May 1, 2015

Sent via Electronic Mail: commentletters@waterboards.ca.gov

Ms. Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

RE: Input on Draft Emergency Regulations to Implement the Governor’s Executive Order B-29-15

Dear Ms. Townsend:

On behalf of the Orange County Water District (OCWD, the District) and the 19 water producers we serve (which include City of Anaheim, City of Buena Park, East Orange County Water District, City of Fountain Valley, City of Fullerton, City of Garden Grove, Golden State Water Company, City of Huntington Beach, Irvine Ranch Water District, City of La Palma, Mesa Water District, City of Newport Beach, City of Orange, City of Santa Ana, City of Seal Beach, Serrano Water District, City of Tustin, City of Westminster, and Yorba Linda Water District), we want to thank the State Water Resources Control Board (State Board) for its quick response to Governor Brown’s Executive Order, B-29-15. In doing so, the State Board and its staff have provided California with clear direction--water conservation must become a way of life for Californians. However, the State Board’s draft guidelines fail to exclude potable recycled water supplies from the amount of water subject to the conservation standard. We request the State Board reconsider its position, and recognize indirect potable recycled water supplies as 100 percent conservation.

OCWD developed the Groundwater Replenishment System that produces 72,000 acre-feet of recycled water per year, which directly reduces demand on the Bay-Delta. The District is in the final stages of expanding the project up to 100,000 acre-feet per year. Currently, because the recycled water is indirect potable reuse water (IPR), the District’s water producers do not get credit for this water production under the State Board’s draft guidelines.

The State Board’s emergency regulations policies and definitions should be consistent with the established language in SBx7-7. As proposed, the draft regulations do not treat all recycled water and reuse projects equally. The guidelines remove “purple pipe” non-
potable recycled water when calculating "Total Water Production." When calculating the 25% mandatory reduction framework under the draft guidelines, only water from non-potable recycled water production has the benefit of exemption from the amount of potable water produced/used by urban water agencies. In SBx7-7, water production from IPR projects are treated in the same manner as water produced from non-potable recycled water projects.

Water Suppliers throughout California have long advocated for the right recycled water for the proper purpose. This effort has required extensive outreach to educate the public on the value of recycled water as a safe and healthy way to augment California's water supply. Through this effort, the use of recycled water for groundwater recharge and reservoir augmentation is now a reality and publicly supported by communities and leaders throughout the State.

Governor Brown has incorporated recycled water, both potable and non-potable, into his long-term water strategy, and made his position on this matter clear. In the Governor's Water Action Plan, he directed the State Board to develop uniform regulations for the indirect potable use of recycled water and to work with an expert panel to evaluate the feasibility of direct-potable reuse, as required by SB 322. Further, in signing this bill, Governor Brown noted that, "California needs more high-quality water and recycling is key to getting there."

As leaders in the recycled water industry, we support the Governor's mandate for a 25 percent reduction in potable urban water demand. To meet these targets, we urge the State Board to promote and encourage California water suppliers to utilize diverse water management tools, including conservation and recycled water, to the greatest extent possible.

Thank you, again, for considering our comments on the proposed emergency regulations. Please do not hesitate to contact us or Alicia Dunkin, Legislative Affairs Liaison with Orange County Water District at (714) 378-8232 or adunkin@ocwd.com if we may be of assistance to you or your staff.

Sincerely,

Michael R. Markus, P.E.,
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General Manager
Orange County Water District

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Acting Assistant General Manager
City of Anaheim
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cc: State Water Resources Control Board