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Submitted via e-mail

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Ms. Jessica Bean
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State Water Resources Control Board
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Subject: Comments regarding the Second Draft Regulations Implementing 25% Conservation Standard

The Municipal Water District of Orange County respectfully requests the State Water Resources Control Board reconsider and account for 1) Indirect Potable Reuse (IPR) and 2) water use in Fuel Modification Zones (Fire) in the Draft Regulations for Implementing 25% Conservation Standard. According to the state's Recycled Water Policy and the California Action Plan, the development of recycled water is a "valuable resource" in California. The state has established a goal to increase the use of recycled water, over 2002 levels, by at least one million acre-feet per year by 2020. This long-term sustainable supply option makes local sense and is drought resistant, reliable, and will minimize our carbon footprint. Orange County alone is recycling more than 134,000 AFY, contributing more than 13 percent of the state-wide goal. The investment in the IPR Groundwater Recovery System (GWRS) alone is more than \$621 million in capital costs.

The following provides an example of how traditional recycled water use (Purple-Pipe) and Indirect Potable Reuse (IPR) are treated differently in the Draft Regulations. In the scenario described below, two agencies decide to invest in the development of recycled water. Both agencies have a total water demand of 10,000 acre-feet per year. The table attempts to demonstrate how these two types of recycled water are treated differently in the mandatory reductions.

Traditional Purple-Pipe Recycled Water Total Water Demand = 10,000 afy	Indirect Potable Reuse Total Water Demand = 10,000 afy
<ul style="list-style-type: none"> • One agency pursues the traditional Purple-Pipe approach to recycle 3,000 acre feet of water • Potable irrigation demand is reduced by 3,000 acre feet • This agency's potable demand is reduced to 7,000 acre feet. 	<ul style="list-style-type: none"> • The other agency pursues the IPR approach to recycle 3,000 acre feet of water • Municipal and industrial water supply is supplemented with 3,000 acre-feet of recycled water • Imported water use is reduced by 3,000 acre feet • This agency's potable demand remains at 10,000 acre feet

Both agencies reduce their demand for imported water by 3,000 acre feet; Purple-Pipe gets credited, but IPR does not. The Draft Regulations Implementing 25% Conservation Standard do not treat these agencies in a consistent manner for a similar investment. The Conservation Standard in effect nets out Purple-Pipe water recycling because total water production is reduced by the increment of recycled water produced. Conversely, IPR is not netted out because it is included in total potable water production. Both agencies invested in recycled water, both advance the state goals, and both should be treated similarly. In fact, IPR allows for water to be used for drinking water purposes, not just for irrigation or industrial use, and IPR water is actually used multiple times, not just once or twice.

Water agencies throughout Orange County remain steadfastly committed to actively implementing water conservation and public information programs regardless of the source of water being used and regardless of drought conditions. Overall water demand has dropped two percent from 1991 to 2014 while population has grown by more than 25 percent.

To advance the stated goals of California and the Water Board, and to put IPR on equal footing to traditional recycled supplies, we request that water production be reduced by the proportionate amount of IPR being produced from the groundwater basin. Orange County agencies would still be assigned to an appropriate percent reduction tier. This change would recognize past investments in IPR and encourage continued investments in recycled water state-wide.

Lastly, Orange County has significant interface between urban and open space areas that are subject to the Orange County Fire Authority Vegetation Management Guidelines (Guideline C-05, which are predicated on California Fire Code Title 24, Part 9, Chapter 49). These guidelines contain four fuel modification zones, two of which require irrigation *"to maintain healthy vegetation with high moisture content"* (Pages 8-9). *"Fuel Modification Zones are landscaping areas in which existing combustible vegetation is removed from strips of land and replaced with spaced and irrigation fire-resistant plants and further adjoining strips of land in which vegetation is partially removed. The zones provide an integral level of protection for structures from wildfires by slowing the speed and reducing the intensity of the fire"* (Page 2). Due to human safety and the protection of public and private property, we request the Water Board exempt irrigation water use in these Fuel Modification Zones from the Emergency Regulations. These suppliers must provide written certification to the Water Board to be able to subtract the water supplied to local fire authority designated Fuel Modification Zones from their total water production for baseline and conservation purposes.

We appreciate the opportunity to provide input on implementation of the Governor's Executive Order B-29-15. Should you have any questions regarding these comments, please contact me at (714) 593-5026.

Sincerely,



Robert J. Hunter

Cc: Board of Directors
Member Agencies