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**VIA E-MAIL & FIRST CLASS MAIL**

Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, California 95814



**SUBJECT: COMMENTS BY THE PUBLIC WATER AGENCIES GROUP  
REGARDING POTENTIAL ADJUSTMENTS TO THE MAY 2016  
EMERGENCY REGULATION**

Dear Ms. Townsend:

We represent the Public Water Agencies Group (the “Group”), an informal association of 16 public agency water suppliers<sup>1</sup> who provide wholesale and retail water service in Los Angeles County. We appreciate the State Water Resources Control Board (the “State Board”) providing this opportunity to comment on the proposed extension and modification of the Emergency Regulation for Urban Water Conservation (“May 2016 Emergency Regulation”).

The Group appreciates the proposed changes incorporated by the May 2016 Emergency Regulation. However, the Group believes further changes would be beneficial, and therefore, submits the following comments:

**1. A Time Extension for Self-Certification Information is Needed.** The deadline to submit the required self-certification information should be extended from June 15, 2016 to June 22, 2016, and the wholesaler data submission deadline should be extended from June 8, 2016 to June 15, 2016. These time extensions will help to ensure the accuracy of the respective submissions to the State Board.

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<sup>1</sup> The Group consists of Crescenta Valley Water District, Kinneloa Irrigation District, La Habra Heights County Water District, La Puente Valley County Water District, Newhall County Water District, Palmdale Water District, Pico Water District, Quartz Hill Water District, Rowland Water District, San Gabriel County Water District, San Gabriel Valley Municipal Water District, Sativa-Los Angeles County Water District, South Montebello Irrigation District, Three Valleys Municipal Water District, Valley County Water District and Walnut Valley Water District.

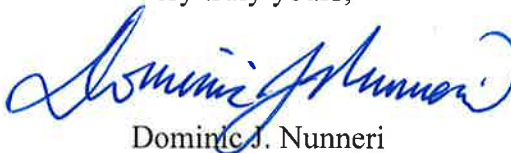
2. **Necessary Changes to Self-Certification Calculation.** As currently proposed, the self-certification figure is calculated based on the level of insufficiency of supply after three more years of drought. This is an unnecessarily strict benchmark. Instead, the insufficiency figure should be measured after one more year of drought, which is the hypothetical situation that is most immediate, most relevant, and most likely. In other words, the proposed text of § 864.5(b) should read, “[e]ach urban water supplier’s conservation standard pursuant to this section shall be the percentage by which the supplier’s total potable water supply is insufficient to meet the total potable water demand in the **first** [instead of third] year after this section takes effect under the following assumptions . . .” (emphasis added).

Additionally, water suppliers are called to estimate their average water demand for the next three years using only 2013 and 2014 data. This is also an unnecessarily strict method of performing the calculation. Instead, 2015 should also be included. In 2015, water demand was down because of the conservation efforts across the state. If the drought continues for three more years, it is likely that the conservation efforts will maintain their current levels, or perhaps strengthen even further. To use only 2013 and 2014 as the benchmark for water demand would be unfair and inaccurate, considering recent conservation efforts.

3. **The “Conserve-Only” Framework Must Be Abandoned.** From its inception, the Emergency Regulation for Urban Water Conservation has been based on a framework focused primarily on conservation. Very little has been done by the State Board to recognize efforts of increasing sources of supply through other means, such as use of “purple pipe” recycled water. To be fully drought resilient, water purveyors must not only restrict use of water, but also must increase local supply. The State Board should include “purple pipe” recycled water (as well as other efforts aimed at increasing local supply) in the self-certification baseline. By not doing so, the State Board unfairly penalizes those water purveyors that have invested time and money into improving their levels of supply through these measures.

Thank you for this opportunity to provide input regarding the May 2016 Emergency Regulation. If you have any questions regarding this matter, please contact Dominic Nunneri at 626-793-9400, or by e-mail at [dnunneri@lagerlof.com](mailto:dnunneri@lagerlof.com).

Very truly yours,



Dominic J. Nunneri

DJN:cc

cc: Public Water Agencies Group Members (via e-mail)