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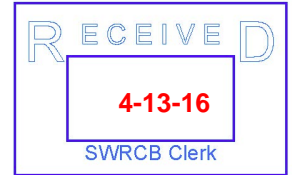
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April 13, 2016

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
PO BOX 100
Sacramento, CA 95812-10100



Re: **Comment Letter – Urban Water Conservation Workshop**

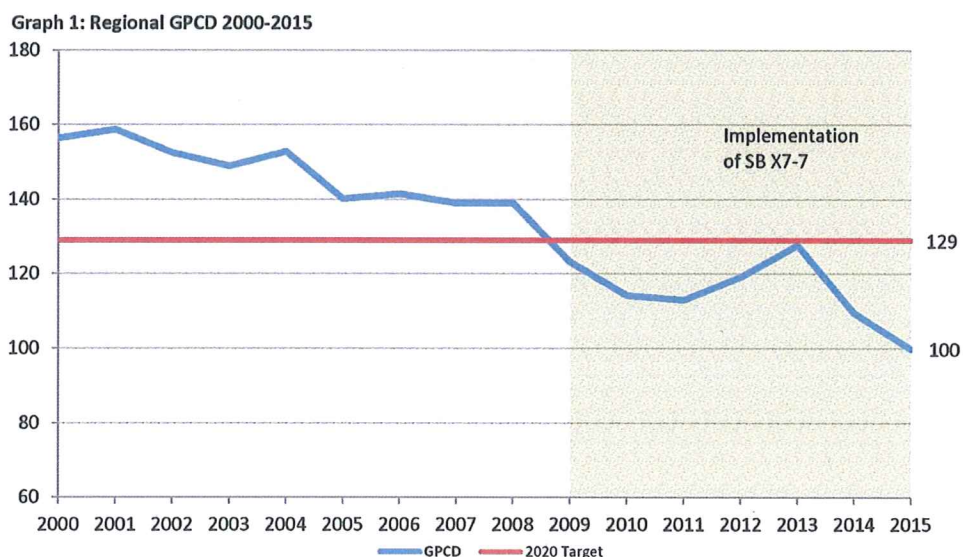
Dear Chair Marcus and Members of the State Board:

Thank you for the opportunity to provide input on the potential modification of the current Emergency Regulation for Statewide Urban Water Conservation (Regulation). The North Marin Water District (NMWD) provides water service to approximately 61,000 people in the Novato California water service area and another approximately 1,700 people in the completely separate Point Reyes water system serving rural communities at the base of Tomales Bay in West Marin County California. Additionally, NMWD is a member of the Sonoma Marin Saving Water Partnership which consists of the urban retail water agencies serving approximately 600,000 residents and receiving wholesale water supply from Sonoma County Water Agency's Russian River System (The Water Contractors: Town of Windsor, Cities of Santa Rosa, Rohnert Park, Cotati, Sonoma, Petaluma, and Valley of the Moon, Marin Municipal, and North Marin Water Districts).

Since 2013 was a very dry year in the Sonoma Marin region, customers in both the NMWD Novato and West Marin service areas were urged to take action and turn off all unnecessary outdoor irrigation, fix leaks and participate in NMWD water conservation programs even before the Governors January 2014 drought declaration. In April 2014 NMWD enacted water shortage contingency plans for Novato and West Marin and corresponding emergency water conservation ordinances. Similarly, in early 2014, other Sonoma Marin Saving Water Partnership members prohibited activities identified in the Regulation and either adopted their respective Water Shortage Contingency Plans or implemented equivalent measures to affect further conservation pursuant to the direction by the Governor and the State Board. Sonoma County Water Agency, also a member of the Sonoma Marin Saving Water Partnership, implemented extensive regional public outreach campaigns (“**There’s a Drought On. Turn the Water Off.**” in 2014 and “**There’s Never Enough to Waste. Turn the Water Off.**” in 2015) which were effective in heightening public response to drought conditions.

NMWD and the Sonoma Marin Saving Water Partnership members have continuously remained in compliance with the Regulation as modified by the State Water Resources Control Board (State Board) from time to time. From June 2015 through February 2016 NMWD has reduced the Novato service area potable water production by 33% and in West Marin by 27%, wherein the Conservation Standard set by the Regulation is 24% and 25% respectively. The Sonoma Marin Saving Water Partnership members collectively have reduced water production by 23% compared to a collective Conservation Standard of 19% during the same period.

The Sonoma Marin Saving Water Partnership was created in 2010 to work collaboratively on implementation of appropriate water use efficiency programs on a regional basis. These parties also established a regional alliance to comply with the SBx7-7 Legislation enacted to reduce per capita water use by 20% by the year 2020. The attached chart shows the Sonoma Marin Saving Water Partnership performance through 2015, identifying that the collaborative process has worked in our region as per capita consumption has been reduced to by 37% since 2000, nearly double the SBx7-7 target.



Additionally, recycled water development in our region by Marin Municipal Water District, the Cities of Santa Rosa, Rohnert Park, Petaluma, Town of Windsor, and participants in the North Bay Water Reuse Authority, including NMWD, have been effective at expanding the use of recycled water to offset potable water demand.

This year and last the water supply conditions in the Sonoma Marin region have improved significantly from that experienced during 2013. Currently, local and regional surface water reservoirs are full and normal year water supply conditions prevail on the Russian River and Lagunitas Creek pursuant to criteria stipulated in State Board decision D1610 and order WR95-17 respectively. Therefore, the Water Advisory Committee to the Sonoma County Water Agency,

whose members also comprise the Sonoma-Marín Saving Water Partnership, and the NMWD Board of Directors have adopted Resolutions (attached) which reflect these current water supply conditions, recaps past performance and compliance with the Regulation, and restates an ongoing commitment to furthering water conservation. Furthermore, the resolution points out that drought conditions do not exist in Sonoma or Marin County and the resolutions request that the State Board rescind application of the emergency drought water conservation regulations to the Sonoma Marin Saving Water Partnership members and small water suppliers in the Sonoma Marin region.

The notice for the April 20 workshop posed three questions for which we respond as follows:

1. What elements of the existing February 2016 Emergency Regulation, if any, should be modified and how so?

To address agencies, such as NMWD's Novato service area, which are not currently experiencing water supply shortages, we recommend that Section 865(c)(2) of the Regulation be replaced with the following:

"(c)(2) Each urban water supplier whose sources of supply are adequate to meet normal demand shall be exempt from the requirements of Section 865 of these regulations. Each urban water supplier who is eligible for this exemption shall provide a statement to the Board by June 1, 2016 which includes data describing the normal potable water demand in its service area, and the amount of supply available to the supplier to meet this demand."

Additionally, for small water suppliers which are not classified as urban water suppliers pursuant to Water Code Section 10617, such as NMWD's West Marin service area, we recommend that Section 865(g)(2) be added as follows:

"(g)(2) Each distributor of a public water supply that is not an urban water supplier and whose sources of supply are adequate to meet normal demand shall be exempt from the requirements of Section 865 of these regulations. Each distributor of a public water supply who is eligible for this exemption shall provide a statement to the Board by June 1, 2016 which includes data describing the normal potable water demand in its service area, and the amount of supply available to the supplier to meet this demand."

2. How should the State Water Board account for regional differences in precipitation and lingering drought impacts, and what would be the methods of doing so?

The Board should rely on individual water suppliers, or regional groups of water suppliers that share supplies from a watershed or reservoir, such as Sonoma Marin Saving Water Partnership, to identify their specific hydrologic conditions and available water supply.

3. To what extent should the State Water Board consider the reliability of urban water supplier supply portfolios in this emergency regulation?

Urban water suppliers are responsible for documenting water supply reliability in Urban Water Management Plans (UWMPs) submitted to the California Department of Water Resources. California Water Code Section 10632 requires the most recent Water Shortage Contingency Plan be included when UWMPs are adopted by the governing bodies of urban water suppliers. The 2015 iteration of UWMPs are due to be submitted by June 30, 2016 and it is certain that many lessons learned by urban water suppliers from the recent drought conditions and State Board response will be reflected in these updated UWMPs and accompanying Water Shortage Contingency Plans. The State Board should not preempt this responsibility nor consider further obligations on urban water suppliers as this effort is time intensive and currently ongoing within each urban water supplier's jurisdiction.

Sincerely,



Chris DeGabriele
General Manager
North Marin Water District,
Chair Technical Advisory Committee to SCWA

**RESOLUTION OF THE WATER ADVISORY COMMITTEE TO
SONOMA COUNTY WATER AGENCY**

*RESOLUTION OF THE WATER ADVISORY COMMITTEE TO SONOMA COUNTY WATER AGENCY
CONCERNING THE STATE WATER RESOURCES CONTROL BOARD DROUGHT EMERGENCY URBAN
WATER CONSERVATION REGULATIONS*

WHEREAS, the Water Advisory Committee (WAC) is advisory to Sonoma County Water Agency (SCWA) and holds certain powers and responsibilities enumerated in the Restructured Agreement for Water Supply between SCWA and its Water Contractors (Cities of Cotati, Petaluma, Rohnert Park, Santa Rosa, Sonoma, Town of Windsor and the Forestville, North Marin and Valley of the Moon Water Districts) including acting as collective spokesperson for the Water Contractors; and

WHEREAS, on April 1, 2015, Governor Jerry Brown issued Executive Order B-29-15, which required in part that the State Water Resources Control Board impose restrictions to achieve a 25% reduction in urban potable water use by February 29, 2016, compared to usage in 2013; and

WHEREAS, on May 5, the State Water Resources Control Board adopted drought emergency water conservation regulations to implement the Governor's mandate, including a range of conservation standards to reduce potable water production by urban water suppliers; and

WHEREAS, the emergency water conservation regulations required the Water Contractors to reduce potable water production ranging from 16% to 28% and required smaller public water suppliers to achieve a 25% reduction or limit outdoor irrigation to no more than two days per week; and

WHEREAS, the Water Contractors and Marin Municipal Water District receive Russian River Water supply from Sonoma County Water Agency and are members of the Sonoma-Marin Saving Water Partnership which members have collectively reduced water production by 23% from June 1, 2015 through February 29, 2016 compared to a collective water conservation standard of 19%; and

WHEREAS, the smaller public water suppliers in the Sonoma-Marin region have also complied with the State emergency water conservation regulations; and

WHEREAS, the Sonoma-Marin Saving Water Partnership members are committed to continued water conservation and have agreed to expend \$15 million dollars on water conservation implementation from July 2008 through July 2018 and have agreed to maintain membership in good standing with the California Urban Water Conservation Council (CUWCC) and implement the Best Management Practices as outlined by the CUWCC; and

WHEREAS, the Sonoma-Marin Saving Water Partnership members commitment to water conservation has resulted in a 37% reduction in per capita water use since 2000; and

WHEREAS, on November 13, 2015, Governor Brown issued Executive Order B-36-15, which specified in part that, should drought conditions persist through January, 2016, the State Water Resources Control Board would continue restrictions through October 31, 2016 to achieve statewide reductions in potable water usage, including modifications to address potable and non-potable water, and to incorporate insights gained from existing restrictions; and

WHEREAS, on February 2, 2016, the State Water Resources Control Board adopted an extension of the conservation regulations until October 31, 2016, which contained no changes in the provisions relevant to WAC agencies, although the regulations did provide reductions in conservation requirements for water agencies in warmer and drier parts of the state, for those that recently implemented potable recycled water or desalination projects, and for those that had experienced population growth since 2013; and

WHEREAS, on April 20, 2016, the State Water Resources Control Board will conduct a public workshop on potential modifications to the emergency water conservation regulations to address hydrologic conditions through March, and will consider changes to the regulations at a subsequent meeting in May, 2016; and

WHEREAS, the Sonoma-Marin region has received above average rainfall to-date this water year and surface water reservoirs in Marin County, filled to capacity and over topped spillways on March 11, 2016 and the water supply pools in Russian River surface water reservoirs filled on March 6, 2016 and now encroach into the flood control pools, all resulting in normal water year conditions, and;

WHEREAS, the U.S. Department of Agriculture Drought Monitor currently classifies Marin County and Sonoma County as having no drought conditions; and

WHEREAS, there are no physical facilities in place to move available water supplies from the Sonoma-Marin region to other areas of California which may or may not have insufficient water supplies.

NOW THEREFORE, BE IT RESOLVED by the WAC that, due to adequate water supplies and the lack of any drought conditions, the WAC requests that the State Water Resources Control Board rescind the application of emergency drought water conservation regulations to the Water Contractors and small water suppliers in the Sonoma-Marin region; and

BE IT FURTHER RESOLVED that this resolution shall take effect upon its adoption.

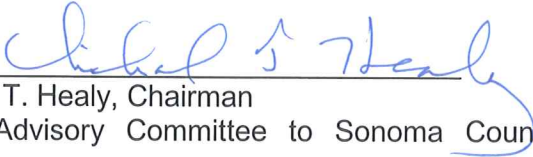
PASSED AND ADOPTED by the WAC on this 4th day of April, 2016.

AYES: Moved Joseph Callinan (City of Rohnert Park), Second Mark Millan (Town of Windsor), Laurie Gallian (City of Sonoma), Tom Schwedhelm (City of Santa Rosa), Susan Harvey (City of Cotati), Mike Healy (City of Petaluma), Mark Heneveld (Valley of the Moon Water District), Rick Fraites (North Marin Water District)

NOES: None

ABSTAIN: None

ABSENT: None



Michael T. Healy, Chairman
Water Advisory Committee to Sonoma County Water
Agency

RESOLUTION 16-08

RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH MARIN WATER DISTRICT

Novato, California

RESOLUTION OF THE NORTH MARIN WATER DISTRICT BOARD OF DIRECTORS CONCERNING THE STATE WATER RESOURCES CONTROL BOARD DROUGHT EMERGENCY URBAN WATER CONSERVATION REGULATIONS

WHEREAS, on April 1, 2015, Governor Jerry Brown issued Executive Order B-29-15, which required in part that the State Water Resources Control Board impose restrictions to achieve a 25% reduction in urban potable water use by February 29, 2016, compared to usage in 2013; and

WHEREAS, on May 5, the State Water Resources Control Board adopted drought emergency water conservation regulations to implement the Governor's mandate, including a range of conservation standards to reduce potable water production by urban water suppliers; and

WHEREAS, the emergency water conservation regulations required the North Marin Water District (NMWD) Novato service area to achieve a 24% reduction in potable water production and required other smaller public water suppliers in Marin County including NMWD's West Marin service area to achieve a 25% reduction or limit outdoor irrigation to no more than two days per week; and

WHEREAS, precipitation and surface water storage levels in NMWD's Stafford Lake during 2015 were adequate to meet customers needs; nevertheless the NMWD did comply with the emergency water conservation regulations, achieving a 33% reduction in water production respectively from June 1, 2015 through February 29, 2016 meeting the State standards; and

WHEREAS, the smaller public water suppliers in Marin County including NMWD's West Marin service area also complied with the State emergency water conservation regulations; and

WHEREAS, the NMWD receives Russian River Water supply from Sonoma County Water Agency and is member of the Sonoma-Marín Saving Water Partnership which members have collectively reduced water production by 23% from June 1, 2015 through February 29, 2016 compared to a collective water conservation standard of 19%; and

WHEREAS, the smaller public water suppliers in the Sonoma-Marín region have also complied with the State emergency water conservation regulations; and

WHEREAS, the Sonoma-Marín Saving Water Partnership members are committed to continued water conservation and have agreed to expend \$15 million dollars on water conservation implementation from July 2008 through July 2018 and have agreed to maintain membership in good standing with the California Urban Water Conservation Council (CUWCC) and implement the Best Management Practices as outlined by the CUWCC; and

WHEREAS, the Sonoma-Marín Saving Water Partnership members commitment to water conservation has resulted in a 37% reduction in per capita water use since 2000; and

WHEREAS, on November 13, 2015, Governor Brown issued Executive Order B-36-15, which specified in part that, should drought conditions persist through January, 2016, the State Water Resources Control Board would continue restrictions through October 31, 2016 to achieve statewide reductions in potable water usage, including modifications to address potable and non-potable water, and to incorporate insights gained from existing restrictions; and

WHEREAS, on February 2, 2016, the State Water Resources Control Board adopted an extension of the conservation regulations until October 31, 2016, which contained no changes in the provisions relevant to Marin County water agencies, although the regulations did provide reductions in conservation requirements for water agencies in warmer and drier parts of the state, for those that recently implemented potable recycled water or desalination projects, and for those that had experienced population growth since 2013; and

WHEREAS, on April 20, 2016, the State Water Resources Control Board will conduct a public workshop on potential modifications to the emergency water conservation regulations to address hydrologic conditions through March, and will consider changes to the regulations at a subsequent meeting in May, 2016; and

WHEREAS, the Sonoma-Marín region has received above average rainfall to-date this water year and surface water reservoirs in Marin County, including NMWD's Stafford Lake, filled to capacity and over topped spillways on March 11, 2016 and the water supply pools in Russian River surface water reservoirs filled on March 6, 2016 and now encroach into the flood control pools, all resulting in normal water year conditions, and;

WHEREAS, the U.S. Department of Agriculture Drought Monitor currently classifies Marin County and Sonoma County as having no drought conditions; and

WHEREAS, there are no physical facilities in place to move available water supplies from the Sonoma-Marín region to other areas of California which may or may not have insufficient water supplies.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the North Marin Water District that, due to adequate water supplies and the lack of any drought conditions, the Board of Directors of NMWD request that the State Water Resources Control Board rescind the application of emergency drought water conservation regulations to NMWD Novato and West Marin service areas; and

BE IT FURTHER RESOLVED that this resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the NMWD Board of Directors on this 5th day of April, 2016.

AYES: Directors Baker, Fraites, Petterle, Rodoni and Schoonover

NOES: None

ABSTAIN: None

ABSENT: None



John Schoonover, President
North Marin Water District Board of Directors

ATTEST:



Katie Young, District Secretary
North Marin Water District