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MEMBER AGENCY OF THE
METROPOLITAN WATER
DISTRICT
OF SOUTHERN CALIFORNIA



May 4, 2015

Delivered via email: commentletters@waterboards.ca.gov

The Honorable Felicia Marcus, Chair
and Members of the Board
c/o Ms. Jeanine Townsend, Clerk of the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Comment Letter – Urban Conservation Regulations

Dear Chair Marcus and Members of the Board:

Thank you for the opportunity to provide comments on the proposed emergency regulations for mandatory urban water conservation in California. Las Virgenes Municipal Water District (District) supports the Governor's Executive Order B-29-15, including the call for a mandatory 25% statewide reduction in urban water usage. Further, the District supports the State Water Resources Control Board in implementing the order, recognizing the inherent challenges to do so quickly and equitably.

The District has been actively engaged in the process to develop the emergency regulations for urban water conservation from the beginning, first providing written comments in July 2014 and participating on a panel for a public workshop held on December 17, 2014. Additionally, the District recognized your Board for the thoughtful process to solicit comments and its diligence to incorporate the extensive feedback prior to adoption of the regulations. The District, and water suppliers throughout the state, remain hopeful that your Board will embrace the same diligence for this rulemaking process, dispelling concerns that the majority of the detailed comments submitted to date will remain unanswered.

Following is a summary of the District's most important comments.

- Recognize Significant Investments in Recycled Water. The regulatory framework does not currently recognize water suppliers' significant investments in water recycling, particularly those prior to 2013. The District meets nearly 20% of its overall water demand with recycled water supplied to customers through approximately 68 miles of transmission and distribution pipelines.

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These investments remain unrecognized in the use of residential per capita water demands for the purpose of establishing conservation standard “tiers” because recycled water is largely used for non-residential irrigation purposes (i.e. parks, greenbelts, golf courses and homeowners association common areas). Recycled water usage should be favorably considered when determining compliance with the required usage reductions, recognizing the effect of demand hardening. Additionally, water suppliers that have developed indirect potable reuse projects should not be required to achieve the same mandatory reductions from those sources.

The District proposes the following addition to the proposed emergency regulations to recognize water recycling and the goals of the Board’s Recycled Water Policy.

“Sec. 865. Mandatory Actions by Water Suppliers.

(d)(3) For the purpose of comparisons specified in subdivision (c), non-potable recycled water use shall be added to the monthly potable water production for 2013, and indirect potable reuse shall be subtracted from the monthly potable water production for 2015 and 2016.”

- *Incorporate Climate Zone and Residential Housing Density Adjustments:* The “model” used to establish the conservation standard “tiers” should recognize significant differences in climate zones and residential housing density throughout the state. Differences in evapotranspiration rates (ET₀) can be accounted for by using data from the CIMIS ET₀ Zone Map published by the Department of Water Resources. Residential housing density data can be drawn from information contained in water suppliers’ 2010 Urban Water Management Plans. The District worked in collaboration with a group of other agencies to collect this data and provide it to the Board’s staff on April 22, 2015.
- *Utilize a 9-Month Average GPCD for Placement in Conservation Tiers:* Due to the high variability in month-to-month water demands across the state, a 9-month average gallons per capita per day (GPCD) should be used for placement of water suppliers in the conservation standard tiers. This would more equitably reflect hot and cool months across the state and recognize conservation achievements over a broader period.

Thank you for your consideration of these suggestions. The District is dedicated to do its part to stretch the state’s limited water supplies to the fullest extent. If you have any questions about these comments, please contact me at (818) 251-2122 or dpedersen@lvmwd.com.

Sincerely,



David W. Pedersen, P.E.
General Manager