

From: Will Coit
To: [commentletters](#)
Subject: FEBRUARY 8, 2017 BOARD MEETING (CONSERVATION EXTENDED REGULATION)
Date: Monday, February 06, 2017 9:58:31 AM



The regulations as proposed by the Board on February 2, 2017 are in violation of state law (ca code section 11349) and the adoption process should be suspended and/or amended to comply with the state government codes before further consideration.

A finding of emergency based only upon expedience, best interest, general public need, or speculation, shall NOT be adequate to demonstrate the existence of an emergency.

If the situation identified in the finding of emergency existed and was know by the agency adopting the regulation in sufficient time to have been addressed through non-emergency regulations adopted in accordance with provisions of Article 5 (commencing with Section 11346), the finding of emergency shall include facts explaining the failure to address the situation through non-emergency regulations.

These proposed regulations are also in violation of state law (ca code section 11346.2 and 11346.5): A description of the SPECIFIC facts demonstrating the existence of an emergency and the need for IMMEDIATE action, and demonstrating, by SUBSTANTIAL evidence, the need for the proposed regulation to effectuate the statute being implemented, interpreted, or made specific to address ONLY the demonstrated emergency.

The finding of emergency shall also identify EACH technical, theoretical, and empirical study, report, or similar document, if any, upon which this agency relies. The enactment of an emergency stature shall not, in and of itself, constitute a need for immediate action.

I appreciate your hard work and dedication to your duties and jobs. I am aware many contentious issues are before the board, and sometimes it is difficult to achieve goals and milestones as directed by executive order. I am asking your consideration of my request to make public the data and reports used to make an emergency designation.

Please comply with all the rules, regulations, codes, and laws as you proceed forward with suggesting and implementing emergency regulations. Thank you

William Coit,
Mendota, California
Surface and Ground Water User (agricultural, M&I, and residential)