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April 22, 2015

Ms. Felicia Marcus  
c/o Ms. Jessica Bean, [Jessica.bean@waterboards.ca.gov](mailto:Jessica.bean@waterboards.ca.gov)  
State Water Resources Control Board  
1001 I Street, 24th Floor  
Sacramento, CA 95814

**SUBMITTED VIA E-EMAIL**

**Subject: Comment Letter – 2<sup>nd</sup> Draft of Proposed Text of Emergency Regulations**

Trabuco Canyon Water District (TCWD) appreciates the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the implementation of the Governor's Executive Order B-29-15 and the Proposed Emergency Regulations. TCWD is located in inland Orange County, and many of its customers are located in listed fire hazard areas with properties that are adjacent to the Cleveland National Forest and other natural canyon areas which are required to maintain Fuel Modification Zones and Defensible Spaces through the maintenance of fire resistant irrigation zones.

For these TCWD's customers, the critical irrigation zones are mandated and regulated by the Orange County Fire Authority (OCFA) and follow the California Fire Code Title 24. Over the years, many of these mandated irrigation zones have been converted from potable water to recycled water to the extent that all recycled water produced by TCWD is used. However, many remote canyon areas, including several properties that are adjacent to the Cleveland National Forest, can only be supplied with potable water. In following public health and safety needs recognized by other State agency regulations, TCWD recommends ***amending proposed Article 22.5. Sec. 864.a End-User Requirements in Promotion of Water Conservation, with the bolded text as follows and allowing credit towards reducing an agency's water conservation standard:***

***"To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit **or mandate** issued by a state, **county**, or federal agency:"***

Furthermore, TCWD recommends that the locally mandated use of potable water for the primary purpose of human safety and the protection of property be subtracted from the agency water production or sales.

Lastly, TCWD recognizes Orange County's use of recycled water for Indirect Potable Reuse (IPR) and how this valuable resource off-sets imported water for potable demands yet is not accounted for or credited by the proposed emergency regulations. TCWD respectfully requests the State Water Board reconsider and account for crediting IPR in the proposed emergency regulations.

If you have questions regarding these comments, please contact me at (949) 858-0277 or at [hruiz@tcwd.ca.gov](mailto:hruiz@tcwd.ca.gov).

Sincerely,

A handwritten signature in blue ink that reads "Hector Ruiz".

Hector Ruiz, General Manager

Cc: TCWD Board of Directors  
TCWD Customers