



To: Felicia Marcus
Chair, State Water Resources Control Board

The USDA Forest Service, Pacific Southwest Region (USFS), manages 18 National Forest units in California comprising roughly 20,000,000 acres in the headwaters of the state. The USFS holds hundreds of water rights that are used for firefighting, dust abatement, livestock watering, recreation, wildlife, and administrative facilities.

On June 23, 2014, we received Item 5 for the July 1, 2014, SWRCB meeting, entitled "CONSIDERATION OF A PROPOSED RESOLUTION REGARDING DROUGHT-RELATED EMERGENCY REGULATIONS FOR CURTAILMENT OF DIVERSIONS TO PROTECT SENIOR WATER RIGHTS." (This document can be viewed at: http://www.waterboards.ca.gov/board_info/agendas/2014/jul/070114_5.pdf)

I am highly concerned that the proposed resolution may remove the exemptions to curtailment for human health and safety reasons, and I appreciate your interest in receiving comments from the public on this crucial issue. We rely throughout the summer on water sources that can be used for fire suppression. Without these sources, our ability to successfully contain wildfires and protect human lives and property, as well as National Forest resources, will be compromised. These firefighting water sources should be exempted from curtailment in the interest of human health and safety.

In addition, several small municipal systems and many administrative sites and recreation residences on the National Forests rely on water provided through USFS water rights. Many of the employees (including fire crews) and residents served by these sources lack other sources of water, and need the minimum allowance of 50 gallons per person per day to survive. Forcing these employees and residents to relocate would not reduce statewide water use, but only transfer the use to other geographic areas. These water rights should also be exempted from curtailment for human health and safety purposes.

I believe that no water right should have a priority higher than those that protect basic human welfare. I strongly urge you to apply the exemption for human health and safety to water rights curtailment under section 875.

I would also like to note that our National Forests began receiving curtailment notices for appropriative rights several weeks ago, and have been complying with State Water Resources Control Board (SWRCB) requirements to complete and return compliance forms after either stopping diversions or verifying criteria qualifying for an exemption to curtailment. This has been a major effort requiring extensive staff time. We have now begun to receive Human Health and Safety Claims forms that we are required to complete and return in 7 days for situations in which we have claimed exemptions for human health and safety. Some of our forests have received these forms for dozens of water rights, and have very limited staff to complete the forms. We appreciate our cooperative relationship with the Division of Water Rights, and will again do our best to comply. However, I would greatly appreciate an extension of time to complete and return the forms.

Thank you for your consideration of my comments. If you have any questions, please contact Regional Hydrologist Barry Hill (barryhill@fs.fed.us) at 707-562-8968.

Sincerely,

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