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Jessica Bean
Engineering Geologist
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

April 22, 2015

Dear Ms Bean:

Please accept these comments on the proposed draft "Proposed Text of Emergency Regulation for Drought Emergency Water Conservation" on behalf of my clients Calaveras County Water District (CCWD).

CCWD supports the Governor's April 1, 2015 Executive Order and his objective of achieving an aggregate statewide 25% reduction in water use through February 2016. We also support the Board's efforts to promptly impose the reasonable and necessary regulations to carry this out.

CCWD is located within the Sierra Nevada Mountain Range and foothills and contains significant service areas designated by the State of California as Disadvantaged Communities. Further, CCWD is a relatively modest sized agency, which does not enjoy the large service population, economy of scale, or the luxury and efficiency of water systems built recently. Rather, CCWD should be viewed as representing another aspect of the diversity of the State's urban water suppliers and represents a historic legacy of the earlier Gold Rush Era and Sierra settlements of California's history.

CCWD's system is not a uniform water system, interconnected and benefitting from the ability to serve all customers off of a centralized conveyance and transmission network. Rather, some portions of its system are supplied from one source and others supplied from another source. Due to the mountainous geography of the watersheds, movement of water from one system to the other is all but impossible. Therefore, although the CCWD manages a geographic contiguous area for water supply, those supplies come from multiple sources and represent discrete units of service.

General comments and suggested language follow.

Item 1, Fact Sheet page 3 item #2

This item refers to urban water suppliers that have a reserve supply of surface water that could last multiple years and suggests that those suppliers may be eligible for placement into a lower conservation tier.

CCWD's primary (and highest) surface storage is in New Spicer Reservoir. This reservoir located on Highland Creek a tributary of the North Fork of the Stanislaus River and was completed in 1989. It is located at approximately 6,621' elevation, has a surface area of 2,000 acres and a capacity of 189,000 acre-feet of storage. The reservoir presently has approximately 68,500 acre-feet of water in storage. It is the primary source of water for municipal and irrigation water for a significant portion of the CCWD service area in the Stanislaus Watershed. Water from New Spicer is also released into the North Fork of the Stanislaus river and re-diverted under CCWD rights, at Lake Tulloch which is located downstream of New Melones Reservoir. That water supplies a large year-round residential population as well as a significant vacation/recreation population during summer and fall months. That water is managed and has been managed reasonably and prudently so as to create favorable storage conditions despite the severity of the multi-year drought.

On April 2, 2015 the operator of New Spicer Reservoir (Northern California Power Association - NCPA) sent a letter to the California Department of Fish and Wildlife requesting a reduction of fisheries releases from New Spicer Reservoir by 1/3 during the months of June through October of this year. Presuming that regulatory relief is granted by CDF&W before June 1, and based on the amount of estimated total demand CCWD serves from the New Spicer Reservoir, the CCWD believes New Spicer storage will be able supply their customers assuming a 25% conservation standard. New Spicer Reservoir would also be able to supply relatively small but critical emergency supplies to failing small systems (served from very small watersheds) and to those that are projected to fail within Calaveras County (some are already having potable water trucked in from CCWD's treated water plants), for at least the next 18 months.

CCWD therefore requests that for that portion of their system served by the New Spicer Reservoir should reduce consumption in an amount consistent with the Governor's declaration of 25% (25% less than the amount used each month in July - September of 2013).

CCWD requests language be added to the Regulation that is as follows:

Section 865(c)(11) Each urban water supplier whose local source of supply for its system, or a discrete (used herein discrete means a portion of the system unconnected either by man-made or natural infrastructure to the remainder of its system) portion of its system, that does not include groundwater or water imported from outside the hydrologic region and currently has sufficient water in surface water storage adequate to supply its system, or the discrete portion of its system for the next 18 months or greater, shall be required to reduce the amount of water used each month by 25% less than the amount used each month in July - September of 2013.

Seasonable Population Variations

CCWD's service population varies significantly due to large numbers of vacationers who travel to and stay in the CCWD service area in vacation cabins and homes. These dwellings typically have significantly higher persons per household than the CCWD's year-round residential dwellings and therefore those differences must be recognized and allowed with the regulations as proposed by the Board. Additionally, that peak recreational use occurs during the months of June, July and August. CCWD therefore urges the Board to allow flexibility in reporting of service populations including persons per household to "capture" the nature of those unique circumstances in recreational communities within the CCWD service area.

CCWD suggests the following language be added to the proposed draft regulations.

Section 865(b)(2) "...The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, the number of days that outdoor irrigation is allowed, monthly commercial sector use, monthly industrial sector use, and monthly institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. Where communities or portion of communities within the urban water supplier's service area have increases in recreational populations during reporting periods,

those changes in population shall be estimated and used in the total water use and R-GPCD computation use by the reporting agency. A narrative shall accompany the information providing the general location and estimated increase of the service population due to recreational use.

System and sub-system efficiencies

CCWD's system is not supplied by a single water source, nor is the entire system interconnected. The system is composed of one area served from the Stanislaus River watershed (New Spicer Reservoir storage), which has a year-round residential population as well as significant areas with larger vacation populations. Additionally, there are smaller, isolated systems that are either served from small local watersheds or from fractured granite bed rock formations (not in a Bulletin 118 GW basin). Additionally, some of these systems are very old while others are much more recent.

Therefore, system R-GPCD numbers are significantly different in the older portions of the system than in the newer portions of the system. These systems are also geographically isolated from other water systems and are not interconnected with each other. CCWD urges the SWRCB to recognize the efficiency differences inherent in the systems as well as their isolated operations. Therefore CCWD requests the following language be added to the proposed regulations.

Section 865(c)(12) Urban water suppliers systems that are not one contiguous service area and that have locally isolated supply sources and are not interconnected to their larger, main service area, may at their discretion apply varying percentages of reductions for those sub-system units based on the standards contained in section 865(c)(3) through (10).

The reporting as required Section 865(b)(2) shall identify and call out the data for each of those sub-systems of the larger urban water supplier's system. The identification of a sub-system percentage does not excuse the urban water supplier from compliance with total reductions based upon data as submitted to the SWRCB.

Thank you for the opportunity to provide comments on the Draft. We look forward to working with you to develop a more equitable system of compliance that will work for all of California's diverse communities and will achieve the Governor's objective.

Best,

John S. Mills

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