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April 13, 2016

Felicia Marcus, Chair  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



Dear Chair Marcus and Board Members D'Adamo, Doduc, Moore and Spivey-Weber:

The Carmichael Water District (CWD) appreciates the opportunity to comment on potential adjustments to the February 2016 Emergency Regulation and possible State Water Resources Control Board (State Water Board) action in response to recent increases in precipitation and corresponding water supply improvements. CWD recognizes the challenges along with the need of the State Water Board to consider water supply conditions throughout the state while assessing this historic drought. In light of this CWD feels the need to advise the State Water Board on the CWD and Sacramento region's current water supply conditions, which are as follows:

- Folsom Reservoir, one of the key sources of supply for the region, is well above average storage for April 1<sup>st</sup>, far exceeding storage levels seen in 2013, 2014, and 2015. In fact, releases as high as 20,000 cubic feet per second (cfs) have been necessary to ensure the reservoir can serve its flood protection purpose. Folsom Reservoir, as an element of the Central Valley Project, must be operated in conjunction with Shasta and Oroville Reservoirs. These two reservoirs have similar above average storage.
- The Sierra snowpack, which will fill and replenish Folsom Reservoir over the spring and summer, was at 87% of average on April 1, 2016. Similarly, the 8-Station Precipitation Index was at 123% of average on April 5, 2016.
- CWD's surface water supplies are secured through two licensed water rights and one permitted water right. Current hydrological conditions are vastly improved compared to the past three years and should yield adequate surface water supplies to serve CWD customers. As one notable measure of the adequacy of these supplies, the Bureau of Reclamation announced a full contract allocation for the municipal and industrial users in the American River Division.
- CWD customers are also served by groundwater supplies from an aquifer underlying the District service area. Through regional cooperation this groundwater sources is sustainably managed with a strong conjunctive use program. Prior to the drought, the region saw rising groundwater levels in the spring of 2010 and 2011. During the drought, groundwater level declines have been relatively minor since 2012, totaling only about 5 to 10 feet in the basins underlying Sacramento County. Significant recharge has already occurred this year, and the modest decline in groundwater levels has ceased, and is recovering.

Since declaring a water shortage emergency in January of 2014, CWD has achieved some of the highest summer conservation levels in the state in 2014 and 2015. This level of conservation, well above the statewide goal of 25%, has come at a price to our customers in the form of economic losses due to dying landscapes and trees along with lost revenues and increased spending to enact the SWRCB's emergency regulations. Subjecting CWD customers to emergency conservation

measures, and the losses that accompany those standards, when conditions do not warrant would undermine the public trust and cooperation during future emergency conditions.

CWD supports the Regional Water Authorities following recommendations:

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

The mandatory nature of the water conservation requirements should be rescinded in areas of the state that are experiencing relatively normal or better hydrologic conditions. The focus in these areas of the state should return to long term improvements in water use efficiency. The State Water Board has an opportunity to reinforce the conservation ethic displayed by residential water users during 2014 and 2015 with the right message now. "Conservation as a way of life," as called for in the California Water Action Plan, can only be achieved through appropriate long-term actions.

*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?*

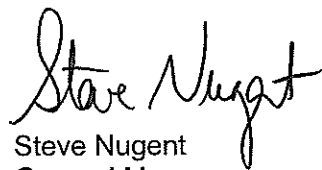
The State Water Board should use available hydrologic data for each region to evaluate whether the drought still represents an "emergency" in a given region. This could be accomplished on a hydrologic region level as defined by the California Department of Water Resources (DWR). DWR publishes monthly water supply condition data in Bulletin 120 that is organized by hydrologic region and includes precipitation, snow water content, reservoir storage and current and forecasted runoff. The State Water Board can use this information to assess each hydrologic region and decide which regions are recovering and which regions are still experiencing severe drought conditions. The variability in conditions in 2016 is significant, with the North Coast, Bay Area, and Sacramento River hydrologic regions experiencing near normal or better hydrologic and water supply conditions, while much of the rest of the state is still dry.

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

Ideally, the reliability of a water supplier's portfolio should be the fundamental element in considering mandatory water conservation during drought. Unfortunately, it has been only minimally considered during the current drought emergency. While we would always prefer a specific assessment of a water supplier's conditions, considering the temporary and limited nature of the Emergency Regulation and the need for immediate action, submittal and evaluation of 411 different supply portfolios for reliability may not be a workable strategy to meet the State Water Board's desire to address changing water supply conditions.

CWD is ready and willing to assist the SWRCB in seeking a workable approach to water conservation; however, CWD believes that significant modification or regional rescinding of the current Emergency Regulations is imperative in maintaining the public trust.

Sincerely,



Steve Nugent  
General Manager