

**From:** Nona Dennis [nbdennis@sbcglobal.net]  
**Sent:** Tuesday, August 18, 2009 1:59 PM  
**To:** yojcg@msn.com; lrussell@marinwater.org; Cynthia Koehler;  
dbeharr@marinwater.org  
**Cc:** Paul Helliker; Tim Rosenfeld; Carson Cox; Priscilla Bull; Roger Roberts;  
MCL  
**Subject:** MCL's statement for August 19 Board Meeting

TO: BOARD OF MARIN MUNICIPAL WATER DISTRICT  
FROM: MARIN CONSERVATION LEAGUE  
DATE: AUGUST 19, 2009  
SUBJECT: Resolution Approving MMWD Desalination Project

Attached at the conclusion of this memorandum is Marin Conservation League's Position on Water Supply, initially adopted in 2003, and reviewed and updated by the MCL Board on February 17, 2009. In brief, it states that

*“...MCL continues to support conservation and efficient water use as the most environmentally responsive and least expensive means of securing water supply and managing demand.”* . . The statement does not entirely rule out desalination, but in that regard states that *“...MCL believes that more aggressive conservation programs, including conservation rate structure, will enable the existing water supply to meet demand reliably in the near term. The MMWD needs sufficient time to implement the integrated conservation and efficiency programs recommended and gauge their success before determining the need for supplemental water to meet a longer-term gap between supply and demand as the county approaches build-out.”*

The process of examining the impacts of a desalination plant began six years ago, in 2003 – about the same time that MCL drafted its current Water Supply position. Every step that the District has taken since 2003 has been open to the public: the EIR scoping session, public meetings, pilot desalination plant and public tours and briefings, hearings on the DEIR in 2007, and at last the Final EIR in early 2009. There have been public forums on the economics of water shortage and on conservation. One cannot say that the decision has been closed or rushed! Why, then, does the public feel that every move, every constructive dialogue, has been leading toward confirming a decision that was made six years ago?

You have an opportunity to modify that decision! Initially, we assumed that the primary action for August 19 was to close the environmental process with a Notice of Determination (NOD) so that the Board could deliberate the next step. We are prepared to support the action to file the NOD. Even though we believe the EIR to be deficient in many respects, it can probably survive the test of legal adequacy. We do not support staff's recommendation to approve budget

augmentation to begin obtaining permits and preliminary design! The Board has indicated on more than one occasion that there would be further decision points before actually initiating a desalination project.

Why do we ask the Board to wait after six years of debate? Since 2003 at least two conditions have changed dramatically. First, the District has moved aggressively toward conservation, with steady progress that continues. You have proved that you can do it – but there is more to do! The Fryer Report simply sets a higher bar. Second, and perhaps more important, the public has changed. It may have been “An Inconvenient Truth” that finally captured our attention, or the desire to move sustainability from talk into action – in either case, you now have a highly informed and engaged public that is ready to take conservation beyond Disney’s First Law: “Wishing Will Make it So”.

Therefore, we urge the Board to follow the advice of many who are committed to work with the District to achieve its goals: Give conservation in all its forms a chance to succeed first before taking on a massive new water supply project. It is truly the Environmentally Superior project!

Nona Dennis, President

## MARIN CONSERVATION LEAGUE WATER SUPPLY POSITION

Adopted February 17, 2009

Marin Conservation League adopted a water supply position in 2003. The Executive Committee suggested revisions, and the Board of Directors discussed and approved the statement. The adopted position applies generally to any water district in Marin County except for references to desalination, which currently apply only to Marin Municipal Water District.

### GENERAL PRINCIPLES

Marin Conservation League recognizes that our water supply is a finite resource and that our use exceeds what our supply can support under current water district operations and future drought and growth projections. We can no longer expect to import an ever-increasing supply from other watersheds or develop major new facilities, such as costly and energy-intensive desalination, to fill the gap between supply and demand. Both options carry adverse environmental and economic impacts. We must accommodate our water use to our Mediterranean climate instead of attempting to create conditions that are at-odds with our natural environment. It is our goal to bring water use into balance with our current sources of water supply. To this end, MCL supports policies and promotes programs that provide Marin residents and businesses a reasonable amount of water without doing further harm to the watersheds, fisheries, and other water-dependent resources on which we also depend. The programs

below are all reflected in the 2007 Marin County General Plan's water supply policies and 20 implementing programs. They are fully consistent with Sustainability as the organizing principle of the Plan and with the Ahwahnee Principles for sustainable water supply, also included in the 2007 Plan.

## RECOMMENDATIONS

Marin Conservation League continues to support conservation and efficient water use as the most environmentally responsive and least expensive means of securing water supply and managing demand. The League supports a comprehensive and integrated strategy that includes elements of both supply augmentation and demand reduction and management. Recognizing that Marin water districts are already implementing some of these strategies, we recommend these enhancements:

- Continued improvements to reservoir operational efficiency;
- More aggressive monetary incentive programs for water-efficient toilet, urinal, washing machine, and dishwasher replacements;
- Use of time-of-sale retrofit ordinances and incentives, in conjunction with energy efficiency time-of-sale ordinances, by local governments;
- Revision (steepening) of rate structure to encourage greater conservation, that also includes:
  - o a clear definition of "reasonable use" and program for individual property budgets
  - o promotion of drought-tolerant landscaping
  - o pricing penalties for excessive use, to go toward conservation programs
  - o Installation of "Smart" (electronic) water meters;
- Increased emphasis on public education and outreach;
- Additional investment in leak detection and rigorous monitoring of irrigation waste;
- Expansion of opportunities for recycling and reuse of reclaimed wastewater;
- Enforcement of no net increase (e.g., 1:1, or even 2:1 offsets) in water demand for new development in cities, towns and unincorporated areas;
- Research into necessary code reforms to enable graywater reclamation and stimulate emerging reuse technologies;
- Encouragement of small-scale catchment systems where feasible; and
- Continued improvements in operational energy efficiency and securing of reliable sources of renewable energy.

## DESALINATION

MCL believes that desalination should not be adopted as a necessary source of supplemental supply for the near term, or at least not until such time as renewable energy sources are secured to mitigate fully its significant energy consumption and related greenhouse gas impacts. In addition, MCL believes

that more aggressive conservation programs, including a conservation rate structure, will enable the existing water supply to meet demand reliably in the near term. The MMWD needs sufficient time to implement the integrated conservation and efficiency programs recommended above and gauge their success before determining the need for supplemental water to meet a longer-term gap between supply and demand as the county approaches build-out.

#### PIPELINE FROM SONOMA COUNTY

MCL recognizes that taking additional water from the Russian River can have significant environmental impacts on both Russian and Eel River systems and fisheries, and for that reason has generally opposed new pipeline construction. If replacing the existing pipeline with increased capacity becomes viable, MCL will weigh the relative impacts and possibly reconsider that alternative.