



*Via email*

May 1, 2015

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Ms. Felicia Marcus  
c/o Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814



*Directors:*  
Howard Hobbs  
President

Subject: Comment Letter – Emergency Conservation Regulation

Kenneth L. Crockett  
Vice President

Dear Ms. Marcus:

Edward Garcia  
Enrico Cinquini  
John H. de Fremery

With regards to possibly revising the currently proposed tier structure, many water suppliers are already half way through the Prop 218 notification requirements for adjusting water rates, as recommended by the Governor. Please do not establish new tiers that would place any water supplier into a higher tier for reduction from 2013 use than is already in the proposed Regulation. Placing a water supplier in a higher tier would require us to restart the mandatory Prop 218 notification requirements which would mean that water rate adjustments could not take effect until August 2015. This could be financially devastating for a water supplier and hinder us from establishing conservation rates until that time.

*General Manager  
& Secretary:*  
Mike Yeraka

Many water suppliers, like Diablo Water District, have invested millions of dollars along with Prop 50 grant funds to tap into previously underutilized local groundwater supplies in order to shore up our drought reserves. The Regulation as currently written would prevent us from utilizing this local drought reserve. It would be a travesty to have to implement a building moratorium so that a water supplier could meet its water reduction requirement while the available groundwater supply went unutilized.

*General Counsel:*  
Jeffrey D. Polisner

We respectfully request that the Board include the following after Section 865(c)(2), "Irrespective of its source of supply, each urban water supplier who is able to demonstrate to the Executive Director that their extraction of groundwater is within the sustainable yield of their local groundwater basin shall be allowed to have its percentage reduction from 2013 use identified in Section 865(c)(3) below, lowered by 4%." We are not asking to be reduced to 4% of 2013 use, but just to be dropped down to the next lowest tier in recognition of our available drought supply.

Sincerely,

Mike Yeraka, P.E.  
General Manager