

Orange County Groundwater Producers



April 28, 2015

Sent via email to: Jessica.bean@waterboards.ca.gov

State Water Resources Control Board
Attention: Ms. Jessica Bean
1001 I Street, 24th Floor
Sacramento, CA 95814

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

AGENCIES

City of Anaheim
City of Buena Park
East Orange County WD
City of Fountain Valley
City of Fullerton
City of Garden Grove
Golden State Water Co.
City of Huntington Beach
Irvine Ranch WD
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
Yorba Linda Water District

Honorable Board Members:

On behalf of the Orange County Groundwater Producers, we thank the Governor and the Water Board in your efforts to manage California's water resources in the midst of a record setting four year drought. The leadership shown by the Water Board will no doubt bring the public attention and the coordinated effort needed to withstand this crisis.

[We Favor Your Draft Emergency Regulation for Water Conservation \(4/18/15\)](#)

We appreciate the effort that the Water Board staff has put into developing the Draft Emergency Regulations. We believe the restrictions imposed will achieve the statewide reduction goal of 25%. Overall they satisfy the Governor's Executive Order in the following ways:

- Requires water usage reductions compared to the amount used in 2013
- Fully considers the relative per capita water usage of each water suppliers' service area
- Requires those areas with high per capita use to achieve proportionally greater reductions than those with low use

In addition, your Draft is as clean and simple as possible; easy to understand and a fair and equitable projection of the Governors Order. This is very important for us in gaining public trust and acceptance of these measures.

[We Request Recognition of Indirect Potable Reuse \(IPR\)](#)

Expanding the use of recycled water is a priority of the State of California. Orange County is a leader in investing in recycled water use for both irrigation and Indirect Potable Reuse. Treating IPR differently than other recycled water systems undermines California state policy encouraging expanded use of recycled water.

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The Water Board should adjust the gallons per capita (GPC) for agencies receiving IPR through the Ground Water Replenishment System. The methodology for calculating the IPR Adjusted Production would be as follows:

$$(\text{Total production}) - (\text{IPR Credit}) = \text{IPR Adjusted Production}$$

This adjustment should be made to the 2013 baseline months and each reporting month going forward.

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We do not support alternative methodologies or models that have been suggested but not fully vetted, or favoring one type of conservation rate over others.

As mentioned above, our members widely accept your draft regulations and are ready to implement them to conserve our collective share of the state's overall 25 % reduction. We believe they are fair, equitable between agencies as proscribed by the Governor's Order and the public can understand and support them. We do not support any methodology or model that has been suggested but has not been fully vetted. If the State Board wishes to adopt new concepts that have been recently suggested, we request additional time for the public to adequately review and comment.

We also do not support adjustments to your proposed draft that:

- are overly complex
- weaken the effect of relative per capita water usage of each water supplier's service area
- shift the relative burden from areas with high per capita use to areas with low use, except for those who can justify the use for public health and public safety
- favor one type of conservation rate over others

From communications with SWRCB staff, we understand that Action 8 of the Governor's Order regarding rate structures and other pricing mechanisms are not included in this draft but will be addressed separately later. This is prudent; we want to assure you that all our members have conservation based rates as defined by the Urban Water Conservation Council and are employing conservation rate structures including tiers and drought pricing, as well as surcharges, fees and penalties as appropriate for each agency.

Recently, in an April 16th article by the Sacramento Bee, Governor Brown was quoted as saying he would argue against any effort to curtail production of water-heavy crops, "...I think we have to be very slow to be starting to pick" between crops with policies favoring one over another." Just like crops, we promote a similar stance of avoiding picking between types of conservation rates to support. Water rate-setting is an

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extremely sensitive matter because water rates are such a fundamental element of local water agency operations, financial stability, and local government accountability. Water rate-setting is a technically challenging exercise that must be closely tied to the unique water demands and characteristics of individual public water agencies. With that, we do not support favoring one type of conservation rate over another.

Thank you for your consideration of these comments. The Orange County Groundwater Producers will continue to support your efforts towards solving California's water emergency. If you have any questions feel free to contact me at PaulS@MesaWater.org or (949) 631-1206.

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Sincerely,



Paul E. Shoenberger

Chair

Orange County Groundwater Producers Group

CC: Member Agencies
Mr. Tom Howard, SWRCB Executive Director