



ANNOUNCEMENT

PWD FORCED TO SUE CITY OF PALMDALE OVER RECYCLED WATER SERVICE

PALMDALE, CA, August 26, 2009 – Palmdale Water District filed a lawsuit today against the City of Palmdale aimed at halting the City’s illegal attempt to takeover irrigation water services. The lawsuit filed in Los Angeles Superior Court requests the court to compel the City to follow the requirements of both the Water Recycling Act of 1991 and the Duplication of Service Laws. The Water Recycling Act gives the first right to deliver recycled water to Palmdale Water District , which is the existing and only current legal water purveyor. The Duplication of Service Laws effectively prevents the construction of two water systems in the same area so that no community would have to pay the high cost of multiple systems.

Water recycling is a safe way to preserve natural water resources. In addition, recycled water projects are designed and operated to protect public health. Careful monitoring by responsible local health authorities along with professional management by experienced water personnel result in systems which meet the State Department of Health Services criteria.

For more than a decade PWD has been planning and preparing to provide recycled water service to its customers. The PWD has spent significant dollars and undertaken numerous measures over the years to establish an expanded irrigation system for recycled water when it becomes available. That water is expected to be available in 2011 when the County Sanitation District finishes its treatment plant improvements. This new supply is an important part of PWD’s mission to reduce its dependence on imported water. The PWD’s comprehensive local recycled water project will augment local water supplies and will accommodate the planned water demands of the region. Some of PWD’s numerous efforts with regard to recycled water include:

- *2001 Water System Master Plan* identified recycled water as an important future water source;
- *2005 Urban Water Management Plan* identified the use of recycled water to irrigate parks, school grounds, golf courses and similar areas to reduce potable water demands;
- *2006 Strategic Plan* identified recycled water as an additional water source to be developed;

- *2009 Strategic Water Resources Plan* outlines extensive use of recycled water to meet future demands
- *2009 PWD Recycled Water Master Plan* details the potential recycled water customers, necessary facilities, and related costs

The City of Palmdale decided a few months ago to takeover the District's irrigation services. The City approved an \$80,000 water pipeline design from a non-descript agenda item without public discussion. The City then used its majority representation on the County Sanitation District Board to fast track an agreement for themselves for the recycled water supply. The City plans to rush the construction of a 36-inch pipeline to McAdam Park.

Palmdale Water District staff and team members put the situation into common sense perspective with the following statements:

"PWD has advised the City on several occasion that it will not stand by and allow this to occur without judicial intervention," said PWD attorney Tim Gosney

"If the City builds its own recycled water system there would be a significant increase in costs to PWD customers. The City withdrawal from the water district would force our current overhead to be redistributed among our other customers, and that's not right," stated Palmdale Water District General Manager, Randy Hill "The community would pay in other ways as well, because the City plans a massive duplication of piping, staffing and equipment. The City has had no public discussion about the huge cost of these decisions, or how they plan to pay for them. They plan to duplicate a \$30 million piping system, and create a new water department. I don't recall seeing that in the City budget. I wonder what additional City projects and programs will need to be cut to support this unlawful takeover attempt. The City can't afford its own programs, but they want to take over the water and the electrical power systems too – that's just crazy."

"The City should use the money they are spending on litigation and this takeover to reduce their overwatering, which accounted for more than 40% of their water use last year. The sad truth is the City would waste the recycled water just like they are wasting the current supply" stated Claudette Roberts, Water Conservation Manager.

"The City of Palmdale's actions to takeover irrigation water service is a blatant and illegal invasion of PWD's rights and we will not allow them to harm our customers in this way without a fight," said PWD President Jeff Storm.

“PWD is the right agency to deliver recycled water. We have the experienced staff, equipment, and years of success in meeting public health requirements. There are very stringent water quality laws that apply to recycled water. The City does not have the certifications required by California, they don’t have permission to deliver recycled water, and they don’t have the operating permit from the Department of Public Health to operate a water system. They don’t have the laboratory equipment required for water testing, the required business systems, the construction and maintenance equipment, or trained staff. The City does not have existing facilities that can be converted to irrigation use, and they don’t have backup water supplies to put into the system should the recycled water not be available. PWD has all of these resources and more. The City’s plan is in every way inferior in addition to being unlawful,” continued Randy Hill

”PWD has been the wholesale, retail and irrigation water provider to the area since 1918. This venture into recycled water by the City is unlawful and clearly exceeds its authority. PWD’s peaceful attempts to resolve this conflict were rebuffed. Our numerous requests for a meeting with the City to publicly discuss these issues have been ignored; our letters dismissed; and City officials have scoffed at our attempts to raise concerns at public meetings. The City has simply chosen to ignore a decade of regional planning and do its own thing. Since the City refuses to discuss matters with us, the PWD is forced to take action to protect itself and you, its customers, from these unnecessary and wasteful costs by challenging the City’s illegal actions in court. It’s sad when you have to force a City to obey the law,” noted Jeff Storm

Use Water Wisely. It’s a Way of Life.