



# TUOLUMNE UTILITIES DISTRICT

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February 6, 2017

Felicia Marcus, Chair  
State Water Resources Control Board Members  
State Water Resources Control Board  
1001 "I" Street, 24th Floor  
Sacramento, CA 95814-2828

2-7-17 Board Meeting-Item 9  
Urban Water Conservation to Implement EO B-29-15  
Deadline: 2/6/17 12 noon



Subject: *February 8, 2017 BOARD MEETING (Extending the Emergency Regulation)*

Dear Ms. Marcus and Members of the State Water Resources Control Board:

This correspondence is sent by the Tuolumne Utilities District ("District") in response to the State Water Resources Control Board ("SWRCB") notice of a public workshop to be held on February 8, 2017, for the purpose of the SWRCB to solicit comment on extension of the current Emergency Regulation for Statewide Urban Water Conservation that is set to expire on February 28, 2017.

As stated in our District's previous letter to the SWRCB regarding the Emergency Regulations, dated January 12, 2017, our District encourages the SWRCB to allow the Emergency Regulations to expire, or at most to wait until after April 1st, for the snowpack survey results before making a decision on implementing an Emergency Regulation for the remainder of the year. At this time with the substantial snowpack and precipitation that has been received throughout the state, it is not necessary to extend the current regulations for 270 days.

The SWRCB should consider the use of the word "Emergency" when implementing a regulation to agencies and the public. An "emergency" is defined as: *an unexpected and usually dangerous situation that calls for immediate action*. The State is now recovering from an unprecedented drought, but it is not facing an emergency at this time. Having the SWRCB continue with an Emergency Regulation for Water Conservation that is not needed indicates a State overreach which may implicate future necessity to implement needed emergency water conservation by both the public and local agencies. This could damage public faith and trust for our District and government in general.

The SWRCB should not continue to impose a "one size fits all" approach regarding water supply. The Board should distinguish between abundant surface water supply and those areas where ground water may need further recovery. Surface water supplies are abundant this year and the Emergency Regulations should be allowed to expire as to this source. The SWRCB could continue to work with groundwater basins that have well water issues in order to develop long term solutions for those areas where groundwater supply has been impacted by the drought. This allows for a more surgical distinction between abundant surface water supplies and any lingering problems in areas solely reliant on groundwater.

Also, as previously stated in our January 12, 2017 comment letter, when Governor Brown issued Executive Orders in April 2015 it was due to the severity of the drought conditions facing the State. Although Executive Order B-37-16 issued many directives to the SWRCB to work towards ensuring a sufficient water supply to the residents of California, it should be noted that the Emergency Regulation and "*Making Conservation a Way of California Way of Life*" should be considered as two very different initiatives.

Accordingly, and for these reasons the District strongly encourages:

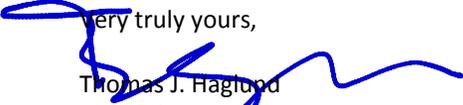
- 1) The SWRCB to allow the Emergency Regulation to expire for lack of a continuing need.
- 2) The SWRCB to recognize that with the deluge of flooding and snowpack that have recently been received throughout the State, it will be difficult to communicate to the public that there is in fact a drought still facing California and that the Emergency Regulation needs to remain in place. Maintaining public trust in moving forward with development of additional, ongoing conservation measures is critical.

- 3) That if the SWRCB moves forward with implementation of the provisions of *“Making Conservation a Way of California Way of Life”* it do so only occur after a highly visible public process incorporating public awareness and education on how to achieve greater water conservation behaviors in everyday life.

Our District also aligns with the comments submitted by the Association of California Water Agencies (ACWA). ACWA staff and several water agency representatives testified at a State Water Board hearing January 18, 2017 and voiced support for letting the regulation expire in February, citing dramatically improved conditions. They also emphasized that urban water suppliers remain committed to helping their customers shift to permanent changes to improve water use efficiency on an ongoing basis.

The District encourages the SWRCB at the February 8, 2017 Board meeting to terminate the drought related Emergency Regulations for Urban Water Conservation. The District appreciates the opportunity to offer input on the Emergency Regulation to the SWRCB member’s consideration. Please feel free to contact me should you have any direct questions regarding our watershed or water conservation achievements.

Very truly yours,



Thomas J. Haglund  
General Manager