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November 8, 2013

VIA ELECTRONIC SUBMISSION

Hon. Kathleen H. Burgess, Secretary
New York Public Service Commission
Three Empire State Plaza
Albany, New York 12223-1350

Re: Riverkeeper, Inc. Comments on Case 13-W-0303, Proceeding on Motion of the Commission to Examine United Water New York, Inc.'s Development of a New Long-Term Water Supply Source

Dear Secretary Burgess:

This office represents Riverkeeper, Inc. ("Riverkeeper"), which has intervened as a party in the above-referenced matter. Riverkeeper greatly appreciates the opportunity to comment on this proceeding, and commends the Public Service Commission (the "Commission") for deciding to further investigate whether there is a continuing need for a new long-term water supply source for Rockland County.

In addition to the comments below, Riverkeeper adopts and incorporates by reference herein: (1) all comments offered during the October 1 and 2, 2013 Public Statement Hearings, and subsequent comment period, by Scenic Hudson, Inc. ("Scenic Hudson"), the Rockland Water Coalition, Albert F. Appleton ("Appleton"), and Dr. Charles McLane ("McLane"); (2) the

September 23, 2013 report prepared by Mr. Appleton¹; and (3) the November 8, 2013 report prepared by Dr. McLane.²

The following new information and changed circumstances demonstrate that there is no continuing need for United Water New York's ("UWNY") development of a new long-term water supply source for Rockland County:

1. Actual water demand has been much lower than projected;
2. Raising water rates to fund UWNY's supply project will ultimately reduce demand;
3. Rockland County's aquifers are recharging at a faster rate than expected according to a 2010 United States Geological Survey report, and UWNY has plans to expand their groundwater yield by 1 to 1.5 million gallons per day (mgd) by 2015 from current wells;
4. At least 4 mgd of additional water is available from Lake DeForest, and the Rockland County Executive has requested a re-opener of UWNY's Department of Health ("DOH") water supply permit and Department of Environmental Conservation ("DEC") water withdrawal permit; and
5. Additional conservation measures, including saving system water and reducing consumer water consumption, will increase supply by 4.5 mgd.

In combination, all of these factors would provide Rockland County with at least 9.5 to 10 mgd in increased water supply. Thus, even if there is a need, Rockland County can meet 7.5 mgd in

¹ ALBERT F. APPLETON, A REPORT ON THE PROPOSAL TO MEET THE FUTURE WATER NEEDS OF ROCKLAND COUNTY BY BUILDING 7.5 MILLION GALLONS A DAY (MGD) OF CAPACITY ON HAVERSTRAW BAY TO DESALINATE HUDSON RIVER WATER FOR DRINKING WATER PURPOSES AND WHETHER A VIABLE DEMAND SIDE ALTERNATIVE TO IT EXISTS (Sept. 23, 2013) (hereinafter "Appleton Report").

² CHARLES F. MCLANE III, PH.D., REVIEW OF THE HYDROLOGIC NEED FOR UNITED WATER NEW YORK, INC.'S, DEVELOPMENT OF A NEW LONG-TERM WATER SUPPLY SOURCE (Nov. 8, 2013) (hereinafter "McLane Report").

additional water supply without developing an expensive and wasteful new water supply infrastructure project. Moreover, UWNYS failed to satisfy the specific requirements of the Commission’s July 19, 2013 Order. UNWY’s Report did not adequately address or analyze the most recent available information relating to projected demand and need, and failed to respond to the concerns and issues raised by public officials and organizations in a meaningful way. Instead of taking a fresh, holistic look at new data, UWNYS summarily dismissed new information and changed circumstances showing that projected demand is significantly lower than originally forecasted.

Additionally, UWNYS failed to comply with Commission regulations because it did not undertake “all reasonable efforts” to reduce and control future demands to bring them into balance with supply. UWNYS started planning to build its desalination plant without taking any—let alone all reasonable—efforts to reduce and control future demands. Accordingly, and for the reasons set forth below, the Commission should find that there is no continuing need for the development of a new long-term water supply source for Rockland County.³

Background

The current investigation into the need for a new long-term water supply project for Rockland County stems from concerns raised by UWNYS, as well as numerous elected officials. See Commission’s Order Instituting Proceeding, issued July 19, 2013, at 12. In a letter dated June 3, 2013, UWNYS requested “clarification from the Commission on its determination that the

³ The available data clearly demonstrate that there is no need for a new, long-term water supply project for Rockland County. However, if the Commission should find that the data submitted during the course of this proceeding are not sufficient to warrant a reversal of its 2006 finding of need, Riverkeeper respectfully reserves its right to request an evidentiary hearing to prove that no new long-term water supply project is needed.

Company engage in the [p]roject's development." Id. In addition, following the 2010 Rate Order issued by the Commission, numerous elected officials and municipalities filed letters and resolutions with the Commission opposing the proposed project and "request[ed] that the Commission initiate a review of new studies and new information." Id. Specifically, the officials claimed that "new studies and new information call into question the Commission's past determinations relating to future demand and the need for a major capital investment in a new water supply source." Id. In response to these requests, the Commission determined "that a review of the assessment of the projected demand and need for a new long-term water supply source [was] required," and directed UWNY to prepare and submit a report "containing the most recent information relating to projected demand and need to secure a new water supply source in Rockland County." Id. Specifically, the Commission required that the report "set forth UWNY's rationale supporting its judgment to continue its plan to construct the Haverstraw Project; corroborate the December 31, 2015 in-service date to meet projected water demand; respond to concerns and issues raised by public officials and organizations; and, present any other information UWNY deems relevant." Id. The Commission explicitly recognized that UWNY's report was to initiate an investigation with the goal of accounting "for new information or changed circumstances, to determine whether continuance of safe and adequate water service in Rockland County requires the development of a major new water supply source." Id. UWNY filed its report⁴ on August 19, 2013.

⁴ UNITED WATER NEW YORK INC.'S REPORT ON THE MOST RECENT INFORMATION RELATING TO PROJECTED DEMAND AND NEED FOR A NEW LONG-TERM WATER SUPPLY SOURCE IN ROCKLAND COUNTY (Aug. 19, 2013) (hereinafter "UWNY Report").

Argument

As a public waterworks corporation, UWNY is bound by the Commission's regulations contained in Title 16, Chapter V of the New York Compilation of Codes, Rules and Regulations ("N.Y.C.R.R."). The determination of whether a new long-term water supply source is necessary is governed by 16 N.Y.C.R.R. § 503.4. Subsection b requires that:

Each water corporation that employs a surface source of supply shall comply with the provisions of the Ten State Standards, with the additional requirement that the maximum projected demand shall take into consideration forecasted growth or decline in both the number of customers and in system usage for at least a 10-year period into the future. Also, such projections shall be updated on an ongoing basis and where they show that demand will exceed supply, the water corporation shall undertake all reasonable efforts to reduce and control future demands to bring them into balance with supply. If appropriate, the water corporation shall develop plans, consistent with existing State requirements, to secure additional supply.

The regulation references the 2007 version of the Ten State Standards. See 16 N.Y.C.R.R. tit. 10, subpt. 5-1.22(b), app. 5-A (2013). Part 3.1.1 of the Ten State Standards, requires that the quantity of water at the source shall:

- a. be adequate to meet the maximum projected water demand of the service area as shown by calculations based on a one in fifty year drought or the extreme drought of record, and should include consideration of multiple year droughts. Requirements for flows downstream of the intake shall comply with requirements of the appropriate reviewing authority;
- b. provide a reasonable surplus for anticipated growth;
- c. be adequate to compensate for all losses such as silting, evaporation, seepage, etc.;
- d. be adequate to provide ample water for other legal users of the source.

UWNY's conclusory report falls far short of establishing that demand will exceed supply because it fails to adequately consider new information and changed circumstances. Moreover, UWNY failed to undertake all reasonable efforts to reduce and control future demands to bring them into balance with supply.

I. UWNY has Failed to Show that Demand will Exceed Supply

The UWNY Report fails to adequately consider the most recent information relating to projected demand and need for a new long-term water supply source for Rockland County. Rather than complying with the Commission's request to set forth its "rationale supporting its judgment to continue its plan to construct the Haverstraw Project," UWNY offered a self-serving rehash of old arguments in favor of going forward with the project. Moreover, it failed to adequately "respond to concerns and issues raised by public officials and organizations," including but not limited to the following new information and changed circumstances: (1) actual water demand has been much lower than projected; (2) raising water rates to develop a new long-term water supply source will ultimately reduce demand; (3) Rockland County's aquifers are recharging at a faster rate than expected according to the 2010 United States Geological Survey reports ("USGS Reports"); (4) a substantial amount of water is available from Lake DeForest, and the Rockland County Executive has requested a re-opener of UWNY's Department of Health water supply permit and Department of Environmental Conservation water withdrawal permit; and (5) conservation measures have the potential to significantly reduce demand. In combination, all of these factors would provide Rockland County with approximately 9.5 to 10 mgd in additional water supply without developing an expensive new water supply infrastructure project.

a. UWNY's Demand Projections Are Higher than Actual Use

In its uncompromising push to move forward with the construction of an unprecedented desalination plant on the Hudson River, UWNY has grossly overstated the need for a new long-term water supply project. The reality is that:

Rockland [County's] water use over the last five years has fallen considerably short of water use projections, a fact that, at the very least, gives the [Commission] and the County time to consider its water future more carefully and systematically, without the air of water crisis which often surrounds discussion of the desal plant.

Appleton Report at 29. Indeed, UWNY admits in its report that “[a]lthough population has been increasing slightly faster than the previous water demand forecasts, the annual average water demand (i.e., production) for United Water peaked at 31.4 mgd in 2007, and has been less than that volume in recent years.” United Water Report of August 19, 2013, at 16. Without attempting to fully explore the potential reasons behind the decline in demand, UWNY attributes it to temporary economic conditions. See id. at 17. UWNY’s logic does not follow. While the economy may continue to gradually improve, UWNY cannot seriously argue that economic conditions will somehow magically boom overnight, causing demands to suddenly spike before plans have been made to meet them. Thus, in light of the enormous costs associated with building and maintaining UWNY’s proposal—which would be shouldered by Rockland County residents in the form of rate increases—the Commission must not lose sight of the fact that actual demand has been far lower than projected over the past five years.

In sum, UWNY is vastly overstating demand in an attempt to artificially manufacture a crisis situation to further its goal of constructing the desalination plant. There is plenty of time to approach the issues of long-term supply planning in a more cautious and reasoned way, rather than adopting UWNY’s expensive and wasteful crisis approach.

b. UWNY Failed to Consider the Effect of Rate Increases on Demand

To date, none of the UWNY’s demand forecasts have considered the effect of increased rates on demand. UWNY is currently requesting rate increases in two cases pending before the

Commission. In Case 13-W-0295, UWNY is requesting a rate increase of 28.9%. In Case 13-W-0246, UWNY is requesting a rate increase to recuperate a purported \$56 million in opre-construction costs. In addition, if the Commission allows the desalination project to go forward, UWNY will seek to recuperate an additional purported \$100 to \$150 million in actual construction costs. See Appleton Report at 6. While there has been no long-term study on rate impacts, it is estimated that rates will double as a result of the costs associated with building and operating UWNY's proposed desalination plant. See Appleton Report at 6. A sharp increase in rates has the potential to reduce demand significantly, thereby obviating the need to secure a new water supply source in the first place.

Water, like other commodities, is subject to price elasticity. This basic economic principle is "a measure [of] how demand for a product responds to changes in price." Appleton Report at 7. Commodities have both elastic and inelastic components depending on the context of their use. Thus, while water demand for essential "household functions, [such as] drinking, cooking, cleaning, toilet functions, is relatively inelastic," water demand for other uses, including industrial and commercial applications, and residential outdoor water use such as lawn watering, are highly elastic. See Appleton Report at 7. While the established elasticity rate for water is between 0.4 and 0.6,⁵ Mr. Appleton's report assumes a conservative rate of 0.3. See Appleton Report at 7. He posits that:

at that level of price elasticity, water demand in Rockland would go down by 30%, or, on a base of 30 million gallons a day, roughly 9 mgd or considerably more than the same 7.5 mgd the desal plant would provide. Use an even more conservative elasticity rate, .2, and water use still declines 20%, or 6 million

⁵ "Elasticity is normally expressed as a ratio, for example if product has a .5 elasticity it means that for every 10% increase in price, demand will drop 5%." Appleton Report at 7.

gallons a day, making the desal plant, for all intents and purposes, economically useless. . . .

Appleton Report at 7. In other words, assuming an extremely conservative rate of price elasticity caused by anticipated rate increases, overall demand would decline by approximately 6 mgd. As mentioned above, UWNY intends for its desalination plant to provide an additional 7.5 mgd.

For all intents and purposes, the substantial rate increases caused by the construction of UWNY's desalination plant will likely decrease demand to the point where the project becomes a stranded investment. See Appleton Report at 6. This means that the very act of building and maintaining the costly desalination plant will cause its obsolescence. An example of this phenomenon is the massive failure of the Aquaria Desalination Plant in Brockton, Massachusetts.⁶ The Aquaria Plant was proposed as a long-term supply project to meet the growing demand of the City of Brockton.⁷ The plant cost more than \$75 million to build, yet does not supply a single drop of water to the City of Brockton.⁸ Partly because of a 60% increase in rates, coupled with simple conservation measures implemented at the local level, the City of Brockton's daily demand dropped from about 13 mgd to about 9 mgd, making the plant completely useless.⁹ The Aquaria Desalination plant represents a grim example of what can happen when the costs of a long-term supply project are not factored into demand projections. In every sense of the term, the UWNY's long-term supply project is poised to become a solution without a problem, at an enormous and unnecessary expense to Rockland County ratepayers.

⁶ See Amy Crawford, *Tapped Out*, BOSTON MAGAZINE, June 2013, *available at* <http://www.bostonmagazine.com/news/article/2013/05/28/brockton-desalination-plant/2/>.

⁷ See id.

⁸ See id.

⁹ Id.

c. Aquifer Recharge

Two USGS reports on water resources in Rockland County have been published since the issuance of the 2006 Rate Order and Joint Proposal. The UWNY Report materially misrepresents the aforementioned findings contained in the 2010 USGS reports, and fails to comprehensively explain the benefits of the information and resources those reports provide. Moreover, UWNY has not provided sufficient data for analysis by the Commission or outside organizations or individuals to allow them to objectively conclude that a new water supply source is in the best interest of Rockland County, its residents, and its businesses. See McLane Report at 1-3. In its report, UWNY claims that the USGS study erred in concluding that the groundwater supply is far healthier than previously known, and that the USGS study confirms the need for the desalination plant. See UWNY Report at 41. However, UWNY provides no analysis or data to support these contentions. Beyond this cursory dismissal, UWNY's report fails to evaluate or address any of the new data, conclusions, or models from the USGS studies.

Specifically, the USGS reports contributed the following new hydrologic information: (1) the overall aquifer groundwater level trend is not decreasing, but rather, the aquifer is producing at a sustainable rate; (2) recharge estimates are substantially higher than previously estimated, and much less of the recharge was used for water supply than previously suspected; (3) flow models can be used by UWNY to determine the appropriate placement and pumping rates of new water supply wells, and to more efficiently manage existing wells; (4) hydrologic data, improved monitoring, and improved estimates of hydrologic parameters can be incorporated into management decisions about the UWNY water supply in order to make the system more reliable and more efficient and protective of the water supply; and (5) identification of the most stressed

wells, system losses and possible ways to increase efficient use of existing water supplies, and the development of a bedrock aquifer model.

Instead of “properly incorporat[ing] the USGS study into its evaluations,” UWNY attempts to summarily discredit the USGS studies without discussing their substance. See McLane Report at 1. For example, UWNY states, “[t]he modeling report helps address “groundwater sustainable yield,” by including simulations of the historic period that included the drought-of-record,” and that “the historic period simulation efforts provide indications of yield limitations due to severe drought that confirm UWNY assessments pointing to the need for sufficient alternative supply sources.” DEIS App. 8A-1, at 7. These statements are wildly misleading, because the USGS modeling report does not address groundwater sustainable yield. See McLane Report at 8.

Additionally, the UWNY report faults the USGS study for not providing surface water data, and UWNY states that surface water data is necessary for comprehensive “water planning purposes.” See UNWY Report at 41. Since surface water data is a necessary component for the Commission to make a determination of need, UWNY could have compiled surface water resource data “to merge with the USGS study data to evaluate integrated water supply alternatives.” McLane Report at 10. Instead, UWNY decided to ignore the import of the USGS studies entirely. In conclusion, the UWNY Report disregards a highly relevant hydrologic study bearing on the availability of ground water. This does not comport with the Commission’s Order, requiring UWNY to consider new information and changed circumstances.

d. Lake DeForest

i. New York State Department of Health Permit

In March 2013, the New York State DOH removed the final clause from the DOH permit that previously limited the annual production average from Lake DeForest to 10 mgd. In its report, UWNY states that “the permit for Lake DeForest allows an annual average withdrawal of 10 mgd, and United Water’s approach to meet water demands is to withdraw 10 mgd as an annual average from Lake DeForest with the remainder of the water being supplied by the other sources.” UWNY Report at 34. Additionally, UWNY states, “[t]he [DOH] 2013 permit amendment has the potential to allow treatment of more water, which will increase the yield from the reservoir during normal to wet conditions, but this will not increase the safe yield of the reservoir.” These statements are simply not true.

In light of the removal of the final clause in the DOH permit, the safe yield of the reservoir, a limitation during the worst drought conditions, is still 21 mgd, as concluded in the 1982 Rule Curve, with 9.75 mgd of that reserved for downstream uses. However, in all other conditions, including normal daily operations, more than 10 mgd can be withdrawn sustainably from Lake DeForest while still maintaining the required 9.75 mgd flow in the Hackensack River for downstream users. See McLane Report at 16.

These blatantly false statements in the UWNY Report critically undermine the company’s credibility, and call into question its ability to comply objectively with the Commission’s Order to investigate whether there is an ongoing need for a new long-term supply source. In addition, UWNY fails to account for the availability of water from Lake DeForest in normal, non-drought conditions.

ii. Rockland County Executive's Request to Reopen WSA 2189

On September 26, 2013, the Rockland County Executive (the "Executive") wrote to the New York State DEC requesting the re-opening of UWNY'S withdrawal permit, (referred to herein as "WSA 2189"). As a party to the regional 1952 permit, Rockland County has authority to request reopener of the WSA 2189 under Condition K, which reads:

[s]hould events prove that the amount of water herein required to be released from the reservoir under Condition I [or as replaced by the Rule Curve pursuant to the Sixth Modifying Decision, November 1, 1982] be in error, the Commission, upon application of any party to his proceeding will reopen this case in order to make a suitable adjustment of the flow to be maintained.

The Executive made two requests. First, he requested that DEC adjust the permit proportionately to reflect a passing flow on the Hackensack River using 0.125 mgd per square mile threshold, which would provide at least 4 mgd of additional water for Rockland County. Second, the Executive requested to restore the reserve storage capacity of 1.4 billion gallons, which was originally required in the 1952 permit for Lake DeForest, to ensure the safe yield of Lake DeForest benefits the residents of Rockland County.

Although this letter was written after the UWNY Report was issued, the Executive has made this request at numerous points, including on June 17, 2010.¹⁰ UWNY's Report did not address the possibility of 4 mgd of additional water, nor does it mention the Executive's attempts to reopen the WSA 2189 permit. Thus, UWNY's report does not meet the Commission's requirement for considering new information related to the proposed project.

¹⁰ Letter from Scott Vanderhoef, Exec., Rockland County, to Pete Grannis, Comm'r, New York State Department of Environmental Conservation (June 17, 2010) (on file with Pace Environmental Litigation Clinic).

e. Conservation Measures

UWNY's report focuses merely on the conservation measures it has already instituted. The remainder of the report focuses on its purported inability to impose additional conservation measures. However, UWNY brushes off its ability to save system water through leak reduction and better system management, and does not even consider the possibility of reducing consumer water consumption.

In the DEIS prepared for the desalination project, UWNY states that 17% leak reduction is a reasonable target to reduce the current rate of water loss. DEIS, at 18A-10. Seventeen percent reduction over twenty years is simply not reasonable, when reducing water main loss to 10% over 5 years would provide Rockland County rate payers with an additional 1.5 mgd. See Appleton Report at 17. If, according to Mr. Appleton, New York City can reduce water main loss below 10% in three to five years, see Appleton Report at 17, Rockland County (with a vastly smaller water system) should reasonably be able to reduce water loss below 10% in three to five years as well.

Moreover, UWNY's report does not set goals nor even attempt to propose possibilities for the reduction of consumer water consumption. Instead, UWNY states that water use by Rockland County residents is already lower than the national analysis, and proposes no further discussion or action. See UWNY Report at 36. Yet, as the USGS report noted, much of Rockland County's water demand is generated in the summer, which is largely generated by lawn watering. See Appleton Report at 18.

Excess lawn watering practices appear to reflect old habits of saturation lawn watering, which is not needed in Rockland County. Id. at 19. Rockland County averages 49 inches of rain

a year and lawn survival is not, except in rare hyper-drought circumstances, dependent upon lawn watering. Id. Although there are several command and control measures that have been successful in other areas of the United States to reduce excess use of water in lawn watering, id. at 18-19, UWNY's report does not mention a single option for reducing lawn watering. In the context of Rockland County's ample rate of precipitation and lawn watering reduction that has been accomplished elsewhere, a modest goal of a 10% reduction in consumer water consumption, or roughly 3 mgd, is an appropriate and unambitious target, and one that Rockland County should have no trouble meeting. See Appleton Report at 18.

Instead of spending ratepayer funds on planning the desalination plant, UWNY should be spending money on maintaining and upgrading existing infrastructure and reducing summer consumer water consumption, to bring an additional 1.5 mgd and 3 mgd, respectively, in supply to Rockland County.

f. Implementation of All of the Foregoing Considerations in Combination Would Account for an Additional 7.5 mgd of Supply

UWNY's continued assertions that a new long-term water supply project is the only way to meet Rockland County's water supply needs are based on inaccurate estimates of demand, and the failure to incorporate holistically the impact of rates on demand, new hydrologic information, the reopening of Lake DeForest permits, and conservation measures.

UWNY's report systematically discounts the amount of water available from each piece of new information available, prematurely concluding that because no single source can meet 7.5 mgd in demand, demand cannot be met. While this assertion may be technically true, it is also misleading. UWNY's report fails to consider that when combining each source's availability of water, demand can be met and actually exceeds 7.5 mgd. The following sources have been

reported to be available: (1) UWNY has plans to continue to expand their groundwater yield by 1 to 1.5 mgd by 2015 from current wells; (2) Lake Deforest can provide an additional 4 mgd if the permits are reopened; (3) saving system water and proper system management can save 1.5 mgd; and (4) reducing consumer water consumption by reducing lawn watering can save 3 mgd.

Taken holistically, simple math shows that a potential 9.5 to 10 mgd is available to Rockland County if “all reasonable efforts” are taken to utilize existing water sources to meet projected demand, thus obviating the need for a new long-term water supply. 16 N.Y.C.R.R. § 503.4(b).

II. UWNY Failed to Undertake All Reasonable Efforts to Reduce and Control Future Demands to Bring Them into Balance with Supply

Even assuming that UWNY has produced sufficient and reliable evidence that demand will exceed supply—which it clearly has not—UWNY has failed to approach the problem as required by 16 N.Y.C.R.R. § 503.4. That section requires that when demand projections “show that demand will exceed supply, the water corporation shall undertake all reasonable efforts to reduce and control future demands to bring them into balance with supply.” Only after “undertak[ing] all reasonable efforts to reduce and control future demands,” does the regulation allow UWNY to “develop plans, consistent with existing State requirements, to secure additional supply.” In its insatiable appetite to increase revenue, UWNY skipped straight to the finish line, and started planning to build its desalination plant without taking any—let alone “all reasonable”—efforts to reduce and control future demands. UWNY has not produced a scintilla of evidence showing that it made an effort to reduce and control future demands. In fact, its August 19, 2013 report completely ignores this regulatory requirement.¹¹

¹¹ In responding to concerns raised by Rockland County officials regarding the implementation of conservation measures to reduce demand, UWNY claims that it does not have the authority to require

Conclusion

UWNY's efforts to comply with the Commission's July 19 Order are illusory at best, because it failed to take into account new information and changed circumstances which indicate that there is no need for a long-term water supply project. Moreover, UWNY did not attempt to comply with 16 N.Y.C.R.R. § 503.4, because it did not take any reasonable efforts to reduce and control future demands. In light of the foregoing analysis, Riverkeeper respectfully requests that the Commission enter an Order declaring that there is no continuing need for UWNY's development of a new-long term water supply source.

Respectfully Submitted,



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On Behalf of Riverkeeper, Inc.

cc: The Honorable Andrew Cuomo, Governor
Basil Seggos, Deputy Secretary for the Environment
Joe Martens, NYSDEC Commissioner
Martin Brand, NYSDEC Region 3 Director

municipalities to enact conservation measures. While this may be the case, the comments submitted by Rockland County officials indicate that they have created a task force to reduce and control demand through various mechanisms, and are amenable to working with UWNY. Moreover, nothing prevents UWNY from implementing its own conservation programs, such as cost incentives, to control demand.