

**LOS ANGELES DEPARTMENT OF WATER AND POWER
WATER SUPPLY ASSESSMENT
FOR THE HERALD EXAMINER PROJECT**

Prepared by the Los Angeles Department of Water and Power
Water Resources Business Unit

October 27, 2005

DRAFT

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References

- City of Los Angeles Department of Water and Power
Urban Water Management Plan Year 2000
- “Report on Metropolitan’s Water Supplies”, dated March 25, 2003
- Upper Los Angeles River Area Watermaster Report, dated May 2002
- City of Los Angeles Department of Public Works, Bureau of Sanitation
Sewer Generation Rates Table
- California Department of Water Resources California’s Groundwater
Bulletin 118-80
- Green Book for the Long-Term Groundwater Management Plan for the
Owens Valley and Inyo County

Appendices

- A. City of Los Angeles Department of City Planning letter, dated August 15, 2005, request for a Water Supply Assessment
- B. Project Location Map
- C. Water Supply Assessments Adopted by the LADWP Board of Commissioners
- D. Groundwater Pumping Right Judgments
- E. Water Supply Assessment Provisions – California Water Code Sections 10910-10915
- F. Water Supply Assessment Checklist

Introduction

Proposed projects subject to the California Environmental Quality Act require that the City or County identify any public water system that may supply water to the proposed project and request the public water system to determine whether the projected water demand associated with the proposed project was included as part of the most recently adopted Urban Water Management Plan per California Water Code Section 10910.

The City of Los Angeles Department of City Planning (Planning Department), serving as the lead agency for the proposed Herald Examiner Project (Project), has identified the Los Angeles Department of Water and Power (LADWP) as the public water system that will supply water to the Project. In response to the Planning Department's request for a water supply assessment, LADWP has performed an assessment contained herein.

LADWP has served the City a safe and reliable water supply for over a century. Over time, the City's water supplies have evolved from primarily local groundwater to predominantly imported supplies. Today, the City delivers 85 percent of its water from imported sources. As such, LADWP has taken an active role in regional and statewide water management. An important part of water resource management for Los Angeles is water conservation, which is an essential and permanent practice needed for sustainability of regional water supplies. This water supply assessment assumes that the Project will comply with all local, state, and federal water use efficiency mandates that are in place.

Growth in water use is a normal occurrence within LADWP's service area. In developing its long-term water demand projections, LADWP considers this anticipated growth which is driven by various factors, most prominently growth in population. The findings made under this water supply assessment consider not only this proposed project, but also other future smaller uses of water within LADWP's service area that are not subject to water supply assessment statutes.

This water supply assessment has been prepared to meet the applicable requirements of state law as set forth in California State Water Code Sections 10910-10915. Significant references and data for this assessment are from the City of Los Angeles Year 2000 Urban Water Management Plan (UWMP) and the Metropolitan Water District of Southern California's (MWD) report entitled, "Report on Metropolitan's Water Supplies", dated March 25, 2003. Both documents are incorporated by reference as though fully set forth and are available for viewing and printing through the respective agencies' internet website. Hard copies can be requested through the contact below:

Los Angeles Department of Water and Power
111 North Hope Street, Room 1460
Los Angeles, California 90012-2607
Telephone (213) 367-0800

Findings

The proposed Herald Examiner Project is estimated to increase water demand within the site by 102 acre-feet (AF) annually based on review of information submitted by the City of Los Angeles Department of City Planning.

LADWP's water supply assessment finds that adequate water supplies will be available to meet the water demands of the Project. LADWP anticipates that the projected water demand from the Project can be met during normal, single-dry, and multiple-dry water years, in addition to the existing and planned future demands on LADWP.

Project Description

The following project information was obtained from the Planning Department's water supply assessment request (see Appendix A). Attachments to the request letter are available for viewing upon request at LADWP.

Project Name: Herald Examiner

Planning Community: Central City

The Project consists of rehabilitating the Herald Examiner building and construction of two new mixed-use buildings in downtown Los Angeles. The Herald Examiner building rehabilitation includes 23,650 square feet of retail space, 32,670 square feet of office space, and 24 residential units. A new 23-story building is proposed featuring 5,900 square feet of retail space, 235 condominium units, and 422 parking spaces. A 37-story building is also proposed with 8,050 square feet of retail space, 330 condominium units, and 550 parking spaces.

The location of the Project is shown in Appendix B.

Project Water Demand Estimate

The projected water demand increase for the Project is estimated to be approximately 102 AF annually. Table I shows a breakdown of current and proposed types of uses and their corresponding estimated water uses. The types of uses are from the water supply assessment request in Appendix A. The projected water demand for the different uses comes from the Sewer Generation Rates table, developed by the City of Los Angeles Department of Public Works, Bureau of Sanitation. The Sewer Generation Rates table lists estimated sewage generated by various facilities, which is also used to approximate indoor water usage.

In this water supply assessment, LADWP independently calculated the anticipated demands from the above information using data provided by the requesting agency. The demand calculated by LADWP is then tracked against the growth reported in the UWMP as shown in Appendix C.

TABLE I

| Use ¹ | Quantity | Unit | Water Use Factor ² (gpd/unit) | Water Use (gpd) | Water Use (af/y) |
|--|----------|------|---|------------------|------------------|
| Existing | | | | | |
| Office | 178,012 | sf | 0.18 | 32,042 | 36 |
| Outdoor water use ³ | | | | | 10 |
| | | | | subtotal: | 46 |
| Proposed | | | | | |
| 111 S. Broadway | | | | | |
| Residential ⁴ | 24 | bd | 160 | 3,840 | 4 |
| Retail | 23,650 | sf | 0.08 | 1,892 | 2 |
| Office | 32,670 | sf | 0.18 | 5,881 | 7 |
| 1108 S. Hill Street | | | | | |
| Condominium ⁴ | 235 | bd | 160 | 37,600 | 42 |
| Retail | 5,900 | sf | 0.08 | 472 | 1 |
| Parking | 236,367 | sf | 0.02 | 4,727 | 5 |
| 120 W. 12th Street | | | | | |
| Condominium ⁴ | 330 | bd | 160 | 52,800 | 59 |
| Retail | 8,050 | sf | 0.08 | 644 | 1 |
| Parking | 238,253 | sf | 0.02 | 4,765 | 5 |
| Outdoor water use ³ | | | | | 22 |
| | | | | subtotal: | 148 |
| Total (Proposed less Existing): | | | | | 102 |

Notes:

¹ Provided by City of Los Angeles Department of City Planning

² Based on City of Los Angeles Department of Public Works, Bureau of Sanitation Sewer Generation Rates table - 3/20/2002. Uses not listed are estimated by the closest type of use available in the table.

³ Estimated to be 28% of indoor usage for commercial use, 18% for multi-family residential.

⁴ Assume 2 bedroom units.

gpd - gallons per day sf - square feet af/y - acre-feet per year bd - bedroom

Water Demand Forecast

LADWP's UWMP forecasts a 25-percent increase in water demand in its service area by the Year 2020, or an average of 1.3 percent annually. This corresponds to an estimated water demand of 800,000 AF by the year 2020, as shown on Table II. The forecast is based on population growth, growth among the customer class sectors, weather, and conservation. Customer class sectors are composed of various water use groups, namely single-family, multi-family, commercial, industrial, and governmental. Weather consideration takes into account present and past temperature, as well as precipitation data.

TABLE II

| Projected Water Demand, AF per year x 1,000 | | | | | | | |
|---|------------|------------|------------|------------|------------|----------------------------|---------------------------------|
| Water Use Groups | 2000 | 2005 | 2010 | 2015 | 2020 | Average Annual Growth Rate | Percent of Total 2020 Water Use |
| Retail Use | | | | | | | |
| Single-Family | 226 | 234 | 240 | 249 | 260 | 0.8% | 33% |
| Multifamily | 196 | 216 | 240 | 260 | 283 | 2.2% | 35% |
| Commercial | 115 | 121 | 124 | 128 | 131 | 0.7% | 16% |
| Industrial | 24 | 26 | 27 | 28 | 30 | 1.3% | 4% |
| Governmental | 41 | 42 | 44 | 45 | 47 | 0.7% | 6% |
| Total Retail Use | 602 | 639 | 675 | 710 | 751 | 1.2% | 94% |
| Unaccounted Water | 37 | 40 | 43 | 46 | 49 | 1.6% | 6% |
| Total Water Use | 639 | 679 | 718 | 756 | 800 | 1.3% | 100% |

LADWP's UWMP used a service area-wide method in developing its water demand projections. This methodology does not rely on individual development demands to determine area-wide growth. Rather, the growth in water use for the entire service area was considered in developing long-term water projections for the City of Los Angeles to the Year 2020. As noted above, the driving factors for this growth are population, weather, and conservation. LADWP used anticipated growth in the various customer class sectors as provided by the Southern California Association of Governments (SCAG). The data used was based on SCAG's 1998 Regional Transportation Plan Forecast.

It should be noted that California law requires that the UWMP be updated every five years. This process entails, among other requirements, an update of water supply and water demand projections for water agencies. For the next update, LADWP will develop a revised demand forecast that will factor in the water demand for which all water supply assessments have been prepared as well as the future demands. Water supply planning will be based on meeting these long-term demands. An important part of this planning process is for LADWP to work collaboratively with the MWD to ensure that the City of Los Angeles' anticipated water demands are incorporated into MWD's long-term water resources development plan. This is a continuous regional effort that includes all of MWD's member agencies, and has resulted in reliable supplemental water supplies for the City from MWD. As discussed below, MWD has and continues to provide assurances that there is a reliable supply to meet water demands.

State law further regulates distribution of water in extreme drought conditions. Section 350-354 of the California Water Code states that when a governing body of a distributor of a public water supply declares a water shortage emergency within its service area, water will be allocated to meet needs for domestic use, sanitation, fire protection, and other priorities. This will be done equitably and without discrimination between customers using water for the same purpose(s).

Water Supplies

The Los Angeles Aqueducts (LAA), local groundwater, and the Metropolitan Water District of Southern California (MWD) are the primary sources of water supplies for the City of Los Angeles. Table III shows LADWP water supplies over the last ten years from these sources:

TABLE III
LADWP Water Supply

| Year | Los Angeles Aqueducts | Local Groundwater | MWD | Recycled Water | Total |
|------|-----------------------|-------------------|---------|----------------|---------|
| 1995 | 443,538 | 63,842 | 71,149 | 1,783 | 580,312 |
| 1996 | 421,800 | 111,528 | 81,289 | 1,694 | 616,311 |
| 1997 | 435,624 | 110,629 | 93,217 | 1,873 | 641,343 |
| 1998 | 466,836 | 80,003 | 56,510 | 1,326 | 604,675 |
| 1999 | 309,037 | 170,660 | 164,112 | 1,812 | 645,621 |
| 2000 | 255,183 | 87,946 | 336,116 | 2,200 | 681,445 |
| 2001 | 266,923 | 79,073 | 309,234 | 1,636 | 656,866 |
| 2002 | 179,338 | 92,376 | 410,329 | 1,945 | 683,988 |
| 2003 | 251,942 | 90,835 | 322,329 | 1,759 | 666,865 |
| 2004 | 202,547 | 71,831 | 391,834 | 1,774 | 667,986 |

Note: Units are in AF

Los Angeles Aqueducts

Snowmelt runoff from the Eastern Sierra Nevada Mountains is collected and conveyed to the City of Los Angeles via the LAA. LAA supplies come primarily from snowmelt and secondarily from groundwater pumping, and can fluctuate yearly due to the varying hydrologic conditions. In recent years, LAA supplies have been less than historically normal because of environmental obligations to restore Mono Lake and mitigate dust from Owens Lake as well as less than normal Eastern Sierra Nevada snow pack.

The City holds water rights in the Eastern Sierra Nevada where LAA supplies originate. These supplies originate from both streams and from groundwater. In 1905, the City approved a bond measure for the purchase of land and water rights in the Owens River Valley. By 1913, the First Los Angeles Aqueduct began its deliveries of water to the City primarily from surface water diversions from the Owens River and its tributaries. Historically, these supplies were augmented from time to time by groundwater extractions from beneath the lands that the City had purchased in the Owens Valley.

In 1940, the First Los Angeles Aqueduct was extended north to deliver Mono Basin water to the City pursuant to water rights permits and licenses granted by the State Water Resources Control Board. In 1970, the Second Los Angeles Aqueduct was completed increasing total delivery capacity of the LAA system to approximately 550,000 AF per year. The Second Los Angeles Aqueduct was to be filled by completing the Mono Basin diversions originally authorized in 1940, by a more effective use of water for agricultural purposes on City-owned lands in the Owens Valley and Mono Basin and by increased groundwater pumping from the City's lands in the Owens Valley.

In 1972, Inyo County filed a California Environmental Quality Act lawsuit challenging the City's groundwater pumping program for the Owens Valley. The lawsuit was finally ended in 1997, with the County of Inyo and the City of Los Angeles entering into a long-term agreement for the management of groundwater in the Owens Valley. That agreement, entered as a judgment of the Superior Court in the County of Inyo (County of Inyo v. City of Los Angeles, Superior Court No. 12908) outlines the management of the City's Owens Valley groundwater resources.

Further, in September 1994 by virtue of the public trust doctrine, the State Water Resources Control Board issued Decision No. 1631 which effectively reduced LADWP's Mono Basin water rights from 100,000 AF a year to the current 16,000 AF a year. In brief, LADWP's ability to export Mono Basin water is now tied directly to the elevation of Mono Lake and flows of various streams that are tributary to Mono Lake. When Mono Lake reaches its target elevation, then exports from the Mono Basin can increase from its current levels.

In July 1998, LADWP and the Great Basin Unified Air Pollution Control District entered into a Memorandum of Agreement. It delineated the dust-producing areas of the Owens lakebed that needed to be controlled, specified measures required to control the dust, and outlined a timetable for implementation of the control measures. The Memorandum of Agreement was incorporated into a formal air quality control plan by the Great Basin Unified Air Pollution Control District and subsequently approved by the United States Environmental Protection Agency in October 1999.

Pursuant to the Memorandum of Agreement, a dust mitigation program is being implemented on the Owens Lake. An estimated 54,000 AF of water annually may ultimately be required to sustain the dust mitigation program.

The water supply analysis contained within this water supply assessment incorporates the current and projected reductions in LAA water deliveries due to Decision 1631, Owens Lake Dust Mitigation Program, and the Lower Owens River Project.

Groundwater

LADWP extracts groundwater from various locations throughout the Owens Valley and four local groundwater basins. LADWP owns extensive property in the Owens Valley. LADWP appropriates groundwater from beneath its lands for use in the Owens Valley and in Los Angeles. It has a long-term groundwater management plan in place. Additionally, LADWP holds adjudicated extraction rights in four local groundwater basins: San Fernando, Sylmar, Central, and West Coast.

The Owens Valley, located on the eastern slope of the Sierra Nevada Mountains, encompasses approximately 3,300 square miles of drainage area. LADWP has extracted the following quantities of groundwater from the Owens Valley in the last five runoff years (April 1 – March 31):

- 2000-2001 67,795 AF
- 2001-2002 73,349 AF
- 2002-2003 82,281 AF
- 2003-2004 87,726 AF
- 2004-2005 85,820 AF

Owens Valley is not identified as an overdrafted basin in the California Department of Water Resources California's Groundwater Bulletin 118-80. Further, Bulletin 118-80 does not project the Owens Valley to become overdrafted if present groundwater management conditions continue.

In 1990, the City of Los Angeles and Inyo County as part of the preparation of the long-term groundwater management agreement, prepared the "Green Book for the Long-Term Groundwater Management Plan for the Owens Valley and Inyo County". It contains plans and procedures to prevent overdraft conditions from groundwater pumping as well as to manage vegetation in the Owens Valley.

The San Fernando and Sylmar basins are subject to the judgment in City of San Fernando vs. the City of Los Angeles. Pumping is reported to the court-appointed Upper Los Angeles River Area (ULARA) Watermaster. The Central and West Coast Basins are also subject to court judgments. Pumping is reported to the California Department of Water Resources (DWR) who acts as Watermaster. Table IV shows LADWP's legal entitlements in the four groundwater basins.

TABLE IV
Local Groundwater Basin Entitlements

| Local Groundwater Basin | Native Safe Yield Credit | Import Return Credit | Total Native+Import | Stored Water Credit as of 10/1/04 | Allowable Pumping in Water Year '04-'05 |
|-------------------------|--------------------------|----------------------|---------------------|-----------------------------------|---|
| San Fernando | 43,660 | 43,094 | 86,754 | 287,493 | 374,247 |
| Sylmar | 3,255 | - | 3,255 | 6,303 | 9,558 |
| Central | 15,000 | - | 15,000 | 3,000 | 18,000 |
| West Coast | 1,503 | - | 1,503 | - | 1,503 |
| Total | 63,418 | 43,094 | 107,512 | 296,796 | 403,308 |

Note: Units are in AF

The San Fernando Basin is the largest of four basins within ULARA. The basin consists of 112,000 acres of land and comprises 91.2 percent of the ULARA valley fill. LADWP has accumulated 287,493 AF of stored water credit in the San Fernando Basin as of October 2004. This is water LADWP can withdraw from the basin during normal and dry years or in an emergency, in addition to LADWP's approximately 86,754 AF annual entitlement in the basin. The majority of LADWP's groundwater is extracted from the San Fernando basin. Sylmar Basin is located in the northern part of the ULARA, consisting of 5,600 acres and comprises 4.6 percent of the ULARA valley fill. LADWP

has an annual entitlement of 3,255 AF and a stored credit of 6,303 AF as of October 2004.

The court decision on pumping rights in the ULARA, was implemented in a judgment on January 26, 1979. Enclosed with the assessment are copies of those pages from the judgment showing the entitlements (see Appendix D). Further information about the ULARA basin is in the ULARA Watermaster Report. The ULARA Watermaster report and the judgment are available for review at the office of the ULARA Watermaster.

LADWP additionally has adjudicated rights to extract groundwater from the Central and West Coast Basins, respectively. Annual entitlements to the Central and West Coast Basins are 15,000 AF and 1,503 AF, respectively. LADWP does not exercise its pumping rights at the West Coast Basin at this time due to localized water quality issues. See Appendix D for copies of relevant portions of the judgments. The judgments are available for review at DWR.

For the period of October 2004 to September 2005, LADWP extracted 46,815 AF, 1,509 AF, and 14,870 AF from the San Fernando, Sylmar, and Central Basins, respectively. LADWP plans to continue to maximize production from its groundwater basins in the coming years to offset reductions in imported supplies. Maximizing extraction from the basins will however be limited by water quality and overdraft protection. Both LADWP and DWR have programs in place to monitor wells to prevent overdrafting. LADWP's groundwater pumping practice is based on a "safe yield" operation. The objective, over a period of years, is to extract an amount of groundwater equal to the native and imported water that recharges. Extractions by LADWP from the San Fernando, Sylmar, Central, and West Coast Basins for the last 5 years are shown on Table V.

TABLE V
Local Groundwater Basin Supply

| Water Year (Oct-Sep) | San Fernando | Sylmar | Central | West Coast |
|-------------------------|--------------|--------|---------|------------|
| 2000-2001 | 65,409 | 2,606 | 11,893 | 0 |
| 2001-2002 | 66,823 | 1,240 | 8,639 | 0 |
| 2002-2003 | 78,045 | 3,662 | 9,811 | 0 |
| 2003-2004 | 72,235 | 2,634 | 15,907 | 0 |
| 2004-2005 | 46,815 | 1,509 | 14,870 | 0 |

Note: Units are in AF

Metropolitan Water District of Southern California (MWD)

MWD is the largest water wholesaler for domestic and municipal uses in Southern California. As one of 26 member agencies, LADWP purchases water from MWD to supplement LADWP supplies from local groundwater and the LAA. MWD imports its water supplies from Northern California through the State Water Project's California Aqueduct and from the Colorado River through MWD's own Colorado River Aqueduct. LADWP will continue to rely on MWD to meet its current and future supplemental water needs.

All 26-member agencies have preferential rights to purchase water from MWD. Pursuant to Section 135 of the MWD Act, " Each member public agency shall have a preferential right to purchase from the district for distribution by such agency, or any public utility therein empowered by such agency for the purpose, for domestic and municipal uses within the agency a portion of the water served by the district which shall, from time to time, bear the same ratio to all of the water supply of the district as the total accumulation of amounts paid by such agency to the district on tax assessments and otherwise, excepting purchase of water, toward the capital cost and operating expense of the district's works shall bear to the total payments received by the district on account of tax assessments and otherwise, excepting purchase of water, toward such capital cost and operating expense." This is known as a preferential right. As of June 30, 2004, LADWP has preferential rights to purchase 21.66 percent of MWD's total water supply.

LADWP has worked with MWD in developing a framework for allocating water supplies during periods of shortage as well as surplus. MWD has a Water Surplus and Drought Management Plan that provides such a framework. LADWP intends to work within the framework established through the Water Surplus and Drought Management Plan in acquiring its drought supplies from MWD in the future.

MWD's long-term plans to meet its member agencies' reliability needs are through water transfer programs, outdoor conservation measures, and development of additional local resources, such as recycling, brackish water desalination, and seawater desalination. Additionally, MWD has more than 4.0 million AF of storage capacity available in reservoirs and banking/transfer programs.

A report issued by MWD dated March 25, 2003 titled, "Report on Metropolitan's Water Supplies", states the following: "If all imported water supply programs and local projects proceed as planned, without changes in demand projections, reliability would be assured beyond 20 years." The report also goes on to say, "...Metropolitan has a comprehensive supply plan to provide sufficient supplemental water supplies and to provide prudent supply reserve over the next 20 years and beyond ...Demand forecasts and supply capabilities have been compared over the next 20 years under varying hydrologic conditions. These comparisons determine supplies that can be reasonably relied upon to meet projected supplemental demands and to provide reserves that can assure a 'margin of safety' to mitigate against uncertainties in demand projections and supply program risks."

MWD established a policy objective for water supply reliability as part of its Integrated Resources Plan (IRP). The policy objective is: Through the implementation of the IRP, Metropolitan and its member agencies will have the full capability to meet full-service demands at the retail level at all times.

Table VI shows MWD's projected supply and demand under normal, dry, and multiple-dry years. LADWP has provided significant input to MWD in developing this analysis, which includes the City of Los Angeles' projected water requirements from MWD. In fact, MWD's projections are 6 to 16 percent higher than member agencies projections. This difference indicates that MWD's supplies provide a level of margin of safety or flexibility to accommodate potential delays to planned projects.

**TABLE VI
Metropolitan Water District Supply and Demand Forecast**

| | <u>Normal Year</u> | | | | <u>Single-Dry Year</u> | | | | <u>Multiple-Dry Year</u> | | | |
|--|--------------------|--------------|--------------|--------------|------------------------|--------------|--------------|--------------|--------------------------|--------------|--------------|--------------|
| | 2005 | 2010 | 2015 | 2020 | 2005 | 2010 | 2015 | 2020 | 2005 | 2010 | 2015 | 2020 |
| <u>Current Supplies</u> | | | | | | | | | | | | |
| Colorado River | 0.695 | 0.735 | 0.719 | 0.707 | 0.721 | 0.833 | 0.833 | 0.833 | 0.721 | 0.833 | 0.833 | 0.833 |
| California Aqueduct | 1.781 | 1.783 | 1.724 | 1.715 | 0.997 | 0.997 | 0.822 | 0.822 | 1.290 | 1.376 | 1.146 | 1.120 |
| In-Basin Storage | - | - | - | - | 0.730 | 0.790 | 0.788 | 0.758 | 0.455 | 0.532 | 0.530 | 0.513 |
| <u>Supplies Under Development</u> | | | | | | | | | | | | |
| Colorado River | 0.322 | 0.229 | 0.261 | 0.350 | 0.209 | 0.231 | 0.417 | 0.417 | 0.167 | 0.417 | 0.417 | 0.417 |
| California Aqueduct | 0.020 | 0.065 | 0.220 | 0.220 | 0.020 | 0.195 | 0.390 | 0.390 | 0.020 | 0.195 | 0.390 | 0.390 |
| In-Basin Storage | - | - | - | - | - | 0.089 | 0.200 | 0.200 | - | 0.089 | 0.200 | 0.200 |
| Supply | 2.818 | 2.812 | 2.924 | 2.995 | 2.678 | 3.135 | 3.450 | 3.420 | 2.654 | 3.442 | 3.517 | 3.473 |
| Demand | 1.970 | 1.887 | 2.055 | 2.274 | 2.169 | 2.096 | 2.267 | 2.488 | 2.245 | 2.176 | 2.321 | 2.534 |
| Potential Reserve | 0.848 | 0.926 | 0.869 | 0.721 | 0.508 | 1.039 | 1.184 | 0.932 | 0.603 | 1.266 | 1.196 | 0.939 |

Notes: Figures are from MWD's "Report on Metropolitan's Water Supplies", dated March 25, 2003.
 Units are in million AF per year.
 Supply represents expected supply capability for resource programs.
 Demand is based on SCAG 98 RTP, SANDAG 1998 forecasts and member agency projections of local supplies.

Based on its March 25, 2003 report, MWD anticipates the following future water supplies:

Colorado River Aqueduct Deliveries:

- Available by 2005:
- Basic Apportionment (Priority 4)
 - IID/MWD Conservation Program
 - Priority 5 Apportionment
 - Coachella & All-American Canal Lining Projects
 - Off Aqueduct Storage
 - Hayfield Storage Program
 - Central Arizona Banking Demonstration Program

- Under Development:
- IID/MWD Conservation Program (Including Coachella Option)
 - Interim Surplus Guidelines
 - IID/SDCWA Transfer
 - PVID Land Management Program
 - Off-Aqueduct Storage/Transfer Programs
 - Lower Coachella Valley Groundwater Storage Program
 - Chuckwalla Storage Program
 - Central Arizona Banking Program

California Aqueduct Deliveries:

- Available by 2005:
- SWP Deliveries
 - San Luis Reservoir Carryover Storage
 - Advance Delivery with Coachella Valley WD and Desert WA
 - Semitropic Water Banking and Exchange Program
 - Arvin-Edison Water Management Program
 - San Bernardino Valley MWD Program
 - Kern Delta WD Program
 - Market Transfer Options

Under Development: Delta Improvements (CALFED Implementation)
Additional Transfers/Storage (San Bernardino Conjunctive Use Program, Westside Valley Transfers, and Eastside Valley Transfers)

In-Basin Storage Deliveries:

Available by 2005: MWD Surface Storage (DVL, Lakes Matthews and Skinner)
Flexible Storage in Castaic Lake and Lake Perris
Groundwater Conjunctive Use Programs
- Long-Term Seasonal Storage Programs
- North Las Posas Storage Program

Under Development: Groundwater Conjunctive Use Programs
- Raymond Basin Storage Programs
- Proposition 13 Storage Programs
- Additional Programs

MWD reports that current water supplies and supplies under development are expected to exceed water demands from its member agencies through the Year 2020 under normal, single-dry, and multiple-dry year conditions. Their report also states, "...with the addition of all water supplies that are under development, Metropolitan would have the total capability (existing and planned supplies) to meet 100 percent of its member agencies' projected supplemental demands (consumptive and replenishment) through 2030 even under a repeat of the worst drought."

The findings of this water supply assessment were developed based on MWD's stated ability to reliably provide water to LADWP. Furthermore, based on MWD's current long-term water resources outlook, LADWP presently does not anticipate the need to formally invoke its preferential rights over the next 20 years.

Secondary Sources and Other Considerations

Water conservation and recycling will play an increasing role in meeting future water demands. LADWP has implemented conservation and recycling programs with efforts under way to further promote and increase the level of these programs. LADWP is committed to supply a higher percentage of the City's water demand through conservation and recycling.

LADWP is also investigating the possibility of a new water source in seawater desalination that is capable of generating at least 11,200 AF per year of high quality drinking water beginning in approximately 2015.

Water Conservation in Los Angeles

LADWP implements water conservation programs to ensure that the residents and businesses of Los Angeles use water wisely and efficiently. Due to conservation, water use has not increased in Los Angeles over the last 20 years despite a population increase of approximately 700,000 people. Some of LADWP's successful programs include the toilet replacement program, ultra-low-flush toilet rebate program, high-efficiency clothes washer rebate program, technical assistance program, and commercial water conservation rebate program. All new developments within LADWP's service area must comply with all existing ordinances that require installation of water-efficient plumbing devices in their facilities.

Water Recycling in Los Angeles

Water recycling offers a reliable, economically feasible, and environmentally sensitive way to augment the City's water supply. Recycled water is used for irrigation, industrial cooling, habitat development, and recreation as well as to act as a barrier against seawater intrusion. LADWP is committed to promoting the use of recycled water. LADWP's recycling projects include the Harbor Water Recycling Project, East Valley Water Recycling Project, Westside Water Recycling Project, Griffith Park/California Department of Transportation, Los Angeles Greenbelt Project, Japanese Garden, Wildlife Lake, and Balboa Lake. LADWP encourages the use of recycled water as a means to maintain a sustainable water supply for its customer base.

Rates

Capital cost to finance the delivery of water supply to LADWP's service area is supported through customer-billed water rates. The LADWP Board of Commissioners (Board) sets the rates subject to approval of the City Council by ordinance.

The Board is obligated by the City Charter to establish water rates and collect charges in an amount sufficient to service the water system indebtedness and to meet its expenses of operation and maintenance.

The water service rate structure contains water procurement adjustments under which the cost of purchased water, including water purchased from MWD, demand-side management programs such as water conservation programs, and reclaimed water projects are recovered. In addition, the rate structure contains a water quality improvement adjustment to recover expenditures to upgrade and equalize water quality throughout the City of Los Angeles and to construct facilities to meet state and federal water quality standards, including the payment of debt service on bonds issued for such purposes.

LADWP Board-approved capital program expenditures are either financed through the sale of revenue bonds or the cost of the program is transferred to LADWP customers through rate adjustments.

Normal, Dry, and Multiple Dry Year Demands

Based on the UWMP, projected water supply and demand during normal, dry, and multiple-dry years are shown in Tables VII and VIII. The Year 2000 UWMP-based data shown below have been adjusted to reflect the most current water resource information for the City. These adjustments include:

- 1) The potential reduction in Los Angeles Aqueduct supplies of 25,000 AF to account for additional water requirements to address environmental issues in the Owens Valley.
- 2) Projected groundwater supplies have also been adjusted downward due to the elimination or postponement of groundwater recharge projects using recycled water – namely the recharge portion of the East Valley Water Recycling Project and the Headworks Water Recycling Project. During single and multiple-dry years, LADWP can extract groundwater from the San Fernando Basin to increase local groundwater yield up to the levels shown in Tables VII and VIII through the use of stored water credit.
- 3) LADWP is investigating a seawater desalination program that could create a minimum of 11,200 AF of water per year for its service area by 2015. LADWP plans to expand this program to fully realize the benefits of desalinated water as a supplemental water resource.
- 4) The remaining balance will be made up through additional purchases from the MWD.

LADWP anticipates adequate water supplies to serve its service area's needs under normal, single-dry, and multiple-dry year conditions through 2020.

TABLE VII
Normal and Single-Dry Year Projected Water Demand and Supply

| Supply Source | Normal Year | | | | Single-Dry Year | | | |
|---------------------------------|----------------|----------------|----------------|----------------|-----------------|----------------|----------------|----------------|
| | 2005 | 2010 | 2015 | 2020 | 2005 | 2010 | 2015 | 2020 |
| Los Angeles Aqueducts | 296,000 | 296,000 | 296,000 | 296,000 | 135,000 | 135,000 | 135,000 | 135,000 |
| Local Wells | 108,000 | 108,000 | 108,000 | 108,000 | 135,000 | 135,000 | 135,000 | 135,000 |
| MWD | 267,350 | 295,600 | 318,150 | 354,450 | 442,350 | 483,800 | 497,150 | 536,450 |
| Recycled Water | 7,650 | 18,400 | 23,650 | 29,350 | 7,650 | 18,400 | 23,650 | 29,350 |
| Seawater Desalination (planned) | - | - | 11,200 | 11,200 | - | - | 11,200 | 11,200 |
| Total Supply | 679,000 | 718,000 | 757,000 | 799,000 | 720,000 | 761,000 | 802,000 | 847,000 |
| Total Demand | 679,000 | 718,000 | 757,000 | 799,000 | 720,000 | 761,000 | 802,000 | 847,000 |

Notes: Units are in AF.

Year 2000 UWMP estimated 42,000 AF required to control dust at the Owens Lake. This estimate has since been revised to 67,000 AF and as a result lowered future LAA deliveries by 25,000 AF (reflected in the table above).

Local well supplies represent the total from the San Fernando, Sylmar, Central, and West Coast groundwater basins.

Single-dry year LAA supplies based on 90% exceedance deliveries (i.e., deliveries exceeded on average 9 out of 10 years).

Single-dry year demand reflects a 6 percent increase from normal year demand.

Recycled water production remains unchanged from normal year yield.

**TABLE VIII
Multiple-Dry Year Projected Water Demand and Supply**

| Supply Source | 2005 | | | 2010 | | | 2015 | | | 2020 | | |
|---------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | 2006 | 2007 | 2008 | 2011 | 2012 | 2013 | 2016 | 2017 | 2018 | 2021 | 2022 | 2023 |
| Los Angeles Aqueducts | 194,000 | 128,000 | 131,000 | 194,000 | 128,000 | 131,000 | 194,000 | 128,000 | 131,000 | 194,000 | 128,000 | 131,000 |
| Local Wells | 135,000 | 125,000 | 125,000 | 135,000 | 125,000 | 125,000 | 135,000 | 125,000 | 125,000 | 135,000 | 125,000 | 125,000 |
| MWD | 369,550 | 452,350 | 456,350 | 399,300 | 482,500 | 486,700 | 423,450 | 507,050 | 511,550 | 461,450 | 545,450 | 550,450 |
| Recycled Water | 7,650 | 7,650 | 7,650 | 18,400 | 18,400 | 18,400 | 23,650 | 23,650 | 23,650 | 29,350 | 29,350 | 29,350 |
| Seawater Desalination (planned) | - | - | - | - | - | - | 11,200 | 11,200 | 11,200 | 11,200 | 11,200 | 11,200 |
| Total Supply | 706,200 | 713,000 | 720,000 | 746,700 | 753,900 | 761,100 | 787,300 | 794,900 | 802,400 | 831,000 | 839,000 | 847,000 |
| Total Demand | 706,200 | 713,000 | 720,000 | 746,700 | 753,900 | 761,100 | 787,300 | 794,900 | 802,400 | 831,000 | 839,000 | 847,000 |

Notes: Units are in AF.

Years 1, 2, and 3 are estimated based on a repeat of the driest three consecutive years on record, 1959-1960, in the Eastern Sierra Nevada watershed. Drier than normal weather in the Los Angeles Basin is assumed.

LAA supply estimates from Year 2000 UWMP reduced by 25,000 AF to reflect additional requirements to control dust at the Owens Lake.

Recycled water production remains unchanged from normal year yield.

Total demand increases consistent with multiple dry year scenarios projected in Year 2000 UWMP.

Findings

The proposed Herald Examiner Project is estimated to increase water demand within the site by 102 AF annually based on review of information submitted by the City of Los Angeles Department of City Planning.

The 102 AF increase falls within the available and projected water supplies for normal, single-dry, and multiple-dry years through the year 2020 and within the 20-year water demand growth projected in LADWP's year 2000 UWMP. LADWP finds that it will be able to meet the demand of the Project as well as existing and planned future demands on LADWP.

Appendix A

City of Los Angeles Department of City Planning
Request for Water Supply Assessment

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
CITY PLANNING COMMISSION

CITY OF LOS ANGELES
CALIFORNIA

EXECUTIVE OFFICES

CON HOWE
DIRECTOR
(213) 978-1271
CORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275

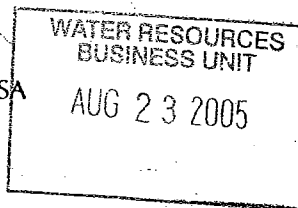
INFORMATION
(213) 978-1270
www.lacity.org/PLN

MABEL CHANG
PRESIDENT
DAVID L. BURG
VICE-PRESIDENT
JOY ATKINSON
ERNESTO CARDENAS
SUSAN CLINE
MARY GEORGE
MICHAEL MAHDESIAN
BRADLEY MINDLIN
THOMAS E. SCHIFF

GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300



ANTONIO R. VILLARAIGOSA
MAYOR



August 15, 2005

ALVIN BAJTISTA
AUG 23 2005
DATE

Mr. James McDaniel
Assistant General Manager - Water
Department of Water and Power
111 North Hope Street, Room 1455
Los Angeles, CA 90012

LA's the Place

Mr. McDaniel:

Pursuant to SB 610, the Department of City Planning is requesting that your Department prepare a water supply assessment for the proposed project described below. The Department of City Planning is currently preparing a Draft Environmental Impact Report (EIR) for the subject site and we need to include the water supply assessment in the Draft EIR. We have included for your use a copy of the proposed development sites, radius map and vicinity map.

Project Name: The Herald Examiner Project (ENV-2005-4654-EIR)

Project Address: 1111 S. Broadway, 1108 S. Hill St., 120 W. 12th St., Central City

Project Description: Cultural Heritage Review, Vesting Tentative Tract Maps, FAR Averaging Conditional Use Permit, Zoning Variances (density), and other applicable administrative and discretionary permits such as haul route, demolition, grading, and building permits to enable the rehabilitation of the Herald Examiner Building and construction of two new mixed-use buildings in downtown Los Angeles. The Herald Examiner Building (111 S. Broadway) would be rehabilitated to include 23,650 square feet of retail space, 32,670 square feet of office space and 24 residential units. A 23-story building is proposed at 1108 S Hill Street that would feature 5,900 square feet of retail space, 235 condominium units, and 422 parking spaces. A 37-story building is proposed at 120 W 12th Street that would feature 8,050 square feet of retail space, 330 condominium units, and 550 parking spaces.

8/23/05 - Alvin Bautista for necessary handling and response.
mm
c: T. Erb

8/23/05 - Tom Erb for necessary response.
ctc
c: Jim McDaniel
Jim Park
FileNet 003695476



ANTICIPATED WATER DEMAND: The table below shows an estimate of the water demand associated with the proposed project. For the purposes of this estimate it is assumed that residential units would be 2-bedroom condominiums. Usage rates were derived from 110% of the wastewater generation rates contained in the LA CEQA Thresholds Guide. Numbers have been rounded to the nearest unit.

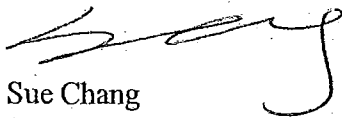
Anticipated Water Demand for Herald Examiner Project

| Site | Land Use | Units | Usage Rate | Water Demand in GPD |
|------------------------------|-------------|--------------|---------------------|---------------------|
| Broadway Site | Office | 32,670 sq ft | 165 gpd/1,000 sq ft | 5,391 gpd |
| | Retail | 23,650 sq ft | 88 gpd/1,000 sq ft | 2,081 gpd |
| | Residential | 24 dus | 176 gpd/du | 4,224 gpd |
| Hill Street Site | Residential | 235 dus | 176 gpd/du | 41,360 gpd |
| | Retail | 5,900 sq ft | 88 gpd/1,000 sq ft | 519 gpd |
| 12 th Street Site | Residential | 330 dus | 176 gpd/du | 58,080 gpd |
| | Retail | 8,050 sq ft | 88 gpd/1,000 sq ft | 708 gpd |
| TOTAL: | | | | 112,363 gpd |

**The buildings on the Hill Street site and Broadway site are currently vacant and the 12th Street site is a parking lot. As a result there is no current water usage.

If you have any questions regarding this request, please contact Jimmy Liao at (213) 978-1331.

Con Howe
Director of Planning



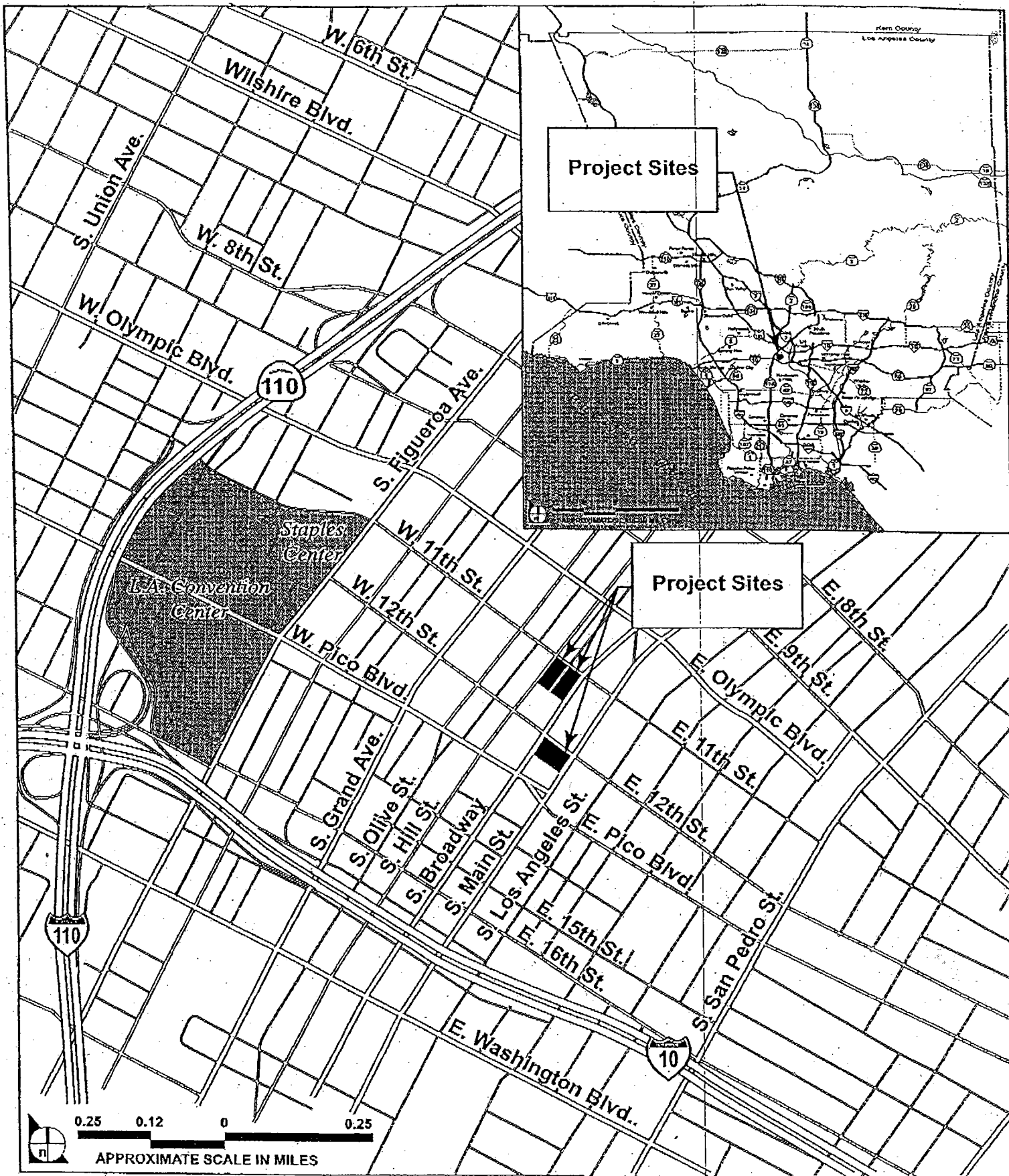
Sue Chang
Senior City Planner
Division of Land / Environmental Review Section

Enclosures

cc: Hon. Councilmember Jan Perry

Appendix B

Project Location Map



SOURCE: Impact Sciences, Inc. - May 2005

FIGURE 1

Project Location Map

Appendix C

Water Supply Assessments
Performed by LADWP

**CITY OF LOS ANGELES
DEPARTMENT OF WATER AND POWER
WATER SUPPLY ASSESSMENT WORKSHEET**

This worksheet estimates water demands arising from water supply assessment request from developers.
Water Supply Assessments are performed in compliance with California Water Code Sections 10910-10915.

| Assess. Number | Project | LADWP Board Action Date | (A) Present Baseline Water Use (afy) | (B) Projected Total Water Use (afy) | (C) = (B) - (A) Net Increase/Decrease Over Baseline Use (afy) |
|----------------|---|-------------------------|---|--|--|
| 1 | Los Angeles Airport Master Plan Project | 4/17/2001 | 2,311 | 2,703 | 392 |
| 2 | 2000 Avenue of the Stars Project | 5/7/2002 | 61 | 82 | 21 |
| 3 | Hollywood Redevelopment Plan Amendment Project | 6/4/2002 | 836 | 2,858 | 2,022 |
| 4 | 9th & Flower - Central Business District Redevelopment Area | 6/4/2002 | 30 | 275 | 246 |
| 5 | UCLA Long Range Redevelopment Plan | 7/2/2002 | 2,733 | 3,239 | 506 |
| 6 | Manchester and Lincoln Project | 7/16/2002 | 91 | 109 | 18 |
| 7 | Corbin and Nordhoff Project | 8/6/2002 | 100 | 436 | 336 |
| 8 | Las Lomas (conditional assessment subject to City annexation) | 9/17/2002 | 0 | 3,831 | 3,831 |
| 9 | Archstone Warner Center | 10/15/2002 | 18 | 110 | 92 |
| 10 | Mountain View Village | 7/1/2003 | 0 | 124 | 124 |
| 11 | Los Angeles World Airports Master Plan Alternative "D" (supersedes Assess. No. 1) | 7/1/2003 | 2,826 | 3,798 | 972 |
| 12 | County of Los Angeles Hall of Justice Renovation and Reuse Project | 8/25/2003 | 280 | 138 | -142 |
| 13 | Los Angeles Harbor College Facilities Master Plan Project | 8/25/2003 | 229 | 281 | 52 |
| 14 | Los Angeles Valley College Facilities Master Plan Project | 8/25/2003 | 346 | 405 | 59 |
| 15 | Village at Playa Vista | 8/25/2003 | 1 | 746 | 745 |
| 16 | Las Lomas (supersedes Assess. No. 8) | <i>pending</i> | 0 | 4,252 | 4,252 |
| 17 | Westside Medical Park | 10/21/2003 | 25 | 338 | 313 |
| 18 | Central Los Angeles High School #11 and Vista Hermos Park | 10/21/2003 | 0 | 51 | 51 |
| 19 | USC Galen Center and Athletic Pavilion | 12/17/2003 | 1 | 96 | 95 |
| 20 | Orsini 2 | 3/2/2004 | 3 | 134 | 131 |
| 21 | Cascade Ranch | 3/2/2004 | 0 | 188 | 188 |
| 22 | Olympic & Soto Project | 11/2/2004 | 76 | 407 | 331 |
| 23 | Il Villaggio Toscano Project | 3/22/2005 | 22 | 123 | 100 |
| 24 | USC Health Sciences Campus | 3/22/2005 | 0 | 277 | 277 |
| 25 | 9th & Figueroa | 3/22/2005 | 0 | 124 | 124 |
| 26 | Ponte Vista at San Pedro | <i>pending</i> | 59 | 887 | 828 |
| 27 | Herald Examiner | <i>pending</i> | 46 | 148 | 102 |

Notes:

- (1) Projected and planned for increase in water use is contained in LADWP's Year 2000 Urban Water Management Plan. The Plan estimates for a 25% increase (160,000 acre-feet) from year 2000 through 2020.
- (2) Present Baseline Water Use is the most recent water use for the Project site, prior to the proposed (re)development.
- (3) Projected Total Water Use is based on proposed (re)development usage, using factors in the City of Los Angeles Bureau of Sanitation Sewer Generation Rates table.
- (4) Column (C) is the net increase/decrease in demand with respect to the Present Baseline Water Use shown in Column (A). The water demand projection in LADWP's Year 2000 Urban Water Management Plan is based on citywide growth in water use. When taken in its entire sum, the projects to date (but see the Las Lomas assessment) in this table are within the anticipated and planned for growth in water use in the City of Los Angeles. All projects above are within the anticipated and planned for citywide growth rate of 25% through year 2020. These projects and other growth and use not subject to a Water Supply Assessment within LADWP's service area will be factored into the next Urban Water Management Plan update in 2005.
- (5) Definition: afy - acre feet per year.

Appendix D

Adjudicated Groundwater Basin Judgments

- San Fernando Basin – Judgment No. 650079
- Sylmar Basin – Judgment No. 650079
- West Coast Basin – Judgment No. 506806
- Central Basin – Judgment No. 786656

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

THE CITY OF LOS ANGELES,)
)
 Plaintiff,)
)
 vs.)
)
 CITY OF SAN FERNANDO, ET AL.)
)
 Defendants.)

No. 650079
JUDGMENT

There follows by consecutive paging Recitals (page 1), Definitions and List of Attachments (pages 1 to 6), Designation of Parties (page 6), Declaration re Geology and Hydrology (pages 6 to 12), Declaration of Rights (pages 12 to 21), Injunctions (pages 21 to 22), Continuing Jurisdiction (page 23), Watermaster (pages 23 to 29), Physical Solution (pages 29 to 34), and Miscellaneous Provisions (pages 34 to 35), and Attachments (pages 36 to 46). Each and all of said several parts constitute a single integrated Judgment herein.

1 4.2.3 Separate Ground Water Basins. The physical and geologic characteristics of each
 2 of the ground water basins, Eagle rock, Sylmar, Verdugo and San Fernando, cause impediments
 3 to inter-basin ground water flow whereby there is created separate underground reservoirs. Each
 4 of said basins contains a common source of water supply to parties extracting ground water from
 5 each of said basins. The amount of underflow from Sylmar Basin, Verdugo Basin and Eagle
 6 Rock Basin to San Fernando Basin is relatively small, and on the average has been
 7 approximately 540 acre feet per year from the Sylmar Basin; 80 acre feet per year from Verdugo
 8 Basin; and 50 acre feet per year from Eagle Rock Basin. Each has physiographic, geologic and
 9 hydrologic differences; one from the other, and each meets the hydrologic definition of "basin".
 10 The extractions of water in the respective basins affect the other water users within that basin but
 11 do not significantly or materially affect the ground water levels in any of the other basins. The
 12 underground reservoirs of Eagle Rock, Verdugo and Sylmar Basins are independent of one
 13 another and of the San Fernando Basin.

14 4.2.4 Safe Yield and Native Safe Yield. The safe yield and native safe yield, stated in
 15 acre feet, of the three largest basins for the year 1964-65 was as follows:

| <u>Basin</u> | <u>Safe Yield</u> | <u>Native Safe Yield</u> |
|--------------|-------------------|--------------------------|
| San Fernando | 90,680 | 43,660 |
| Sylmar | 6,210 | 3,850 |
| Verdugo | 7,150 | 3,590 |

16 The safe yield of Eagle Rock Basin is derived from imported water delivered by Los Angeles.
 17 There is no measurable native safe yield.

18 4.2.5 Separate Basins -- Separate Rights. The rights of the parties to extract ground
 19 water within ULARA are separate and distinct as within each of the several ground water basins
 20 within said watershed.

21 4.2.6 Hydrologic Condition of Basins. The several basins within ULARA are in varying
 22 hydrologic conditions, which result in different legal consequences.

23 4.2.6.1 San Fernando Basin. The first full year of overdraft in San Fernando
 24 Basin was 1954-55. It remained in overdraft continuously until 1968, when an injunction
 25
 26
 27
 28

Recd 3-10-92

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HELM, BUDINGER & LEMIEUX
An Association, Including A
Professional Corporation
4444 Riverside Drive, Suite 201
Burbank, CA. 91505
(213) 849-6473

Attorneys for Defendant,
Dominguez Water Corporation

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CALIFORNIA WATER SERVICE
COMPANY, et al.,

Plaintiffs

vs.

CITY OF COMPTON, et al.,

Defendants.

NO. 506,806

AMENDED JUDGMENT

) (DECLARING AND ESTABLISHING
) WATER RIGHTS IN THE WEST COAST
) BASIN, IMPOSING A PHYSICAL
) SOLUTION THEREIN AND ENJOINING
) EXTRACTIONS THEREFROM IN EXCESS
) OF SPECIFIED QUANTITIES.)

EXHIBIT 1

| 1 | <u>PARTY</u> <u>AND SUCCESSOR, IF ANY</u> | <u>ADJUDICATED RIGHT IN</u> <u>ACRE FEET, ANNUALLY</u> |
|----|---|---|
| 2 | | |
| 3 | LERMENS, EVELYN (Formerly Alfred Lermens) | 0.7 |
| 4 | | |
| 5 | LENZINER, EMMA L. sued as Mrs. E.L. Leuziner | 1.4 |
| 6 | | |
| 7 | LINDERMAN, ABRAHAM Second West Coast Basin Judgment | 0 |
| 8 | | |
| 9 | LISTON, LAWRENCE Sold to R. Harris and L. Harris | 0 |
| 10 | | |
| 11 | LITTLE, WILLIAM Sold to Watt Industrial Properties | 0 |
| 12 | | |
| 13 | LIZZA, PAT | 0 |
| 14 | LOCHMAN, ERNEST C. | 0 |
| 15 | LOCHMAN, WALTER Second West Coast Basin Judgment | 0 |
| 16 | | |
| 17 | LONG, BEN Persilla Long, sued as Pricilla Long | 0 |
| 18 | | |
| 19 | LONG, JOHN | 0 |
| 20 | LONG BEACH, CITY OF | 0.7 |
| 21 | LOPEZ, FRANK | 3.7 |
| 22 | LOPEZ, MANUEL one Rudolph E. Lopez | 0 |
| 23 | | |
| 24 | LOS ANGELES, CITY OF | 1503.0 |
| 25 | LOS ANGELES CITY SCHOOL DISTRICT | 0 |
| 26 | LOS ANGELES COUNTY (ALONDRA PARK) Successor to Los Angeles County Flood Control District | 67.7 |
| 27 | | |
| 28 | LOS ANGELES COUNTY FLOOD CONTROL DISTRICT Successor in part to A.H. Smith et al Sold to Los Angeles County- Alondra Park | 0 |
| | | 45 |

1 LAGERLOF, SENICAL, DRESCHER & SWIFT
2 301 North Lake Avenue, 10th Floor
3 Pasadena, California 91101
4 (818) 793-9400 or (213) 385-4345
5
6
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES

10
11 CENTRAL AND WEST BASIN WATER) No. 786,656
REPLENISHMENT DISTRICT, etc.,) SECOND AMENDED
12) JUDGMENT
Plaintiff,)
13) (Declaring and establishing water rights in
v.) Central Basin and enjoining extractions
14 CHARLES E. ADAMS, et al.,) therefrom in excess of specified quantities.)
15)
Defendants.)
16)
CITY OF LAKEWOOD, a municipal)
17 corporation,)
Cross-Complaint,)
18)
v.)
19)
CHARLES E. ADAMS, et al.,)
20)
Cross-Defendants.)
21)
22)

23 The above-entitled matter duly and regularly came on for trial in Department 73
24 of the above-entitled Court (having been transferred thereto from Department 75 by order of the
25 presiding Judge), before the Honorable Edmund M. Moor, specially assigned Judge, on May 17,
26 1965, at 10:00 a.m. Plaintiff was represented by its attorneys BEWLEY, KNOOP,

1 of the close of the water year ending September 30, 1978 in accordance with the Watermaster
2 Reports on file with this Court and the records of the Plaintiff. This tabulation does not take into
3 account additions or subtractions from any Allowed Pumping Allocation of a producer for the
4 1978-79 water year, nor other adjustments not representing change in fee title to water rights,
5 such as leases of water rights, nor does it include the names of lessees of landowners where the
6 lessees are exercising the water rights. The exercise of all water rights is subject, however, to the
7 provisions of this Judgment is hereinafter contained. All of said rights are of the same legal
8 force and effect and are without priority with reference to each other. Each party whose name is
9 hereinafter set forth in the tabulation set forth in Appendix "2" of this judgment, and after whose
10 name there appears under the column "Total Water Right" the figure "0" owns no rights to
11 extract any ground water from Central Basin, and has no right to extract any ground water from
12 Central Basin.

13 (b) Defendant The City of Los Angeles is the owner of the right to extract fifteen
14 thousand (15,000) acre feet per annum of ground water from Central Basin. Defendant
15 Department of Water and Power of the City of Los Angeles has no right to extract ground water
16 from Central Basin except insofar as it has the right, power, duty or obligation on behalf of
17 defendant The City of Los Angeles to exercise the water rights in Central Basin of defendant The
18 City of Los Angeles. The exercise of said rights are subject, however, to the provisions of this
19 judgment hereafter contained, including but not limited to, sharing with other parties in any
20 subsequent decreases or increases in the quantity of extractions permitted from Central Basin,
21 pursuant to continuing jurisdiction of the Court, on the basis that fifteen thousand (15,000) acre
22 feet bears to the Allowed Pumping Allocations of the other parties.

23 (c) No party to this action is the owner of or has any right to extract ground water
24 from Central Basin except as herein affirmatively determined.

25 2. Parties Enjoined as Regards Quantities of Extractions:
26
27

Appendix E

**Water Supply Assessment Provisions
California Water Code Sections 10910-10915**

WATER CODE

SECTION 10910-10915

10910. (a) Any city or county that determines that a project, as defined in Section 10912, is subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) under Section 21080 of the Public Resources Code shall comply with this part.

(b) The city or county, at the time that it determines whether an environmental impact report, a negative declaration, or a mitigated negative declaration is required for any project subject to the California Environmental Quality Act pursuant to Section 21080.1 of the Public Resources Code, shall identify any water system that is, or may become as a result of supplying water to the project identified pursuant to this subdivision, a public water system, as defined in Section 10912, that may supply water for the project. If the city or county is not able to identify any public water system that may supply water for the project, the city or county shall prepare the water assessment required by this part after consulting with any entity serving domestic water supplies whose service area includes the project site, the local agency formation commission, and any public water system adjacent to the project site.

(c) (1) The city or county, at the time it makes the determination required under Section 21080.1 of the Public Resources Code, shall request each public water system identified pursuant to subdivision (b) to determine whether the projected water demand associated with a proposed project was included as part of the most recently adopted urban water management plan adopted pursuant to Part 2.6 (commencing with Section 10610).

(2) If the projected water demand associated with the proposed project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate the requested information from the urban water management plan in preparing the elements of the assessment required to comply with subdivisions (d), (e), (f), and (g).

(3) If the projected water demand associated with the proposed project was not accounted for in the most recently adopted urban water management plan, or the public water system has no urban water management plan, the water supply assessment for the project shall include a discussion with regard to whether the public water system's total projected water supplies available during normal, single dry, and multiple dry water years during a 20-year projection will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and manufacturing uses.

(4) If the city or county is required to comply with this part pursuant to subdivision (b), the water supply assessment for the project shall include a discussion with regard to whether the total projected water supplies, determined to be available by the city or county for the project during normal, single dry, and multiple dry water years during a 20-year projection, will meet the projected water demand associated with the proposed project, in addition to existing and planned future uses, including agricultural and manufacturing uses.

(d) (1) The assessment required by this section shall include an identification of any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the proposed project, and a description of the quantities of water received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts.

(2) An identification of existing water supply entitlements, water

rights, or water service contracts held by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall be demonstrated by providing information related to all of the following:

(A) Written contracts or other proof of entitlement to an identified water supply.

(B) Copies of a capital outlay program for financing the delivery of a water supply that has been adopted by the public water system.

(C) Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply.

(D) Any necessary regulatory approvals that are required in order to be able to convey or deliver the water supply.

(e) If no water has been received in prior years by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), under the existing water supply entitlements, water rights, or water service contracts, the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), shall also include in its water supply assessment pursuant to subdivision (c), an identification of the other public water systems or water service contractholders that receive a water supply or have existing water supply entitlements, water rights, or water service contracts, to the same source of water as the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has identified as a source of water supply within its water supply assessments.

(f) If a water supply for a proposed project includes groundwater, the following additional information shall be included in the water supply assessment:

(1) A review of any information contained in the urban water management plan relevant to the identified water supply for the proposed project.

(2) A description of any groundwater basin or basins from which the proposed project will be supplied. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current bulletin of the department that characterizes the condition of the groundwater basin, and a detailed description by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), of the efforts being undertaken in the basin or basins to eliminate the long-term overdraft condition.

(3) A detailed description and analysis of the amount and location of groundwater pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), for the past five years from any groundwater basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), from any basin from which the proposed project will be supplied. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.

(5) An analysis of the sufficiency of the groundwater from the basin or basins from which the proposed project will be supplied to

meet the projected water demand associated with the proposed project.

A water supply assessment shall not be required to include the information required by this paragraph if the public water system determines, as part of the review required by paragraph (1), that the sufficiency of groundwater necessary to meet the initial and projected water demand associated with the project was addressed in the description and analysis required by paragraph (4) of subdivision (b) of Section 10631.

(g) (1) Subject to paragraph (2), the governing body of each public water system shall submit the assessment to the city or county not later than 90 days from the date on which the request was received. The governing body of each public water system, or the city or county if either is required to comply with this act pursuant to subdivision (b), shall approve the assessment prepared pursuant to this section at a regular or special meeting.

(2) Prior to the expiration of the 90-day period, if the public water system intends to request an extension of time to prepare and adopt the assessment, the public water system shall meet with the city or county to request an extension of time, which shall not exceed 30 days, to prepare and adopt the assessment.

(3) If the public water system fails to request an extension of time, or fails to submit the assessment notwithstanding the extension of time granted pursuant to paragraph (2), the city or county may seek a writ of mandamus to compel the governing body of the public water system to comply with the requirements of this part relating to the submission of the water supply assessment.

(h) Notwithstanding any other provision of this part, if a project has been the subject of a water supply assessment that complies with the requirements of this part, no additional water supply assessment shall be required for subsequent projects that were part of a larger project for which a water supply assessment was completed and that has complied with the requirements of this part and for which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), has concluded that its water supplies are sufficient to meet the projected water demand associated with the proposed project, in addition to the existing and planned future uses, including, but not limited to, agricultural and industrial uses, unless one or more of the following changes occurs:

(1) Changes in the project that result in a substantial increase in water demand for the project.

(2) Changes in the circumstances or conditions substantially affecting the ability of the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), to provide a sufficient supply of water for the project.

(3) Significant new information becomes available which was not known and could not have been known at the time when the assessment was prepared.

10911. (a) If, as a result of its assessment, the public water system concludes that its water supplies are, or will be, insufficient, the public water system shall provide to the city or county its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. If the city or county, if either is required to comply with this part pursuant to subdivision (b), concludes as a result of its assessment, that water supplies are, or will be, insufficient, the city or county shall include in its water supply assessment its plans for acquiring additional water supplies, setting forth the measures that are being undertaken to acquire and develop those water supplies. Those plans may include, but are not limited to, information concerning all of the following:

(1) The estimated total costs, and the proposed method of

financing the costs, associated with acquiring the additional water supplies.

(2) All federal, state, and local permits, approvals, or entitlements that are anticipated to be required in order to acquire and develop the additional water supplies.

(3) Based on the considerations set forth in paragraphs (1) and (2), the estimated timeframes within which the public water system, or the city or county if either is required to comply with this part pursuant to subdivision (b), expects to be able to acquire additional water supplies.

(b) The city or county shall include the water supply assessment provided pursuant to Section 10910, and any information provided pursuant to subdivision (a), in any environmental document prepared for the project pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code.

(c) The city or county may include in any environmental document an evaluation of any information included in that environmental document provided pursuant to subdivision (b). The city or county shall determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses. If the city or county determines that water supplies will not be sufficient, the city or county shall include that determination in its findings for the project.

10912. For the purposes of this part, the following terms have the following meanings:

(a) "Project" means any of the following:

(1) A proposed residential development of more than 500 dwelling units.

(2) A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space.

(3) A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space.

(4) A proposed hotel or motel, or both, having more than 500 rooms.

(5) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area.

(6) A mixed-use project that includes one or more of the projects specified in this subdivision.

(7) A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

(b) If a public water system has fewer than 5,000 service connections, then "project" means any proposed residential, business, commercial, hotel or motel, or industrial development that would account for an increase of 10 percent or more in the number of the public water system's existing service connections, or a mixed-use project that would demand an amount of water equivalent to, or greater than, the amount of water required by residential development that would represent an increase of 10 percent or more in the number of the public water system's existing service connections.

(c) "Public water system" means a system for the provision of piped water to the public for human consumption that has 3000 or more service connections. A public water system includes all of the following:

(1) Any collection, treatment, storage, and distribution facility under control of the operator of the system which is used primarily in connection with the system.

(2) Any collection or pretreatment storage facility not under the control of the operator that is used primarily in connection with the

system.

(3) Any person who treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.

10914. (a) Nothing in this part is intended to create a right or entitlement to water service or any specific level of water service.

(b) Nothing in this part is intended to either impose, expand, or limit any duty concerning the obligation of a public water system to provide certain service to its existing customers or to any future potential customers.

(c) Nothing in this part is intended to modify or otherwise change existing law with respect to projects which are not subject to this part.

(d) This part applies only to a project for which a notice of preparation is submitted on or after January 1, 1996.

10915. The County of San Diego is deemed to comply with this part if the Office of Planning and Research determines that all of the following conditions have been met:

(a) Proposition C, as approved by the voters of the County of San Diego in November 1988, requires the development of a regional growth management plan and directs the establishment of a regional planning and growth management review board.

(b) The County of San Diego and the cities in the county, by agreement, designate the San Diego Association of Governments as that review board.

(c) A regional growth management strategy that provides for a comprehensive regional strategy and a coordinated economic development and growth management program has been developed pursuant to Proposition C.

(d) The regional growth management strategy includes a water element to coordinate planning for water that is consistent with the requirements of this part.

(e) The San Diego County Water Authority, by agreement with the San Diego Association of Governments in its capacity as the review board, uses the association's most recent regional growth forecasts for planning purposes and to implement the water element of the strategy.

(f) The procedures established by the review board for the development and approval of the regional growth management strategy, including the water element and any certification process established to ensure that a project is consistent with that element, comply with the requirements of this part.

(g) The environmental documents for a project located in the County of San Diego include information that accomplishes the same purposes as a water supply assessment that is prepared pursuant to Section 10910.

Appendix F

Water Supply Assessment Checklist

Water Supply Assessment Checklist

| Water Code Section | Water Supply Assessment Content | Page # in WSA |
|--------------------|---|---------------------|
| 10910(c)(2) | Incorporate data from UWMP. | 1-16 |
| 10910(d)(1) | Identification of existing water supply entitlements, water rights, or water service contracts relevant to identified water supply for proposed project, and description of quantity of water received in prior years. | 7-16 |
| 10910(d)(2)(A) | Written contracts or other proof of entitlement to an identified water supply. | 7-13 |
| 10910(d)(2)(B) | Capital outlay program for financing the delivery of a water supply that has been adopted. | 14 |
| 10910(d)(2)(C) | Federal, state, and local permits for construction of necessary infrastructure associated with delivering the water supply. | 7-8 |
| 10910(d)(2)(D) | Any necessary regulatory approval to deliver/convey the water supply. | 7-8 |
| 10910(f)(1) | Review of any information contained in the UWMP relevant to the identified water supply for the proposed project. | 1-16 |
| 10910(f)(2) | Description of any groundwater basin(s) from which proposed project will be supplied. For basins with adjudicated groundwater pumping rights, include a copy of the order/decreed adopted by the court or the board and a description of quantity of groundwater public water system has the legal right to pump under the order/decreed. | 8-10, Appendix D |
| 10910(f)(3) | Description and analysis of amount and location of groundwater pumped for the past 5 years from any groundwater basin from which the proposed project will be supplied. | 8-10 |
| 10910(f)(4) | Description and analysis of amount and location of groundwater that is projected to be pumped from any basin to provided water to the proposed project. | 8-10, 16 |
| 10910(f)(5) | Analysis of sufficiency of groundwater from the basins from which the proposed project will be supplied to meet projected water demand of the proposed project. | 8-10, 16 |