



December 17, 2014



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State Water Resources Control Board  
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Sacramento, CA 95814

Subject: Comment Letter – Urban Water Conservation Workshop

The Municipal Water District of Orange County appreciates this opportunity to provide the State Water Resources Control Board (State Board) input on potential next steps and future actions related to urban water conservation should drought conditions persist into the new calendar year. This comment letter contains responses to the four questions posed in the workshop notice.

1. What more should be done at the local and/or state level in the near-term to increase water conservation?
  - The State Board, Department of Water Resources (DWR) and the governor should implement an enhanced statewide public information campaign using existing outlets to discuss this issue directly with the citizens of the state to inform them about the continuing drought and the need to conserve that there are no other short term options until hydrologic conditions cooperate. We need to tell the residents the expectations now in the event we do not have a good precipitation year. Follow-up needs to occur each month when the snow survey is completed to keep residents informed. People are tired of being asked to conserve. Messages need to reinforce that we have no other options due to the drought we are in.
  - The State Board should work with all appropriate regulatory agencies to ensure that the best decisions are made this year for the collective needs of the state, including natural resources, ecosystems, agriculture, residents, and businesses. All should be participating to help get us through the drought. For example, water transfers should be encouraged and regulatory approvals expedited to allow water to be moved from location to location to meet demands.
  - The State Board or DWR should implement an additional round of expedited Proposition 84 funding for drought-relief projects that can be completed within a pre-determined time-frame.
  - The State Board should assist agencies to develop water budgets or efficiency targets to establish a "Loop of

- Accountability” or the ability to perform an “efficiency checkup” with customers so that all customers are informed about what constitutes an efficient level of use. The “Loop” consists of direct feedback via monthly or bi-monthly water bills that share how much water they are using compared to an “efficiency standard.” Monitoring actual water use compared to an efficiency standard will allow water agencies to easily identify and focus on sites using water in excess of their efficiency target.
  - The State Board should maintain recognition of budget based water-rates as an acceptable means of alternative compliance with the emergency regulations.
  - The State Board should offer financial incentives and technical assistance for a variety of water use efficiency and water supply development efforts. These could include:
    - Water agency distribution system audits, leak detection, and repair
    - Expanding recycled water systems to new users
    - Additional staff to assist with implementation for agencies with fewer than 15,000 connections.
  - Water agencies should verify that water recycling systems at car washes are functioning properly.
2. What additional conservation requirements, if any, should the State Water Board consider adopting if dry conditions persist into the new year?
- Irrigation should be limited to a maximum of one day per week along with run-time caps, during dry winter months. Exceptions could be made to run-time caps if low-volume irrigation technology is used.
  - Require repair of faucets, toilets, pipes, and other sources of leaks within 48 hours.
  - Prohibit all potable water use in all decorative water features.
  - Consider extending the current emergency regulations, which are set to expire in April 2015, for an additional 270 days.
  - Require restaurants to serve water only upon request. This is easily implemented state-wide and would simultaneously increase awareness of our water supply situation.
  - Require hotel linen/towel restrictions – replaced weekly or for each new guest. This is easily implemented state-wide and would simultaneously increase awareness of our water supply situation.

- Similar to the recent law that passed prohibiting HOAs from fining residents for brown lawns, city code enforcement should be prohibited from citing/fining residents for brown lawns.
- The state should pursue a two gallon per minute showerhead manufacturing standard, a flow rate reduction of 20% below the existing standard of 2.5 gallons per minute. This would complement the existing Cal Green Plumbing Code requirements for new construction.

3. What can be done to compel poorer performing areas to increase conservation?

The State Board should consider demand hardening and water use reduction over a longer timeframe than one year. Total water use in Orange County today is about the same as it was in 1990 despite a population growth of 700,000 residents and accompanying job growth. This represents more than a 25 percent reduction in per capita water use since 1990. This demand hardening makes further cutbacks in water use more difficult to achieve compared to areas that have not accomplished this level of efficiency. Measuring performance over the past year is not necessarily meaningful, especially given the consistently higher temperature in 2014 compared to 2013.

The State Board should conduct a technical analysis using additional data to identify causes of poor performance, such as demand hardening, economic conditions, weather patterns, limited resources, etc. The California Urban Water Conservation Council and Department of Water Resources Urban Stakeholder Committee are uniquely qualified to assist the State Board in this analysis and could likely fast-track access to the needed data for such an analysis.

Agencies struggling to meet state-wide targets should be given an opportunity to explain their challenges, including levels of efficiency achieved over the long run, and provide a written plan to gain compliance.

Additionally, the regional wholesale agencies in southern California, Metropolitan Water District of Southern California (MET) and Municipal Water District of Orange County (MWDOC), have collaborated across the region to develop an allocation plan to balance needs across the region. The result is a Water Supply Allocation Plan with substantial penalties (two tiers: \$1,490 per AF and \$2,900 per AF) for usage above a drought allocation. Based on snowpack and rainfall, MET and MWDOC will implement an allocation stage to maximize supply reliability. Any state action should be compatible with regional wholesale drought allocations and State Board collaboration with MET and MWDOC would aid in promoting an equitable solution to any drought allocation methodology.

4. What additional data should the State Water Board be collecting and how would it be used?

The State Board should consider using longer term water use trends to more accurately gauge changes in water use. The simple monthly comparison of 2013 to 2014 does not

portray an accurate picture that accounts for differences in temperature and other factors that drive water use, as mentioned earlier. Multiple years of historic water use will better account for changes in local evapotranspiration, employment, and service area growth.

In closing, we believe that the State Board understands that GPCD comparisons from one area to another are not appropriate and do not provide an accurate portrayal of water use efficiency. However, media outlets do not have this same understanding and do compare areas. This results in misinformation and, in some cases, makes agencies appear to be wasting water. The State Board should caution news media not to compare GPCD data from one area to another; it is only relevant when monitoring GPCD of an individual agency over time.

Again, we appreciate the opportunity to provide input as the State Board considers additional emergency regulations to respond to our water supply challenge. Should you have any questions regarding these comments, please contact me at (714) 593-5026.

Sincerely,



Robert J. Hunter

Cc: Larry D. Dick