



IRVINE RANCH WATER DISTRICT

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April 22, 2015

Ms. Jessica Bean
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

RE: Comments on SWRCB “Draft Regulations Implementing 25% Conservation Standard”

Dear Ms. Bean:

Thank you for the opportunity to provide additional comments for the State Water Resources Control Board’s (SWRCB) consideration as it further refines the “Draft Regulations Implementing 25% Conservation Standard.” As we have stated previously the Irvine Ranch Water District (IRWD) understands the importance of achieving a 25 percent reduction in potable urban water use at this time as California enters the fourth year of a severe drought, and remains committed to achieving the reduction assigned to it through the SWRCB’s emergency regulations.

IRWD has reviewed the draft regulations released by the SWRCB on April 18, 2015. The District appreciates the challenge before the SWRCB to develop an emergency regulation related to the 25 percent statewide reduction. We thank the SWRCB for accepting urban water supplier comments on the best method for apportioning the reduction, and for increasing the number of apportionment tiers contained within the framework. This change is a step in the right direction toward making the apportionment more equitable.

We hope that the SWRCB will consider the further refinements suggested by the coalition of urban water suppliers, including IRWD, which were submitted for your consideration today. In addition to the coalition’s submitted alternative framework and comments, IRWD would like to provide several additional suggestions on the draft regulations for your consideration.

The District asks that the emergency regulations exclude extraordinary supplies from an urban water supplier’s potable water supply production. These supplies have been developed to increase an urban water supplier’s water supply reliability, and are in addition to the normal or regional supplies upon which the agency draws. Very few agencies in the state have taken the remarkable step to create extraordinary supplies of water that are not accessed except in severe shortage situations. In the case of IRWD, the District has engaged in water banking during wet years so that it can have an emergency supply of water, which is only to be utilized in a time of severe shortage.

Forethought and investment in extraordinary supplies should be encouraged by the SWRCB. An urban water supplier should not face punitive consequences for drawing upon those planned, extraordinary supplies during this time of shortage. Urban water suppliers should be encouraged to draw upon these extraordinary supplies during this time of drought, as was intended when ratepayers invested in these supplies, to supplement their limited potable water supplies.

IRWD asks that the following language be added to the draft regulations allowing agencies to use these extraordinary supplies without having to count them towards their potable water production, thereby, rewarding investments in extraordinary supplies, incentivizing more agencies to consider extraordinary supply development, and allowing agencies to use these pre-planned supplies without penalty:

Add Section 865(b) (3):

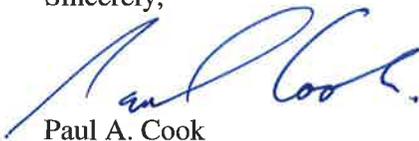
"Each urban water supplier that has demonstrated to the Executive Director, or his designee, that it has an available extraordinary supply, which is a potable water supply that has been developed exclusively to increase an urban water supplier's water supply reliability during times of shortage and is in addition to the normal and regional supplies that the agency draws upon during non-shortage times to meet potable water demands within its service area, shall not be required to include potable water production from the extraordinary supply in a monitoring report required by subsection (2)."

Additionally, IRWD asks that the SWRCB reconsider its position on several other issues. As described in the fact sheets released with the draft regulations, the regulations do not provide relief for indirect potable reuse projects (IPR), or a recycled water adjustment credit for large water recyclers who have reduced Commercial, Industrial and Institutional (CII) outdoor water use and have minimal potable CII outdoor use. This results in limited opportunities to reduce CII use without impacting indoor CII use, which could negatively impact economic activity. Like a number of other agencies, IRWD urges the SWRCB to reconsider its position on these issues.

We hope that the SWRCB will be open to discussing these issues further. If given the opportunity, IRWD would like to further explain the merits of treating water production from IPR projects the same as recycled water; ways to eliminate the potential for negative economic impacts where CII outdoor potable use has been substantially reduced or eliminated; the wisdom in using a 10-month average R-GPCD for apportioning the 25 percent statewide reduction; and the short-term and long-term value in providing a recycled water adjustment credit to agencies with large percentages of their total water supply comprised of recycled water.

Thank you again for allowing multiple comment opportunities during the development of the "Mandatory Restrictions to Achieve a 25% Statewide Reduction in Potable Water Use" and for considering our comments on the draft regulations. Please do not hesitate to contact me at (949) 453-5590, or our Sacramento Advocate, Maureen O'Haren, at (916) 498-1900 if we can be of assistance to you or your staff.

Sincerely,



Paul A. Cook
General Manager