

Bill George – *President*  
Division 3

Alan Day – *Director*  
Division 5

Greg Prada – *Director*  
Division 2



**El Dorado Irrigation District**

George W. Osborne – *Vice President*  
Division 1

Dale Coco, MD – *Director*  
Division 4

Jim Abercrombie  
*General Manager*

Thomas D. Cumpston  
*General Counsel*

In reply refer to: L2016-024

May 13, 2016

**VIA EMAIL TO [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)**

Felicia Marcus, Chair  
and State Water Resources Control Board (SWRCB)  
1001 I Street  
Sacramento, CA 95814

Attn: Jeanine Townsend, Clerk to the Board

Re: May 18, 2016 BOARD MEETING  
(Conservation Extended Emergency Regulation)

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

El Dorado Irrigation District appreciates the opportunity to comment upon your staff's draft proposal to further amend the extended urban water conservation emergency regulation. The District supports the proposal, because it:

- Acknowledges that local and regional water supply conditions differ widely across the state.
- Bases all continuing conservation mandates upon anticipated local supply and demand conditions, which recognizes past and incentivizes future local agency investment in adequate and drought-resilient supplies.
- Takes a "bottom-up" approach to defining responsive actions, which allows local water suppliers, who have unmatched expertise about their own situations and more importantly, are directly answerable to their customers, to assess their own situations and respond accordingly.

We do propose two technical revisions to the draft proposal. First, revise Section 864.5, subdivision (b)(2) to define the supplier's projected demand for the next three years to be the average of 2013, 2014, *and* 2015 potable water production. Including 2015 is more realistic because if the drought resumes/continues, water user demand will continue to be suppressed in light of the high public awareness of drought conditions. Second, revise Section 864.5, subdivision (b) to state that the supplier's conservation standard shall be *one-half* of the calculated third-year supply insufficiency under this section's methodology. Because the insufficiency would occur in the third year, conserving one-half of the insufficiency in each of the two preceding years would yield sufficient savings to bridge the gap.

These proposals are similar to technical proposals made by the Association of California Water Agencies. The District does not oppose ACWA's proposals, should the SWRCB prefer them to our own. Further, the District supports and adopts by reference ACWA's comments regarding whether the adopted regulation should include a minimum conservation level notwithstanding an agency's demonstration of water-supply adequacy. Water-use efficiency should be a goal for all Californians; however, conservation for conservation's sake, when adequate supplies are obviously available, will simply undermine public trust in local and state agencies and interfere with legitimate, long-term initiatives to improve water-use efficiency.

The District appreciates the SWRCB's willingness to consider abandoning what your Chair has aptly characterized as a "blunt instrument" in favor of the draft proposal's tailored, supply-based approach. We look forward to continuing a thoughtful discussion of both emergency drought response and long-term, locally appropriate water-use efficiency standards in the months ahead.

Thank you for considering the District's comments.

Sincerely,



Thomas D. Cumpston  
General Counsel

TDC:pj

cc: EID Board of Directors  
Jim Abercrombie, EID General Manager  
Brian Poulsen, EID Senior Deputy General Counsel  
Brian Mueller, EID Engineering Director

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
EL DORADO IRRIGATION DISTRICT  
TERMINATING ITS DECLARATION  
OF A STAGE 2 WATER WARNING**

WHEREAS, at its March 28, 2016 regular meeting the Board of Directors of the El Dorado Irrigation District (District) adopted Resolution No. 2016-010, in which it found and determined that the present water-supply conditions applicable to the District and its customers would warrant terminating the Stage 2 Water Warning that the District first declared on February 4, 2014, and the resumption of normal District operations and customer consumption; and

WHEREAS, the Board of Directors nonetheless continued the Stage 2 Water Warning solely for the limited purpose of meeting the State of California’s emergency water conservation mandates, which remained in effect; and

WHEREAS, on April 20, 2016, the State Water Resources Control Board (SWRCB) held a public workshop to consider terminating or amending its emergency water conservation mandates, proposed to release a draft resolution and regulation to effect such changes in early May, and proposed to adopt the changes on May 18; and

WHEREAS, analysis of the District’s water conservation under the existing regulations through April 3, 2016 shows the following:

- If the SWRCB’s conservation mandate remains in effect unchanged through October 31, 2016, the District can satisfy the mandate by sustaining a 15% conservation rate from this date forward; and
- If the SWRCB’s conservation mandate is reduced to 17% or less, or eliminated, the District can satisfy any remaining mandate without any conservation whatsoever; and

WHEREAS, if the SWRCB’s end-user restrictions remain in place, those restrictions currently included in the Stage 2 Water Warning level of the District’s Drought Action Plan can be added as contingencies to the District’s Administrative Regulation 1041, “Water Waste Prohibition”;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Directors of the El Dorado Irrigation District (Board) as follows:

1. The Board hereby finds that the water-supply conditions detailed in Resolution No. 2016-010 remain in effect, and warrant terminating the Stage 2 Water Warning that the District first declared on February 4, 2014.

- 1 2. Accordingly, the District terminates the Stage 2 Water Warning, effective immediately.
- 2 3. The Board again calls on the SWRCB to revise its emergency water conservation  
3 regulations without delay to eliminate the District's conservation mandate and end-user  
4 bans and restrictions, in recognition of the District's present water-supply conditions.
- 5 4. In the event that the SWRCB does not so revise its regulations, the District will take the  
6 following actions:
  - 7 a. Amend Administrative Regulation 1041 to incorporate all end-user bans and  
8 restrictions required by the continuing SWRCB regulations; and
  - 9 b. Call on its customers to take voluntary actions to conserve as much water as is  
10 necessary for the District's cumulative conservation rate since June 2014 to satisfy  
11 the SWRCB's mandate and to support the District's continued commitment to  
12 meeting its 20x2020 conservation mandate.
- 13 5. The foregoing Board findings, declarations, and direction are based upon all written,  
14 oral, and visual evidence, including both facts and professional opinions, presented to the  
15 Board at the hearing of this Resolution and of Resolution No. 2016-010.
- 16 6. The Board hereby directs staff as follows:
  - 17 a. To transmit this Resolution to the SWRCB before it acts on revisions to its  
18 emergency conservation regulations on May 18, 2016; and
  - 19 b. To communicate with all District customers to thank them for their conservation,  
20 inform them of Administrative Regulation 1041's ongoing prohibitions on water-  
21 wasting activities, and request voluntary actions to conserve water in whatever  
22 amount, if any, is sufficient to meet any ongoing SWRCB conservation mandate.
- 23 7. This Resolution shall take effect immediately upon adoption and remain in full force and  
24 effect until rescinded by a subsequent Resolution of the Board of Directors.

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1 The foregoing Resolution was introduced at a regular meeting of the Board of Directors of the  
2 EL DORADO IRRIGATION DISTRICT, held on the 9<sup>th</sup> day of May 2016, by Director Day who  
3 moved its adoption. The motion was seconded by Director Osborne and a poll vote taken which  
4 stood as follows:

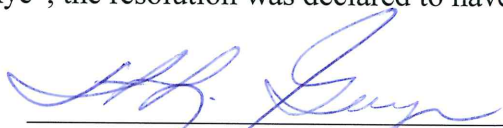
5 AYES: Directors Day, Osborne, Prada, George and Coco

6 NOES:

7 ABSENT:

8 ABSTAIN:

9 The motion having a majority of votes "Aye", the resolution was declared to have been  
10 adopted, and it was so ordered.

  
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11 Bill George, President  
12 Board of Directors  
13 EL DORADO IRRIGATION DISTRICT

14 ATTEST:



15 Jennifer Sullivan  
16 Clerk to the Board  
17 EL DORADO IRRIGATION DISTRICT

18 (SEAL)

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1 I, the undersigned, Clerk to the Board of the EL DORADO IRRIGATION DISTRICT  
2 hereby certify that the foregoing resolution is a full, true and correct copy of a Resolution of the  
3 Board of Directors of the EL DORADO IRRIGATION DISTRICT entered into and adopted at a  
4 regular meeting of the Board of Directors held on the 9<sup>th</sup> day of May 2016.



Jennifer Sullivan  
Clerk to the Board  
EL DORADO IRRIGATION DISTRICT

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