



Yorba Linda Water District

*Independent, Reliable and Trusted
Service for More Than 100 Years*



February 14, 2018

Ms. Jeanine Townsend (commentletters@waterboards.ca.gov)
Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento CA 95812-2000

Subject: Comment Letter – Changes to Proposed Regulation Prohibiting
Wasteful Water Use Practices

The Yorba Linda Water District (YLWD) appreciates the opportunity to comment to the State Water Resources Control Board (SWRCB) on the proposed regulation to permanently prohibit certain wasteful water uses. We support several of the proposed regulations and have concerns with others.

Of most concern is the failure of the proposed regulation to recognize *communities that achieve high levels of responsible water use, and potable reuse*. Towards that end we believe it is essential to establish a category that acknowledges potable reuse. The proposed Regulation incorrectly calls some water practices as “waste and unreasonable use” despite this water being reused as potable water by YLWD.

BACKGROUND

YLWD is a community located in the northeastern corner of Orange County and encompasses 14,475 acres of land comprising 22.6 square miles. The 109-year old District serves a population of approximately 78,500 and provides water and wastewater service to approximately 25,000 residential, commercial, irrigation and other connections with more than \$1.2 billion in critical infrastructure. Our District has significant wildfire interface zones with Chino Hills State Park for which we are required to irrigate by the Orange County Fire Authority.

Model Water Reuse Community

YLWD is a model District as all of our sewer and gray water flows are sent through the Groundwater Replenishment System, which pumps the water back to our aquifer to replenish the groundwater basin. All runoff in the District percolates into the aquifer, or migrates to the Santa Ana River which then percolates into the groundwater basin. It is then pumped, treated, and served to our customers again and again. The water that is not returned to potable reuse is what goes to evapotranspiration, providing climate cooling benefits and destined to be dropped in other parts of the state through rain and snow.



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During the most recent drought emergency, the customers of the YLWD responded admirably and complied with the unilaterally mandated restrictions promulgated by the SWRCB. We exceeded our 36% reduction mandate, despite not resulting in a single glass of water being made available to communities in need, and at a revenue loss of nearly \$9 million (projected revenue prior to the emergency declaration). The one-size-fits-all emergency regulation caused a drastic and sudden rate increase necessary to prevent default on bond obligations. While we are managed to avert default, our community was fractured, and we experienced a recall of our Board of Directors, resulting in four out of five positions filled with new Directors.

Our residents, like all Californian's, will pull together in a time of need, as long as it is temporary. However, when we make permanent investments to ensure our water sources are reliable, we should not be penalized because others have less vision or resources. This proposed regulation needs to credit all water destined for potable re-use as a viable source of water.

Public Policy and Legal Concerns

Public Safety: the District's water system was built to its current size to provide the maximum reasonable protection for public safety. As we share a major border with Chino Hills State Park, we continually are threatened by wildland fires. After the 2008 Freeway Complex Fire loss of many homes and more than \$65 million in judgements against the District, reservoir capacities and pumping were increased at great cost for future protection.

Public Health: water must be circulated and consumed to prevent growth of pathogens, disinfection byproducts, and other public health risks. By investing in multiple methods of water reuse, we are able to circulate and consume our water repeatedly, *without waste*. This regulation impairs this process, and puts public health at risk.

We will evaluate the legal implications of being mandated to reduce water deliveries below the design and construction level paid by our customers, as a government taking of public property.



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Water agencies like YLWD embody conservation as a California way of life, and should not be penalized just so everyone equally feels the pain.

Should you have any questions, please contact me at 714-701-3022.

Sincerely,

Marc Marcantonio, General Manager
Yorba Linda Water District