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December 26, 2017

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



Dear Ms. Townsend:

COMMENT LETTER – PREVENTING WASTEFUL WATER USE PRACTICES

City of Los Angeles Sanitation (LASAN) appreciates the opportunity to provide comments on the State Water Resources Control Board’s (State Water Board) proposal to establish California Code of Regulations, Title 23, Division 3, Chapter 3.5 on Conservation and the Prevention of Waste and Unreasonable Use (Proposed Regulations). The City is committed to reasonably and beneficially using its water resources more wisely through water conservation and supports the State Water Board’s effort to eliminate wasteful uses of potable water.

The City is nearing completion of its One Water LA Plan (One Water), a long-term plan to ensure Los Angeles’ water future through a collaborative approach to manage the City’s water resources and facilities in an environmentally, economically, and socially beneficial manner. Moreover, One Water is an essential step in meeting one of the goals in Mayor Eric Garcetti’s Executive Directive No. 5 (ED5) – to reduce the City’s purchase of imported water by 50% by 2024 – and is in step with Governor Brown’s Executive Order (EO B-37-16) to use water more wisely through water conservation. The intent of both ED5 and EO B-37-16 was to prevent the waste and unreasonable use of potable supplies. EO B-37-16 states, “The Water Board shall permanently prohibit practices that waste potable water.”

The Proposed Regulations would prohibit the use of recycled water for irrigating public street medians. In addition to impacting projects that have already been implemented, LASAN anticipates the Proposed Regulations as currently written will discourage the development of new water recycling projects. Instead, LASAN recommends the State Water Board use this regulatory opportunity to encourage the beneficial use of recycled water, rather than place limits on its reasonable and beneficial use.

LASAN supports the development of statewide regulations that prevent the waste and unreasonable use of potable water. Making the Proposed Regulations applicable to potable water and not reclaimed

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water is essential towards achieving the State's goals of maximizing the beneficial use of California's water resources. Consequently, we respectfully recommend that the Proposed Regulations be modified so that the prohibitions do not extend to recycled water.

LASAN hopes that the following attached comments will assist the State Water Board in its efforts. We look forward to working with State Board staff to achieve water conservation goals and to support the development of environmentally beneficial, cost-effective recycled water projects.

If you require additional information, please contact Mr. Hassan Rad, Regulatory Affairs Division Manager at (213) 847-5186 or via email at Hassan.Rad@lacity.org.

Sincerely,



ENRIQUE C. ZALDIVAR, Director
LA Sanitation

ECZ:HR:MB:es

Attachment

c: Traci Minamide, LASAN
Mas Dojiri, LASAN
Tim Dafeta, LASAN
Roshan Aflaki, LASAN
Mark Starr, LASAN
Hassan Rad, LASAN

ATTACHMENT

LASAN's Major Concern

The Proposed Regulations should be modified so that the prohibition on “irrigation of turf on public street medians . . .” applies only to the use of potable water.

Article 2, Section 963(b)(1) of the Proposed Regulations states the following:

*The use of water is prohibited as identified in this subdivision for any of the following actions:
(G) The irrigation of turf on public street medians or publicly owned or maintained landscaped areas between the street and sidewalk, except where the turf serves a community or neighborhood function.”*

The State Water Board has declared, pursuant to California Water Code Section 13550, that it is a waste and unreasonable use of water for water agencies not to use recycled water when recycled water of adequate quality is available and is not being put to beneficial use. In addition, limiting beneficial uses of recycled water is inconsistent with the State Water Board's mandate to increase the use of recycled water in California by 200,000 acre-feet per year (afy) by 2020 and by an additional 300,000 afy by 2030.

The City and other municipalities have invested millions of dollars in developing their recycled water pipelines (purple pipe) and supporting infrastructure, which shift wasteful demands for potable water to recycled water. The City continues to expand its recycled water program in order to ensure a safe and reliable local water supply for all of its residents. As of fiscal year 2016/17, the City has successfully installed over 63 miles of purple pipe to deliver over 10,000 afy of recycled water to its customers. Another 25 miles of purple pipe and 21,000 afy of deliveries are planned through 2025. The Proposed Regulations would result in wasted investments in purple pipe networks state-wide and eliminate benefits for local areas that rely on recycled water.

Reclaimed wastewater provides a consistent supply of high quality water that is drought resistant, and placing limitations on the beneficial use of recycled water is in itself a wasteful practice.

Therefore, the City respectfully recommends the State Water Board modify the cited prohibition so that it applies only to potable water and does not include recycled water.