

Submitted by staff  
at 8/13/12 committee  
meeting. Item 6

## **WATER USE CREDITS – RULE 25.5**

### Water Use Credits

- The Water Use Credit process is codified in MPWMD Rule 25.5.
  - Adopted to accommodate reconstruction of demolished buildings,
  - Allow for future replacement of removed fixtures,
  - Allow Expansions of Use without requiring water from a Jurisdiction's Allocation.
- The Water Use Credit process provides an incentive for extraordinary retrofitting and/or installation of proven new technology.
- A Water Use Credit allows the reuse of the reduced increment of water for up to ten years (up to 20 years at Redevelopment Project Sites).
- Water Use Credits are documented when there is a Permanent Abandonment of Capacity (MPWMD Rule 25.5-E).
  - The entire increment of reduced water can be reused on the Site,
  - No Connection Charge is assessed on a Water Permit when the proposed use is offset by a Water Use Credit.
  - Non-Residential Water Use Credits can be transferred to another expanding Non-Residential Site or transferred into a Jurisdiction's Allocation pursuant to Rule 28

### Water Use Credits are established as the result of the following actions:

- Demolition of a building or use that is recognized by the DISTRICT as being a lawful water use.
  - Documented to have existing on the date the current Water Permit process was implemented (i.e. March 1985)
  - Received a Water Permit during or after March 1985.
- Permanent disconnection from a Water Distribution System.
  - Occurs when a User disconnects from CAW to fully utilize an on-site well (Water Distribution System).
- Permanent Residential removal of water fixtures.
  - Includes fixtures that are currently exempt from the Water Permit process (i.e. Portable Water Fixtures, fountains, ponds, hot tubs/spas, drinking fountains, pot fillers, darkroom sinks, outdoor showers/sinks, hose bibs, pet/livestock wash racks and water troughs, and multiple Utility Sinks) that were permitted with a debit to a Jurisdiction's Allocation and payment of Connection Charges.

- Permanent installation of ultra high efficiency non-mandated water fixtures, devices and appliances in Non-Residential uses.
  - Process for establishing this type of Water Use Credit is outlined in Rule 25.5-4-d
- Permanent installation of High Efficiency Appliance Credits in Residential uses. See Rule 25.5-Table 4
  - This type of Water Use Credit is used in Residential remodels to allow the addition of water fixtures without requiring water from a Jurisdiction's Allocation.
  - Difficult to document unless it is done as part of the Water Permit process, since the District is often not contacted to document the change/removal of fixtures until a Water Use Credit is needed.
- A Water Use Credit is not issued for a non-permanent Change in Use, such as occurs when tenants change from a higher use (e.g. a restaurant) to a lower use (e.g. retail). The reduction in use under this circumstance is called a "Water Credit."
  - The Water Permit process and the establishment of a Water Credit provide flexibility for Non-Residential tenant needs.
  - A Water Credit allows a use to be reinstated when needed.
  - Reuse of a Water Credit is not time limited, but it must have been a lawful use either documented to have existed when the current Water Permit process was implemented (i.e. March 1985) or that received a Water Permit after March 1, 1985.

#### Documentation of Water Use Credit

Although the District has a process to formally recognize a Water Use Credit, there are at least two other ways that a Water Use Credit is documented, as discussed below.

- District Rules do not limit when one can apply for credit as long as it is within the ten years after the device is installed as long as the District's rules (at the time the application is received) do not disallow a Water Use Credit for the device. Water Use Credits can be documented as:
  1. A Water Permit that shows a lower number of fixtures pre-project documents a Water Use Credit.
  2. A Residential Water Permit that includes High Efficiency Appliance Credits (Rule 25.5, Table 4) that were not fully utilized,
    - Although these Water Use Credits are included in the Water Permit, a separate formal documentation of unused Water Use Credits is not normally issued.
  3. A Non-Residential Water Permit based on installation of non-mandated water efficient devices or retrofits pursuant to Rule 25.5.
    - Although these Water Use Credits are included in the Water Permit, a separate formal documentation of unused Water Use Credits is not normally issued.

4. A formal Water Use Credit application with evidence of the removal of the use. In this situation, a letter documenting the credit is mailed to the applicant.

#### Calculation of a Water Use Credit

- Using the District's factors as displayed in either Rule 24, Table 1: Residential Water Use Factors,
- Using Table 2: Non-Residential Water Use Factors, or
- Using water savings factors that are recognized by the California Urban Water Conservation Council or that are clearly more accurate based on clear and convincing evidence.
- The Non-Residential Water Use Factors are based on regional averages; therefore actual water use may be higher or lower than the factored use.
- Water Use Credits may also be determined using equipment-specific water savings for Ultra-Low Consumption Technology.