



State Water Resources Control Board

January 22, 2016

Sent via Electronic Mail

SUBJECT: NOTICE OF VIOLATION FOR FAILURE TO MEET SMALL WATER SUPPLIER WATER CONSERVATION REQUIREMENTS

On May 5, 2015, the State Water Resources Control Board (State Water Board) adopted Resolution 2015-0032, an Emergency Regulation for Statewide Urban Water Conservation (Emergency Regulation) pursuant to Water Code section 1058.5. The Emergency Regulation became effective on May 18, 2015. Among other things, the Emergency Regulation is designed to achieve the 25 percent statewide potable water usage reduction through February 2016 ordered by Governor Brown in his April 1, 2015 executive order.

Section 865 (f)(1) of the Emergency Regulation requires that each public water supplier that supplies less than 3,000 customers, or supplies less than 3,000 acre feet annually to take one or both of the following actions:

- (A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or
- (B) Reduce by 25 percent its total potable water production relative to the amount produced in 2013.

Water Code section 1846(a)(2), provides that any person or entity that violates a regulation adopted by the State Water Board may be liable for up to five hundred dollars (\$500) for each day the violation occurs.

We have reviewed your submitted small water supplier report and have determined that you have not met the requirements of the Emergency Regulation specified in Section 865(f)(1)(A) and/or (B). The Notice of Violation is an informal enforcement action intended to bring your attention to the violation and to give you an opportunity to return to compliance as soon as possible. The State Water Board requires that you comply with the Emergency Regulation. Failure to comply with the Emergency Regulation may subject you to formal enforcement action and subject to civil liability of up to \$500 per day, for each day the violation continues.

As required by Governor Brown's executive order B-36-15, the State Water Board is in the process of modifying and extending the Emergency Regulation until October 31, 2016. Therefore, you should immediately evaluate your water conservation program to ensure that the impending extended Emergency Regulation is met in future months.

If you have any questions or need assistance regarding this matter, please contact me at (916) 322-5327 or Jasmine.Oaxaca@waterboards.ca.gov, or Dr. Matthew Buffleben at (916) 341-5891 or Matthew.Buffleben@waterboards.ca.gov.

Sincerely,

Jasmine Oaxaca, PE
Water Resource Control Engineer, Special Investigations Unit
Office of Enforcement
State Water Resources Control Board