



May 4, 2015

Via email and US Mail

Jeanine Townsend, Clerk to the Board,
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Emergency Regulation for Statewide Urban Water Conservation

Dear Ms. Townsend,

The City of Colton appreciates the opportunity to provide the following comments on the Emergency Regulation for Statewide Urban Water Conservation, scheduled for consideration and adoption by the State Water Resources Control Board (Water Board) May 5-6.

The City of Colton has been assigned to a 24 percent conservation standard in the Regulatory Framework Tiers, which are designed to achieve an overall 25 percent statewide reduction in water production. A curtailment of this magnitude is of great concern to the City because it could negatively impact the City's ability to implement the United States Environmental Protection Agency's (EPA) mandated remedy for the Rialto/Colton Groundwater Basin.

The EPA has designated a large plume of perchlorate and trichloroethylene groundwater contamination in the Rialto/Colton Basin as a site on the National Priorities List. This list enumerates the national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories, and as such, contains the most seriously contaminated locations in the nation. The perchlorate and trichloroethylene contamination in the Rialto/Colton Basin brought about the closure of public drinking water supply wells in the communities of Colton and Rialto, and has been the subject of years of litigation. As a result of the litigation, the parties responsible for the contamination entered into a Consent Decree with the EPA and local municipalities to clean up the groundwater contamination. This agreement was memorialized in a Consent Decree that was approved by the Department of Justice and entered by Federal District Court.

Under the EPA-supervised remedy, water available under the City's water rights will be used to pump and treat contaminated water. To effectively capture the contamination, all of Colton's water rights in the Rialto/Colton Basin must be used. If the City is required to restrict water production by as much as 24 percent under the Water Board's emergency regulation, the treatment system will not be effective in remediating the contamination. The result would be that a significant environmental and health risk to the community will be allowed to continue unabated.

The City of Colton urges the Water Board to take this serious health risk into consideration and relieve the City of the water production restrictions proposed in the Emergency Regulation for Statewide Urban Water Conservation. The City of Colton understands the importance of conserving water during the drought and is committed to taking all steps possible to contribute to local and statewide water savings. But for the sake of the health and safety of the community, it is imperative that the City not be required to achieve the high conservation standard currently in the draft regulation's Regulatory Framework Tiers.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Amer Jakher". The signature is fluid and cursive, with the first name "Amer" and last name "Jakher" clearly distinguishable.

Amer Jakher
Public Works Director