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 CALIFORNIA MANUFACTURERS AND
 TECHNOLOGY ASSOCIATION and SOLANO
 COUNTY TAXPAYERS ASSOCIATION

SUPERIOR COURT OF CALIFORNIA
 COUNTY OF SACRAMENTO

CALIFORNIA MANUFACTURERS
 AND TECHNOLOGY ASSOCIATION, a
 California corporation; and SOLANO
 COUNTY TAXPAYERS ASSOCIATION,
 a California corporation,

Petitioners,

v.

STATE WATER RESOURCES
 CONTROL BOARD,

Respondent.

CASE NO. 34-2014-80001850

**DECLARATION OF BRIAN MACY IN
 SUPPORT OF PETITIONERS'
 SUPPLEMENTAL MEMORANDUM OF
 POINTS AND AUTHORITIES PURSUANT
 TO THE COURT'S NOVEMBER 15, 2015
 ORDER**

Dept: Dept 44
 Judge: Hon. Christopher E. Krueger

FILED BY FAX

I, Brian Macy, declare as follows:

1. I am the General Manager at the Indio Water Authority ("IWA"). I make this
 declaration of my own personal knowledge and, if called as a witness, could and would
 competently testify to the matters stated in this declaration.

2. I have reviewed the Declaration of Mark Bartson, in which Mr. Bartson states that

1 the Indio Water Authority has self-funded an improvement project that provided treatment at 3
2 wells and placed 13 of its 20 wells in standby mode to avoid violating the Maximum Contaminant
3 Level (MCL), that the standby wells can be used to meet peak demand, and that the cost of the
4 treatment project was \$6.8 million.

5 3. On December 30, 2014, IWA reported to the State Board's Division of Drinking
6 Water the hexavalent chromium analytical results for 7 approved IWA drinking water sources
7 monitored between July 2014 and October 2014 in accordance with Section 64432, Title 22
8 California Code of Regulations. These results satisfy the initial hexavalent chromium monitoring
9 requirements and the wells remained in service.

10 4. On December 30, 2014, IWA reported to Division of Drinking Water that as of
11 December 31, 2014, thirteen (13) IWA wells would be placed in standby mode as the hexavalent
12 chromium analytical results exceeded the initial hexavalent chromium monitoring requirements.

13 5. On June 1, 2015, Division of Drinking Water issued IWA a Domestic Water
14 Supply Permit Amendment which allowed hexavalent chromium treatment at 3 wells; 10 wells
15 remained in standby mode; 7 wells remained in service.

16 6. If the standby wells were to be "used to meet peak demand" as Mr. Bartson
17 suggested, IWA would be violating the hexavalent chromium MCL.

18 7. IWA plans to add treatment to the 10 standby wells to achieve compliance with the
19 MCL and estimates the capital cost to bring those wells into compliance will be approximately
20 \$22 million dollars, with on-going operational and maintenance cost of \$5 million dollars
21 annually.

22 I declare under penalty of perjury under the laws of the State of California that the
23 foregoing is true and correct.

24 Executed this 22nd day of March 2017 at Indio, California.

25
26 
27 BRIAN MACY
28

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Downey Brand LLP, 621 Capitol Mall, 18th Floor, Sacramento, California 95814-4686. On March 24, 2017, I served the within document(s):

**DECLARATION OF BRIAN MACY IN SUPPORT OF PETITIONERS'
SUPPLEMENTAL MEMORANDUM OF POINTS AND AUTHORITIES PURSUANT
TO THE COURT'S NOVEMBER 15, 2015 ORDER**

- ☐ **BY E-MAIL:** by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.
- ☐ **BY HAND:** by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ **BY MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Sacramento, California addressed as set forth below.
- ☒ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.

BY OVERNIGHT MAIL ONLY

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Public Health And Ronald Chapman, Director,
In His Official Capacity And For California
State Water Resources Control Board*

BY U.S. MAIL ONLY

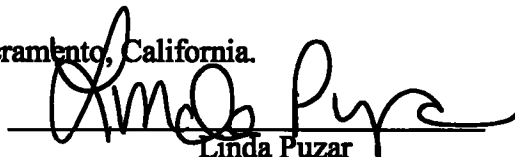
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Taxpayers Association*

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on March 24, 2017, at Sacramento, California.


Linda Puzar