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January 28, 2016

VIA ELECTRONIC MAIL (commentletters@waterboards.ca.gov)

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Amador Water Agency's Comments on Extension of Emergency Water
Conservation Regulation

Dear Ms. Townsend:

Thank you for the opportunity to comment on the State Water Resources Control Board (State Water Board) staff's proposed extension of the May 2015 emergency conservation regulations for complying with the Governor's Executive Order B-36-15 (Extended Regulations). Amador Water Agency (AWA) appreciates staff's willingness to consider input from water agencies and "incorporate insights gained from existing restrictions" as it addresses potable and non-potable water uses.

AWA provides potable and raw water to more than 17,000 people in Amador County. Surface water accounts for approximately 97 percent of AWA's total water supply, and surface water from the Mokelumne River watershed is the sole supply source for the majority of AWA's water system. As part of its water supplies, AWA contracts with Pacific Gas & Electric (PG&E) to divert up to 15,000 acre-feet of water per year under several of PG&E's pre-1914 water rights in the Mokelumne River. AWA also has its own appropriative rights to directly divert 1,150 acre-feet of water from the Mokelumne River and store 1,600 of water annually under SWRCB Permit 017579.

AWA urges the State Water Board to explicitly address the need to reconsider and adopt the Extended Regulations in April 2016 based on hydrologic conditions, Sierra snowpack, reservoir storage, projected runoff, cumulative precipitation, available local water supplies, and other factors that may be used to assess the extent to which the ongoing drought represents an "emergency" statewide and in each region. The State Water Board's planned adoption of Extended Regulations in early February based only on drought conditions through January 2016 is premature. For example, PG&E has predicted heavy precipitation levels for February and a moderate chance that spillage will occur at the Mokelumne River's Lower Bear River and Salt



Springs reservoirs. Consequently, water levels at those reservoirs have been kept low in preparation for anticipated storms. State Water Board staff should continue monitoring precipitation and other information concerning each region in the coming months to ascertain whether the Extended Regulations truly are necessary. California residents have stepped up to meet the Governor's April 2015 call for a 25 percent reduction in water use, and continuing to expect these sacrifices without clear and convincing evidence of an ongoing emergency not only will reduce the public's trust in state and local agencies but also hinder the achievement of both short- and long-term water conservation goals.

Next, while the proposed Extended Regulations recognize the need to provide credits for the development of drought-resilient supplies, they ignore benefits derived from water conservation investments made prior to 2013 and, as a result, provide very limited benefit to local agencies that have made significant water supply investments prior to that year. AWA has invested millions of dollars in water conservation projects to shore up its water supply but will not be eligible for drought-resilient credits under the Extended Regulations. For example, AWA constructed a pipeline to convey water from Lake Tabeau to Tanner Reservoir in Amador County. The project conserves at least 30 percent of the water diverted by AWA from the Mokelumne River, but may not be used to obtain a credit against AWA's mandatory conservation standard because it was completed in 2007. In addition, AWA constructed a backwash recycle facility for its Buckhorn Water Treatment Plant that returns approximately five percent of total treated water produced at the plant to the plant's headworks, which treated recycled water is being used by a local golf course. Because this facility was completed in 2011, however, AWA cannot account for this additional supply under the Extended Regulations. There are several other examples of conservation projects which have resulted in drought-resilient supplies. The proposed Regulations should be revised to remove this post-2013 limitation so that local agencies can receive full credit for their development of drought-resilient water supplies and significant water conservation investments.

AWA also opposes the threshold of four percentage points for all credits and adjustments against the water conservation standard as currently proposed by the State Water Board staff as well as the individual cap of eight percentage points for climate adjustment and drought-resilient sources of water supply. Similar to the proposed 2013 cut-off noted above, these caps and thresholds severely restrict the benefits that local agencies receive from their investments in drought-resilient sources of supply. For example, AWA will shortly begin operation of a backwash recycle facility at its Ione Water Treatment Plant, which facility will recycle approximately 5.5 percent of the plant's total treated water production. Because the recycle facility will produce only around two percent of AWA's treated water supplies, however, AWA will not receive any credit for this additional source of water supply under the proposed Extended Regulations. These thresholds and caps should be eliminated from the proposed Regulations in recognition of locally significant water supply reliability improvements and to enable local agencies to fully achieve their water conservation goals.

A Public Agency



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Finally, AWA urges the State Water Board to include in the proposed Extended Regulations a provision for re-evaluating, reducing, or suspending the mandatory conservation standards should there be significant additional precipitation in the coming months. If above-normal rainfall alleviates drought conditions as expected, the Extended Regulations should include a "reopener" mechanism to adjust accordingly, thereby preserving public support and commitment to the State's water conservation goals.

AWA appreciates your consideration of these comments. Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink, which appears to read "R. Manassero".

Robert Manassero
Board President
Amador Water Agency