October 14, 2023

To: Tim Maybee President, Rancho Murieta Community Services District

cc: Amelia Wilder, District Secretary (correspondence for the October Board of Directors meeting packet), Michael Fritschi, Mimi Morris

From: John Merchant merchant30@gmail.com

RMCSD's Integrated Water Master Plan (2023 IWMP) is inconsistent with the sections of the California Water Code which establish standards for a urban water master plan. RMCSD last conducted a water plan consistent with urban standards in 2010 (2010 IWMP). The 2023 IWMP is legally exempt from California water code, as the District presently services only 2,850 ratepayers. Urban districts (Districts with 3000 or more connections), are subject to a five year, rigorous examination of their water plan. *RMCSD is not*.

In 2009, the District's Board of Directors voted to prepare a 2010 IWMP in advance of significant new development. The Board of Directors elected to conduct an urban water plan, as it understood that development would elevate the District to the status of an urban district. The present board ignores these considerations and is preparing an IWMP accountable only to itself. It is doing so simultaneously with the renewal of its three principal water rights. *Forty years after its permits were issued, the District does not fully understand what the water rights allow it to divert and treat from the Cosumnes River.*

Both the written goal and specific content of the District's plan remain a mystery, which is a complete departure from the extensive 2010 IWMP (prepared by Maddaus) to an urban plan format. Understanding recent federal water studies and California water policy are critical to successfully avoiding and mitigating interruptions to our water supply. *It remains unclear how Maddaus intends to address these issues or if this plan (because of its exemptions), intends to address these issues at all.*

Urban water plans are governed by California water code and include requirements which:

- "Assess the *reliability* of water sources over a 20-year planning time frame"
- "Describe *demand management measures* and water shortage contingency plans"

Will our 2023 IWMP do this? Accurately assessing the "*reliability"* of our water supply requires data and analysis which replace outdated traditional and historical methods. Maddaus, in the 2010 IWMP and the 2016 Water Supply Assessment, minimizes her concern for changes in the Cosumnes watershed. Climate impacts and forecasted changes in river flows and water storage are important elements of an evolving State water policy. These policy changes are supported by the conclusions of the American River Basin Study (ARBS). *How will the 2023 IWMP consider these dynamic shifts in water policy? Will Maddaus consider the physical impacts on the Cosumnes watershed over the report's twenty year reporting period?* I have attached recent statements from policy makers and planners. (Attachment 1)

The District's initial experience with this evolving water policy occurred in May 2021. The State Water Resources Control Board (SWRCB) set aside the RMCSD's diversion permit and ordered a curtailment of pumping from the Cosumnes River. Diversion permits are now discounted by state water policy. Understanding this and other new SWRCB water policy make a conservative risk assessment an imperative requirement. Minimizing risk to existing ratepayers must be a primary goal of a long-term water plan. *Will our plan do this?*

In both the 2010 IWMP and a subsequent 2016 Water Supply Assessment, Maddaus considers "normal water years" and 1977-1979 river history as a benchmark to establish water reliability. Ms. *Maddaus builds her studies around historical data and develops a "theme" that river interruption will continue to be regarded as a historical rarity.* Water planners and regulatory bodies now de-emphasize historical data as a primary forecasting tool. *The SWRCB views water reliability in the context of a*

“new normal.” In a 2021 statement, the SWRCB makes it clear that *“historical data are no longer a reliable guide to future conditions”.*

The SWRCB recognizes that seasonal changes in river flow, future sustained drought, reduced snowpack and wildfire devalue historical analysis. The conclusion of recent studies define (and alert water providers) to changing conditions which are directly relevant to the Cosumnes River. Current studies warn of late winter and early spring run-off and increased risks of frequent flooding. Large portions of the annual Cosumnes runoff will flow over the Granlee’s Dam in late winter and early spring, a time when water right #16762 allows river diversions to the Calero and Chesboro Reservoir. There is often no capacity in these reservoirs in early winter and there is no place to store this water! Late winter thaw and early spring rains (versus snowfall) are predicted to deprive the river of the consistent, timely river flows associated with spring snowpack. This threatens District diversions of water from the river in April and May, and increase the risks of intermittent and long term interruption of supply.

I would appreciate Ms. Maddaus’ acknowledgement that she understands the severe consequences of a interruption of the annual flow of the Cosumnes River. I would also encourage her to explain how she will consider risk to existing ratepayers in her analysis. Severe conservation brings a severe economic impact to our community. *I encourage the the Board to instruct district counsel and a qualified economic advisor to evaluate these economic impacts.* The District must establish levels of tolerable risk, weighed against these economic consequences. *The District has conducted four water plans since 1990 and and an economic analysis of long term drought and conservation is absent from each one of them.*

The 2023 IWMP must maximize our emergency water supply! *An emergency supply of water is a stand alone water source. An emergency supply is not water that adds to a water inventory, and is stored as an emergency supply ONLY until it is needed to support additional development.* It is not the responsibility of existing ratepayers to carry the burden of a minimal water inventory, simply to accommodate the needs of developers.

Attached are four examples of how the Bureau of Reclamation and the SWRCB believe warming air temperature will impact the Cosumnes watershed. Properly evaluating this risk is essential for the preservation of the community's economic value, lifestyle and quality of life. Long-term impacts on the watershed (also forecast in the ARBS) require an *extremely conservative* risk assessment in which, i*nterruption of our water supply is considered as a "when" and not if" scenario.* The community deserves a maximum "margin of safety," enhancing the District's ability to mitigate intermittent and long term drought.

How does Ms. Maddaus analysis become consistent with the the SWRCB "new normal" policies and regulations? When will Maddaus explain her risk assessment plan and its results to the ratepayers, all of whom will be severely impacted by her decision? Is Maddaus (and the District) fully aware of what the State and Federal government are telling us? Does the District understand the economic and quality of life impacts that these forecasts represent?

District management presently states a goal that *"my job here is to find water for development,"* because we are "*legally compelled to do so*". This "goal" is without explanation or definition. What happens should the 2023 IWMP reveal actual flows of the river, recycled water, rainwater harvesting and groundwater do not support this goal of adequate water for development? If water is (somehow) available, *who is responsible for the infrastructure required to develop it? Is the District aware of its Policy 90-2, which defines developer responsibility? Does it believe that its legal responsibilities are different than its existing policy? Does the District anticipate that these infrastructure costs will be on the backs of the ratepayers?*

What <u>exactly</u> are the goals of our water plan? Are we, the ratepayers, required to sacrifice the safety of a <u>conservative</u> water plan; a plan that best mitigates a water crisis? What constitutes a sufficient margin of safety? How much water will be dedicated to a backup water supply? Where will that water come from if other methods of water harvesting and groundwater wells are non productive?

I have asked several times if the District will amend Policy 90-2 , which establishes automatic, severe levels of conservation. Policy 90-2 presently uses "windfall water savings," generated by mandatory 50% conservation,

to justify future development. This is particularly evident in the 2016 Water Supply Assessment, which informs Sacramento County that the District can provide every drop of water that is being asked for by development. This antiquated policy (90-2) is not a remedy allowing a lesser evaluation of risk and a minimal emergency water supply. A careful, conservative approach to water policy is necessary to prevent a water crisis in our community. *I see no evidence that the District intends to provide one.*

I look forward to a complete explanation of these issues at the District's public meeting on November 2. I recommend you present the attendees with policy before you confuse us with data. *What, exactly, is the District goal? How do the District's stated objective of "finding water for development" conflict with the need for an emergency supply of water?*

Attachment 1.

Waterboard Notice Of Proposed Regulatory Action *SWRCB October 2023*
….changing precipitation patterns – more rain instead of snow and an increase in the duration, frequency, and intensity of "atmospheric river" storms – may lead to greater flooding risks and *reservoirs having to release more water early in the spring to fulfill flood control functions,* meaning less of the precipitation we do get can be captured and stored. Toward the end of the century, warming temperatures in California could result in a 30 percent loss of snowpack and a 25 percent increase in rain, leading to a higher volume of water rushing from headwaters and washing out across the state (Huang et al., 2020). In other words, we will likely be grappling with floods and drought simultaneously, causing impacts to water storage and availability.

the Bay-Delta Water Quality Control Plan, *September 2023*…..with high stakes for both wildlife and water providers serving cities and millions of acres of farms, a long-awaited, controversial report weighs updates to standards. The draft report weighs several approaches to update standards for most of the Bay-Delta watershed, *including the Sacramento River and its tributaries; the Mokelumne, Cosumnes and Calaveras rivers….* Several of the strategies the report evaluates *would set minimum amounts of water to remain in rivers and streams,* which could ultimately require water suppliers and other water users to cut back on how much they divert for people and farms.

Report of the US Bureau of Reclamation *AmericanRiver Basin Study 2022*while projections of average annual precipitation are uncertain, *climate projections indicate a change in precipitation timing and variability.* Precipitation is projected to be increasingly

variable into the future with the timing of the moisture shifting with fall and spring precipitation declining and winter and summer precipitation increasing. *In addition, the snowpack will decrease due to warming, moving the peak runoff by more than a month by the mid to late century.*

Water Rights And Climate Change *SWRCB February 2021*

historic data are no longer a reliable guide to future conditions. Regarding changes projected for California, the uncertainty lies only in the magnitude of warming, but not in whether warming will occur. Models indicate that due to warming alone, California will see less of its precipitation fall as snow, which will result in diminished mountain snow pack, less snow in lower and intermediate elevations, and less “natural water storage” in the form of snow. The wet season is projected to become wetter, and the dry season will become longer and drier.