State Water Resources Control Board*

*The Honorable Steven Moore, Member, State Water Resources Control Board*

*The Honorable Tam Doduc, Member, State Water Resources Control Board*

*Ms. Kim Craig, Deputy Cabinet Secretary, Office of Governor Edmund G. Brown Jr.*

*Mr. Tom Howard, Executive Director, State Water Resources Control Board*

*Mr. Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board*

*Mr. Gary B. Bardini, Deputy Director, Integrated Water Management, Department of Water Resources*

*Mr. Kamyar Guivetchi, Manager, Statewide Integrated Water Management, Department of Water Resources*