



**Mojave  
Water  
Agency**

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July 14, 2014

Felicia Marcus, Board Chair  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-0100

RE: Mojave Water Agency Comments on Notice of Proposed Emergency Rulemaking

Dear Ms. Marcus:

The Mojave Water Agency, a State Water Contractor, recognizes the gravity of the current drought affecting California, and the need for the State Water Resources Control Board to take immediate action to ensure every effort is being made to stretch limited water supplies. Our Agency has wholly embraced the 20x2020 Water Conservation Plan process (per SBX7-7), and has been an active water conservation partner with the State Water Resources Control Board, Department of Water Resources, and other state agencies. Since 2009, an aggressive conservation program, the MWA service area as a whole has exceeded the collective 2020 goals of 20 percent per capita reduction<sup>1</sup>, and today stands at a 31.2 percent reduction. Therefore, MWA requests that the State Board give consideration to applying the proposed regulation to retail water agencies only; acknowledge urban water suppliers that have demonstrated compliance in reducing per capita water consumption, and have in place a water shortage contingency plan and restrictions that are proposed in the emergency rulemaking action, by reducing the frequency of reporting leverage the existing per capita reduction reporting structure currently required by DWR with the State Board's proposed requirements; and provide clarification on matters pertaining to enforcement and collection.

Water conservation in the MWA territory has been received enthusiastically by our water purveyors and the general public. In 2003, MWA facilitated the formation of a 25-agency coalition comprised of public and private sector partners called the Alliance for Water Awareness and Conservation (AWAC). This key group, that includes urban water suppliers, helps advance conservation by supporting key program initiatives. The group's early efforts ensured the adoption of prohibited water uses and water waste ordinances by all municipalities or water districts within the region, with some choosing to exceed the code requirements. Most of these ordinances already include the four "Prohibited Activities" listed in the proposed Emergency Regulations.

<sup>1</sup> Regional per-capita water use in 2013, measured against the Urban Water Supplier's collective population-weighted 2020 goals reported in their 2010 Urban Water Management Plans.

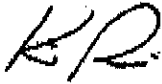
Additionally, AWAC focused on individual water habits, and the distribution of water conservation kits that included hose nozzles, soil moisture meters, kitchen and bath aerators, and more. AWAC also piloted a Low-Flow Toilet Rebate Program and a High Efficiency Clothes Washer Rebate Program. However, the launch of the regional turf removal program, Cash for Grass, resulted not only in significant water savings, but has helped promote a culture of conservation. To date, the MWA Cash for Grass Program has removed 6.5 million square feet of turf, resulting in a cumulative savings of 4,855 acre-feet of water. The program was honored in 2013 as a Clair A. Hill Agency Award for Excellence finalist by the Association of California Water Agencies.

Despite the success of the program, MWA and AWAC continue to promote conservation with the continuation of the Cash for Grass Program, and are initiating an expanded program aimed at larger commercial, industrial, and school projects that exceed 20,000 square feet of turf. Public education efforts have increased and include print and radio advertising, social media, school-based programs, and public workshops.

While the Mojave Desert region has in place codes that mirror the proposed regulations, local city managers have concerns regarding compliance. Currently, the proposed regulations do not specify which agency is responsible for enforcement, collection of fines, and what agency receives the fines. We are requesting clarification on these issues.

The action proposed by the State Board is clearly necessary for urban water suppliers that have not implemented water conservation measures, however, there are suppliers and agencies such as those in the Mojave Water Agency territory that have not only adhered to current law and landscaping codes, but have proven they are committed to conservation. Therefore, we respectfully request that the State Board apply the proposed regulation to retail water agencies only; include a provision for those urban water suppliers that already meet the requirements outlined in the proposed emergency action, to report their progress quarterly; and provide clarification on matters pertaining to enforcement and collection.

Sincerely,



Kirby Brill  
General Manager

CC: MWA Board of Directors  
Ed Manning, KP Public Affairs  
Carolyn Jensen, KP Public Affairs