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EDMUND G. BROWN JR.
Governor

August 6, 2013

Mr. Sean K. White
Russian River Flood Control & Water Conservation Improvement District
151 Laws Avenue, Suite D
Ukiah, CA 95482

RE: New Uniform Water Supply Agreement (UWSA)

Dear Mr. White,

We have received your letter dated July 22, 2013. Thank you for this correspondence. While the Uniform Water Supply Agreement (UWSA) obviously does not apply directly to the Department of Public Health (Department), many of the water systems regulated by the Department of Public Health in Mendocino County are impacted by this agreement. As we have discussed on the phone, historically our Department has had two main concerns regarding the previous UWSA: (1) the 5-year duration of the contracts made it difficult for water systems to obtain State Revolving Fund monies because they could not reliably document water rights, and (2) water systems must have sufficient water rights to meet, at minimum, their maximum day demand over the past 10 years (extrapolated to their current number of connections) as required by Section 64554 of Title 22 of the California Code of Regulations.

The new UWSA addresses both of these concerns. The first concern is addressed through Section 7.1 with a 20-year term agreement which is acceptable to meet water rights reliability standards in general and specifically for the purposes of funding projects with the typical 20-year repayment period. The second concern is addressed through Section 12.2.2 with the recognition that public water systems are required to maintain a contract quantity of water (at minimum the maximum day demand over the past 10 years) that does not always have to be put to beneficial use. This section also allows for the water system to calculate a buffer, as necessary, for times when the maximum day demand is not utilized or if significant expansion is anticipated. As a general approximation, water rights that meet the 10 year maximum day demand extrapolated to the current number of connections plus 10 percent would be considered a sufficient

water supply for a municipality. The water rights necessary for a public water system may come from a variety of sources and have varying growth projections. Due to the potential for complexity, I recommend that if your constituents have concerns regarding the amount of water rights that are necessary that they contact our Department directly. We are always available to provide technical assistance to the public water systems to review their past 10-years of production data and sources; and discuss what individual water rights may be necessary for their water system given their individual of source capacities and growth projections. Water systems can then confirm that they have adequate water rights but not be needlessly over-conservative.

We appreciate the opportunity to have our concerns addressed. If you have any other issues, please feel free to contact me at (707) 576-2731.

Sincerely,

A handwritten signature in cursive script that reads "Michelle F. Frederick".

Michelle F. Frederick, P.E.
Mendocino District Engineer