STAFF MEMBERS

Hector Ruiz, General Manager
Michael Perea, District Secretary
Cindy Byerrum, District Treasurer
Bowie, Arneson, Wiles & Giannone,
District General Legal Counsel

TRABUCO CANYON
WATER DISTRICT

BOARD OF DIRECTORS

Stephen Dopudja, President
Glenn Acosta, Vice President
James Haselton, Director
Edward Mandich, Director
Michael Safranski, Director

April 13, 2015

Ms. Felicia Marcus
c/o Ms. Jessica Bean
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Subject: **Comment Letter – Proposed Drought Regulation Framework Modifications**

Trabuco Canyon Water District (TCWD) appreciates the opportunity to provide comments to the State Water Resources Control Board (State Water Board) on the implementation of the Governor's Executive Order B-29-15 and the Drought Regulation Framework. It is important that we act now to address our current state of water supply emergency due to the persistent drought conditions that impact all of California's residents and businesses. TCWD provides the following comments and recommendations to the Drought Regulation Framework for your consideration:

1. Recognition of Mandated Irrigation Zones (MIZ):
   TCWD is located in inland Orange County, and many of its customers are located in listed fire hazard areas which are adjacent to the Cleveland National Forest and other natural canyon areas. The State is aware of the recent fire storms and calls to improve defensible space. As such, many of TCWD's customers are mandated by the Orange County Fire Authority (OCFA) or another regulatory agency to maintain Fuel Modification Zones and Defensible Space around their homes by maintaining fire resistant irrigation zones. TCWD recommends the following methodology for calculating the proposed MIZ-Adjusted Production or Sales:

   (Total Production or Sales) – (MIZ Credit) = MIZ-Adjusted Production or Sales

   The State Water Board should adjust GPCD and decrease reduction targets for agencies whose customers are mandated to maintain Fuel Modification Zones and Defensible Space around their homes.

2. Recognition of Indirect Potable Reuse (IPR):
   Expanding the use of recycled water is a priority in the State as documented in the California Water Plan. Orange County is a leader in recycled water use for both irrigation and dual plumbed buildings (purple pipe), and IPR. The State Water Board should adjust GPCD for agencies receiving IPR through the Ground Water Replenishment System (GWRS) to promote equity and use of recycled water, otherwise IPR projects are unjustly penalized through this unintended disincentive. This sends the wrong message to agencies considering development of IPR.

3. Consider the following modifications to the Percent Tier Reductions:
   a. Assign specific percent reduction targets using an agency by agency calculation which accounts for agency-specific conservation efforts and service area-related challenges. These challenges can include, but are not limited to, elevation fluctuations which impact distribution and storage

32003 Dove Canyon Drive, Trabuco Canyon, CA 92679 • 949/858-0277 • Fax: 949/858-3025
www.tcwd.ca.gov

systems, fire hazard area mandates which force local customers to use a disproportionate amount of water for Fuel Modification Zones and Defensible Space, and the existence of microclimates within service areas that differ from regional climate standards.

b. Convert the percent reduction to a total acre-foot based demand reduction that would include an acre-foot goal rather than R-GPCD. This makes sense since the State is expecting a reduction across all customer classes and it will allow the local agencies to manage their resources more effectively.

4. Additional R-GPCD Recommendations:
Review the current R-GPCD metrics methodology for consistency and potential variations to utilities on how they calculate per capita water use and populations. Allow agencies to choose between production and sales data, whichever is most appropriate for that specific agency. Allow agencies to revise previously submitted data as appropriate. Furthermore, R-GPCD data reporting should be weather normalized for reporting purposes. Weather normalizing the R-GPCD reporting would make the reporting results more accurate and meaningful when comparing an agency's R-GPCD.

5. Assist agencies to develop water budgets or efficiency targets for each consumer. Efficiency targets allow a water agency to inform a customer about what constitutes an efficient level of use. Monitoring actual water use compared to an efficiency standard will allow water agencies to easily identify and focus on customers using water in excess of their efficiency target. Efficiency targets account for previous investments in water use efficiency.

6. Provide an alternative compliance option for those agencies implementing budget-based and traditional tiered rates.

7. Consideration of a penalty per acre-foot of potable water not saved to be evaluated on a quarterly basis and assessed annually, rather than $10,000 per day penalty as a compliance and enforcement method.

TCWD appreciates the opportunity to provide comments and recommendations on the implementation of the Governor's Executive Order B-29-15 and the Drought Regulation Framework. If you have questions regarding any of these comments, please contact me via phone at (949) 858-0277 or email at hruiz@tcwd.ca.gov.

Sincerely,

Hector Ruiz, General Manager

Cc: TCWD Board of Directors
TCWD Ratepayers