



April 13, 2015

Ms. Jessica Bean
State Water Resources Control Board
1416 9th Street
Sacramento, CA 95814

Subject: Comments Re: April 1 2015 Emergency Conservation Executive Order

Dear Ms. Bean,

Thank you for the opportunity to comment. We have carefully considered the state's concerns and goals as we submit the following comments:

- Take additional time to consider the unintended consequences of levying reduction requirements in excess of 25% without considering the legal, economic, environmental and operational consequences. Our district has spent substantial funds developing new local supplies and funding conservation efforts to prepare for drought and to reduce demand on the Delta; the 35% proposed reduction not only doesn't recognize those efforts, it prevents us from accessing these local supplies and strands this investment.
- Address the inequities of the R-GPCD methodology. Every agency has high R-GPCD users, but high rates of multi-family housing "hides" them; because of this, only some agencies are being singled out and penalized for a high R-GPCD – this is a patently inequitable situation.
- Ensure that per capita water use is being accurately measured. Before implementing reductions, the state should standardize the calculation of the R-GPCD metric; some agencies are reporting water sales rather than water production (as we are); by reporting sales, they are eliminating non-revenue water loss and lowering their R-GPCD calculation. Additionally, we are aware that some agencies subtract out dormitories, jail/prison and senior living centers as commercial demand, but include the residents in their population calculation, also reducing the R-GPCD.
- Include an offset for Indirect Potable Reuse (IPR) in the R-GPCD calculation. Agencies investing in IPR should be recognized for financing an expensive technology that reduced demand on the Delta. By not including this offset in the calculation, the state is providing an unintended disincentive to investing in IPR and penalizing agencies for preparing for drought
- Use the existing 5-year base period thresholds established through compliance with SBx7-7 requirements (20x2020); this threshold takes into account climate variability and pre-2013 conservation achievements. Use of gallons per capita per day using a single snapshot in time is bad science and results in punishing customers that live in a hotter climate and who have spent the last two decades reducing their water demand.

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- Revise the non-compliance penalty to a per acre-foot unrealized rather than a \$10,000/day fine.
- Consider all actions that an agency has taken to reduce overall demand when enforcing the regulations. If fines are levied, the state should provide a mechanism whereby all or most of the fine can be used for local conservation projects within the agency that is being fined (similar to mandatory minimum penalty program that the Regional Water Quality Control Boards allow for sewer spills).

Again, thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Ohlund".

Lisa Ohlund
General Manager

Cc: Rob Hunter, MWDOC
Joe Berg, MWDOC