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May 1, 2015



Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
commentletters@waterboards.ca.gov

Subject: Comment Letter – Emergency Conservation Regulation; “process water” exemption for municipal water systems

We are in full support of the need for water conservation regulation. However, we wish to express concern regarding the apparent lack of regulation reference to or specificity regarding exemption to our tier-defined potable water production requirements for the process water which we supply to three major agricultural food processing facilities in our community. Such water constitutes more than 32% of our system’s water production.

In approving our 2010 Urban Water Management Plan, the State Department of Water Resources recognized this usage in approving our calculation of per capita gallons per day. That recognition was based upon their March, 2011 Guidebook to Assist Urban Water Suppliers to Prepare a 2010 Urban Water Management Plan. That Guidebook, in turn, referred to Section L: California Water Code, Division 6, Part 2.55: Water Conservation, Chapter 2, 10608.12(l) and 10608.24(e) and California Code of Regulation Title 23, Waters. Division 2, Department of Water Resources, Chapter 5.1 Water Conservation Act of 2009, Article 1. Industrial Process Water Exclusion in the Calculation of Gross Water Use.

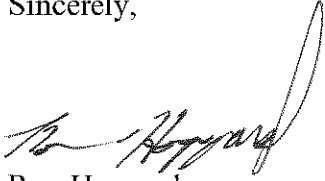
The usage of each process water is minimized by the food processing industries because of the cost of the municipal water and of the treatment of waste streams therefrom. Such waste streams, in Lemoore, are utilized for direct irrigation of agriculture.

To restrict process water usage would be economically disastrous to the served industries, to the community, and to the agricultural community. The proposed Regulations recognize the validity of an economic infeasibility exception by allowing a regulation exemption for commercial

agriculture usage of water from an urban supplier. A similar regulatory exemption for process water is requested to avoid the imposition of unreasonable water use reduction requirements for residential users in accord with the examples provided on page 2 of the Water Board's April 28 Fact Sheet.

Your affirmative response to our requested regulatory exemption is requested.

Sincerely,



Ron Hoggard
City Manager

cc: Assemblyman, Rudy Salas, 32nd District
monica.cortezhernandez@asm.ca.gov
Senator, Andy Vidak, 14th District
Senator.vidak@sen.ca.gov
Jason Rhine, Legislative Representative, League of California Cities
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HAT/vlw

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