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April 22, 2015

Jeanie Townsend, Clerk of the Board and  
Tom Howard, Executive Director  
State Water Resources Control Board  
PO Box 100  
Sacramento, CA 95812-0100

**Subject: Comments on revised emergency drought regulations**

Dear Ms. Townsend and Mr. Howard:

On behalf of the Mojave Water Agency (MWA), thank you for the opportunity to provide further comment on the latest draft of the proposed new emergency drought regulations. Developing equitable statewide regulations that address California's diverse geography, climate, legal constraints, and socio-economic factors is an arduous task when carried out in a customary public process. We recognize that the short time frame of this current effort poses further challenges to this process, and it is in the spirit of partnership that we offer additional comments for your consideration.

As one of 29 State Water Contractors, MWA's Board of Directors views our role not just as a participating contractor, but as a leader in resource management in our region. Located in the arid Mojave Desert, our service area encompasses 4,900 square miles with a population of 450,000. In a region that receives less than 5 inches of water per year, we live in perpetual drought conditions and therefore embrace conservation as a way of life. Additionally, MWA's territory is adjudicated and we are mandated by the courts to maintain a balance in our basins, and when required we ramp down production. The court's binding authority and our commitment to conservation ensures austere water management.

In our last correspondence, we provided data that demonstrated how we have worked with our cities and urban water suppliers to meet the conservation goals set out in SBx7-7 in 2008. While this important legislation appears to be moot, MWA offered historical context with information collected on DWR's Form 38 over the last 15 years with results of water consumption reductions as high as 51 percent. We asked that some consideration be given by allowing purveyors that have achieved the SBx7-7 goal

of a 20 percent reduction be placed in a reduced tier that would make their target efficiency realistic while recognizing their prior efforts.

Therefore, we were heartened to read information released on April 18, 2015 that indicated that changes were made to the regulations, and it appeared that there was acknowledgement of those communities that have achieved remarkable results, as well as consideration of geographical and climatic variances. Unfortunately, 8 out of 10 purveyors have now been placed in higher tiers. It certainly appears that there was no consideration given for communities that have already embraced a conservation ethos in response to previously established State conservation goals. To the contrary, the majority of the water purveyors in our region now face more aggressive conservation targets than originally published, putting them on equal footing with others in the State that have largely ignored previous calls for conservation made by the State. For example, Apple Valley Ranchos Water Company achieved a 51 percent reduction in residential per capita consumption over the last 15 years, and has now been moved from a tier 3 of 25% to the highest possible tier at 36%.

**Request 1:**

**Therefore, we kindly request consideration of an alternative methodology that incorporates rainfall, temperature, evaporation rates, and previous conservation to ensure a more equitable distribution of required conservation.**

Additionally, MWA is asking for consideration for our disadvantaged communities. Based on methodology employed by the California Department of Water Resources used in the current Integrated Regional Water Management Plan process, the majority of communities in MWA territory are primarily disadvantaged. (See attachment A). One of our purveyors, Hi-Desert Water District, is located in the Town of Yucca Valley which is located some 30 miles north of the lower desert communities including Palm Springs and Palm Desert, which are not disadvantaged communities. The Town of Yucca Valley is a mix of large lots and some tract homes. It is served by Hi-Desert Water District that has achieved a 90 GPCD for the months of July-September. Turf is nearly non-existent in residential properties throughout the community of Yucca Valley, which provides little room for additional reduction in outdoor water use. (See attachment B)

In contrast, Yucca Valley's neighbor, the City of Palm Desert is not a disadvantaged community. Its water purveyor, Myoma Dunes, has a GPCD for the months of July-September of 612.5. Unlike Yucca Valley, the Palm Desert residential neighborhoods have lush, turf landscapes. (See attachment C)

Yucca Valley, a disadvantaged community, has nearly eliminated outdoor water usage through aggressive water conservation. Indoor water conservation efforts such as low-flow efficiency toilets and showerhead replacement programs, funded through MWA secured grants, as well as water education programs have been successfully implemented. Currently, the community's water purveyor is seeking the formation of an assessment district to pursue a Wastewater Reclamation Project. This will require already disadvantaged residents to approve a new tax further stressing the community's resources.

**Request 2:**

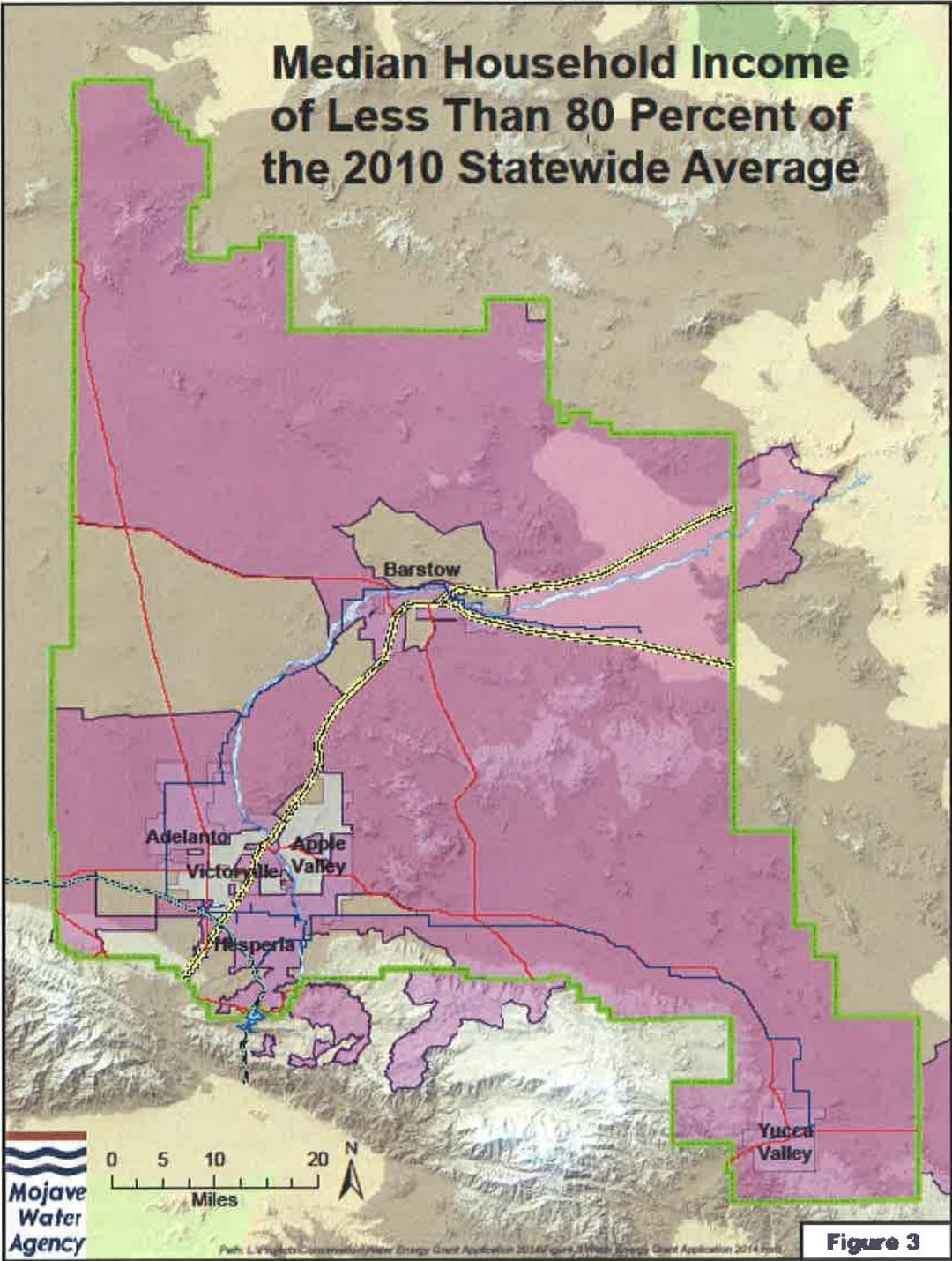
**Therefore, MWA requests that the tier process incorporate reduced tier determinations for disadvantaged communities, as defined by the DWR methodology that have demonstrated progress toward greater conservation and are currently at low GPCD with little potential for additional conservation.**

Thank you for your careful consideration of our requests. We believe as a region we have demonstrated our commitment to water conservation. We look forward to our continued partnership with the State Water Resources Control Board in these efforts during these challenging times.

Sincerely,

A handwritten signature in black ink, appearing to read 'KB', is positioned above the typed name.

Kirby Brill, General Manager  
Mojave Water Agency



MWA Disadvantaged Communities as identified by DWR methodology

Attachment B



Yucca Valley Neighborhood  
Google Earth Map: 34° 7'20.28"N 116°24'19.26"W

Attachment C



Palm Desert Neighborhood  
Google Earth Map: 33°42'58.78"N 116°21'14.19"W