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Via email transmission to commentletters@waterboards.ca.gov

State Water Resources Control Board
1101 I Street
Sacramento, CA 95814

Re: March 17-18 Meeting of the State Water Resources Control Board; Consideration of a proposed Resolution amending and readopting drought-related emergency regulations for urban water conservation.

Members of the Board:

South Feather Water and Power Agency (South Feather) respectfully requests that you not adopt the proposed changes to the Urban Water Conservation Regulations found in proposed 23 C.C.R. section 865, subdivisions (b)(1) and (c). In order to implement the existing section 865(b)(1), which was passed less than a year ago, South Feather undertook the process and associated expenses of adopting a new water conservation program to comply with the new regulation. Now, a scant seven months later, South Feather is again being told that the bar will move, requiring yet another change—one which will not result in increased conservation.

Water management and conservation plans are produced through concentrated and focused planning efforts that are informed by the specific circumstances in which each urban water suppliers finds itself. Now, for the second time far less than a year, the State Water Resources Control Board (SWRCB) has deigned to move the bar to impose a blunt, statewide requirement without any consideration of the thoughtful planning engaged in by each of the state's urban water suppliers in developing their plans. Years of discussion and planning are to be thrown out in order to wedge additional restrictions into what had been well-thought out plans, and these changes must be made at each supplier's expense.

The SWRCB has failed to show that this change is necessary, or even that this change

will result in additional conservation over last year's regulatory action. In response to last year's emergency regulations (specifically, section 865(b)(1)), South Feather restricted the times of day during which its customers could use potable water to irrigate outdoor ornamental landscapes and turf, cutting permitted irrigation times by one-third. These restrictions conserve water not only by reducing the amount of time per week during which a customer may use water for irrigation, but also by increasing the absorption of the applied water and reducing its evaporation both during and after application. The new proposed section 865(b)(1) takes a less focused, and less effective, approach by seeking only to reduce amount of time per week when outdoor irrigation is allowed, without the greater efficiency achieved through time-of-day restrictions. The Notice of Proposed Rulemaking, at page N-3, makes only the conclusory statement that "the proposed regulation will further protection of the environment." However, the supporting materials do not explain why or how prohibiting watering on one or more days per week is superior to prohibiting watering during times when watering is the least effective due to evaporation. South Feather's current time-of-day restrictions allow less watering than the proposed section 865(b)(1), and it is common knowledge that many property owners, in response to day-of-week restrictions, simply increase the duration of irrigation on the days they are allowed to irrigate.

The Board should not adopt the proposed change to section 865(b)(1) and (c). At the least, an amendment to the emergency regulations should allow urban water suppliers to "[i]mplement another mandatory conservation measure or measures intended to achieve a 20 percent reduction in water consumption by the persons it serves relative to the amount consumed in 2013," as smaller water suppliers are permitted to do under these regulations.

Respectfully submitted,

MINASIAN, MEITH, SOARES,
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By:



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