



NEVADA IRRIGATION DISTRICT

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May 13, 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: Comment Letter – Proposed Urban Water Conservation
Emergency Regulations**

Dear Chair Marcus and Members of the State Board:

Nevada Irrigation District (NID) supports the State Water Resources Control Board staff's current proposal to modify the urban water conservation emergency regulations. This modification proposal, unlike previous iterations of the mandatory urban conservation regulations, both recognizes the variable water supply and demand conditions across the state and implements the sound policy of local control of water resources through the application of local experience and expertise. While the earlier versions of the regulations applied a one-size-fits-all, top-down framework without regard to local supply or demand conditions, this modification recognizes that each urban water supplier faces a unique situation arising from unique local conditions. NID appreciates the sensible, flexible, adaptive approach, which allows utilization of reliable and drought resilient local supplies that have been developed through extensive investments by the local users. While we urge the State Water Board to adopt the staff proposal, we submit the following comments.

First, we urge the State Water Board not to add a minimum conservation level to these regulations. If an urban water supplier has sufficient current supplies and source reliability to withstand three additional years of dry conditions, it should not be held to an arbitrary conservation standard. The current proposal includes no such baseline

standard, and the State Water Board should not adopt one. Where an urban water supplier has more than sufficient supplies to see it through three additional dry years considering normal demands, there is simply no rational basis for imposing an arbitrary conservation standard. Urban water suppliers have already analyzed these issues in their Urban Water Management Plans and if conservation is warranted, based on local expertise and knowledge of local conditions, suppliers should be able to implement their Water Shortage Contingency Plans. We strongly urge the State Water Board not to amend the proposal to include an arbitrary minimum conservation level.

We also suggest one minor but important addition: A very important interpretation of the proposed regulations was included in the regulations' supporting documentation, but was not memorialized in the regulations themselves. Page 6 of the Emergency Regulations Digest states that: "the State Water Board is not, through this rulemaking, declaring any particular use or practice a waste or unreasonable use of water." We strongly suggest that the State Water Board incorporate this language directly into the proposed emergency regulation. The quoted language could be inserted verbatim as new subdivisions in sections 864, 864.5, 865, and 866, or it could be added as a new subdivision to section 863 and be made to apply to all of Article 22.5.

NID appreciates the State Water Board's sensible shift toward local control of water resources based on local supply and demand conditions. We look forward to working together in the coming months to develop reasonable, flexible, locally-based, long-term conservation and efficiency measures, pursuant to the Governor's executive order and subject to current laws including water right priorities.

Respectfully submitted,

NEVADA IRRIGATION DISTRICT

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Remleh Scherzinger, P.E.
General Manager