

February 5, 2018

Submitted via e-mail:
commentletters@waterboards.ca.gov

Ms. Jeanine Townsend
Clerk of 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 Municipal Water District of Orange County appreciates the State Water Resources Control Board's (State Water Board) acceptance of many of the comments we provided at the December workshop and our written comments regarding proposed regulation prohibiting wasteful water use practices. The proposed regulation is evolving into a regulation we can fully support. To that end, we would like to take this opportunity to provide further comments for your consideration.

A change to the proposed regulation that we especially appreciate is the recycled water exception for irrigation of turf on public street medians and verges. This makes sense, is consistent with how water agencies develop and use alternative supply options, and is good public policy.

Prohibition of concern: The prohibition of irrigation of turf on **existing** public street medians and verges, unless the turf serves a community or neighborhood function, is still an area of significant concern to us.

We maintain the position that rehabilitated or re-landscaped medians and verges will be converted without this regulation. Further, when they are rehabilitated, they will be subject to the Water Conservation in the Landscape Act, which precludes installation of turf grass. According to the Act, these areas are considered commercial landscape and, therefore, assigned a Maximum Applied Water Allowance (MAWA) of 0.45 of the local evapotranspiration. Even with the use of the most efficient irrigation technologies, landscapes assigned a MAWA of 0.45 could not include turf grass and be in compliance with the ordinance.

At the December Workshop, State Water Board staff expressed a concern about relying on the landscape ordinance due to a lack of enforcement of the ordinance. We do not share this concern. In fact, since 2015, cities and counties are required to report annually to the Department of Water Resources on implementation of the ordinance. From this reporting, the Natural Resources Defense Council filed a lawsuit earlier this year against the Cities of Pasadena and Murrietia for failure to implement the ordinance. Enforcement does exist.

We ask the State Water Board to: Withdraw the proposed regulation prohibiting irrigation of turf on existing public street medians and verges and rely on the

requirements of the Water Efficient Landscape Ordinance for new and rehabilitated medians and verges for aforementioned reasons.

Again, we appreciate the opportunity to provide you with our thoughts to further shape the proposed regulation to permanently prohibit certain wasteful water uses. Should you have any questions or need additional information regarding these comments, please contact Joe Berg at (714) 593-5008.

Sincerely,

Robert J. Hunter
General Manager

CC: Member Agency Representatives and General Managers