

HUMBOLDT BAY MUNICIPAL WATER DISTRICT

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March 13, 2015

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
PO Box 100
Sacramento, CA 958212-2000

Via email: commentletters@waterboards.ca.gov

Re: Comment letter for March 17, 2015 SWRCB Meeting re: additional emergency water conservation regulations

Dear Ms. Townsend,

The Humboldt Bay Municipal Water District (District) submits these comments on the proposed new emergency water conservation regulations.

As way of introduction, 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. With the loss of two large industrial customers, the District has reduced its water usage by approximately 80% since the mid-1990s.

Once again, we respectfully request that the SWRCB introduce flexibility into its regulatory program to achieve the desired or necessary level of water conservation. Like last year, the District finds itself in a very unique position during this exceptional drought period.

We offer three reasons to support our request:

- 1) The District has not experienced a water shortage at any time during the prolonged drought which has affected most of California. The District's source of supply – Ruth Reservoir – has filled to capacity twice this season (in December and again in February). It has filled to capacity each and every year of the four-year drought. Due to the District's full reservoir and

reduced demands, the District is not experiencing any water shortage, and has sufficient water supply to carry it through multiple future drought years. Furthermore, as reported in our Urban Water Management Plan, the District's reservoir was able to serve all of the District's water needs during our region's driest three-year period on record (October 1989 to September 1992), and this was before the 80% reduction in demand.

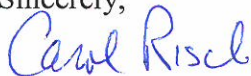
- 2) The District in fact has surplus water available. Water Code section 71612 provides that surplus water may be sold or otherwise disposed of. Due to our unique situation, the District filed for a Temporary Urgency Change Petition with the SWRCB last year to change the Place of Use of our water right permit to accommodate delivery of bulk water to small communities and tribes in outlying areas who experienced acute water shortages.

From a policy position, it is inconceivable to simultaneously have a water shortage to support the mandatory conservation requirements, and a water surplus to accommodate selling or transferring water to neighboring communities in need of water for public health and safety.

- 3) The District, our wholesale municipal customers, as well as the public at-large recognize and acknowledge the severe drought in the state. We have taken action to draw attention to the drought and to encourage conservation – both voluntarily and via adoption of the emergency regulations prohibiting wasteful outdoor use. Imposing further outdoor water-use restrictions and hospitality-sector restrictions within our District will not: a) create any benefit for other drought-afflicted communities, b) augment or prolong the District's source of supply, and 3) would in fact hinder the District's ability to impose and enforce such restrictions if they are needed in the future. It is counterproductive for the District and our municipal customers to "cry wolf" when there isn't any shortage, and thereby damage credibility with our end-users. Our options for reducing water use will be far more effective, and our call for mandatory conservation given more weight, if they are reserved for implementation during an actual shortage.

To that end, the District respectfully requests that the SWRCB introduce flexibility into the new emergency regulations to account for varying local water supply conditions.

Sincerely,



Carol Rische
General Manager

cc: ACWA
Humboldt County Drought Task Force
HBMWD Wholesale Municipal Customers
Deanna Sisk, Representative for Assemblymember Jim Wood
Zuretti Goosby, Representatives for Senator Mike McGuire
Jan Marnell, State OES
Tony Wiedemann, SWRCB Division of Drinking Water