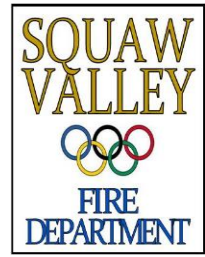




SQUAW VALLEY PUBLIC SERVICE DISTRICT



Drought-Stage II Water Conservation Restrictions

DATE: May 26, 2015

TO: District Board Members

FROM: Brandon Burks, Operations Specialist III

SUBJECT: California Mandatory Water Conservation Regulation
Implement Emergency Water Conservation Restrictions

BACKGROUND: After a record dry year in 2013, Governor Brown declared a *Drought State of Emergency* on January 17, 2014 directing state officials to take all necessary actions to prepare for drought conditions and urging a 20% reduction in water use. The California Department of Water Resources approved an emergency regulation to ensure water conservation on July 29, 2014. The District implemented Stage II Water Conservation Restrictions on August 26, 2014.

The State of California experienced another record dry year in 2014. On April 1, 2015 Governor Brown issued a new Executive Order that directs the State Water Board to impose restrictions on urban water suppliers to achieve a statewide 25% reduction in potable urban usage through February 2016. On May 5, 2015 the California Department of Water Resources approved an emergency regulation to ensure water conservation. Smaller water suppliers (serving fewer than 3,000 connections) must either reduce water use by 25 percent or restrict outdoor irrigation to no more than two days per week.

DISCUSSION: District Water Code Chapter 1-Division III contains Water Conservation Program and conservation provisions (copy attached). **Section 3.23.3 Stage II** of the Code requires irrigation be restricted to 3 days per week, in addition to restrictions on filling swimming pools, the operation of ornamental fountains, a probation on new landscaping, watering of hardscapes, fire hydrant flushing, and lodging facilities. Implementation of Stage II conservation restrictions alone has been determined by staff to not meet the intention of the May 5, 2015 state mandatory regulation.

The 25% water reduction issued in the new Executive Order is not guaranteed, it is uncertain the District can achieve a 25% reduction. The reduction is a function of the District customer's conservation efforts. In order to guarantee compliance, the Emergency Irrigation Regulations of limiting irrigation to two days a week and no irrigating outdoors during and within 48 hours following measureable rainfall, and extending the District Stage II Conservation restriction will put the District in compliance with the new 2015 mandatory state regulations.

ALTERNATIVES: There is no alternative to complying with the mandatory regulation.

FISCAL/RESOURCE IMPACTS: Minimal impact on staff and cost to post notice with media is less than \$1,000 impact to the operations budget. Reduced revenue estimates have not been analyzed at this time.

RECOMMENDATION: In order to guarantee compliance, staff recommends the Board of Directors approve extending the Stage II water conservation restrictions and implement the Emergency Irrigation Regulations.

ATTACHMENTS:

- State Water Board Emergency Regulation Fact Sheet
- District Water Code sections 3.19 to 3.23

DATE PREPARED: May 15, 2015



Media Release

State Water Board Adopts 25 Percent Mandatory Water Conservation Regulation

For Immediate Release
May 5, 2015

Contact: George Kostyrko
gkostyrko@waterboards.ca.gov

SACRAMENTO – With emergency drought conditions persisting throughout California, the State Water Resources Control Board Tuesday adopted an [emergency regulation](#) requiring an immediate 25 percent reduction in overall potable urban water use statewide in accordance with Gov. Jerry Brown’s April 1 [Executive Order](#).

The Governor’s Executive Order required, for the first time in the state’s history, mandatory conservation for all residents and directed several state agencies, including the State Water Board, to take immediate action to safeguard the state’s remaining potable urban water supplies in preparation for a possible fifth year of drought.

A 25 percent savings in potable urban water use amounts to more than 1.2 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville.

Tuesday’s action follows the release of water production figures for the month of March which registered only a slight increase from the amount of water saved in the prior month. The amount of water conserved in March 2015, as compared to March 2013 was 3.6 percent, up less than one percent from February’s results.

Since the State Water Board adopted its initial emergency urban conservation regulation in July 2014, voluntary statewide conservation efforts have reached 9 percent overall – far short of the 20 percent Governor Brown called for in 2014. To see how various regions and communities have done conserving water, please visit this link [here](#).

“This is the drought of the century, with greater impact than anything our parents and grandparents experienced, and we have to act accordingly,” said Felicia Marcus, Chair of the State Water Resources Control Board.

“Today we set a high but achievable bar, with the goal of stretching urban California’s water supply. We have to face the reality that this drought may continue and prepare as if that’s the case. If it rains and snows next winter, we celebrate. If the drought continues, we’ll be glad we took difficult but prudent action today. It’s the responsible thing to do.”



Conservation Standard

The emergency regulation identifies how much water communities must conserve based on their average residential water use, per person per day, last summer. Every person should be able keep indoor water use to no more than 55 gallons per day. For the most part, the amount of water that each person uses in excess of this amount is water that is applied to lawns and other ornamental landscapes.

On average, 50 percent of total residential use is outdoors, in some cases up to 80 percent. To save water now, during this drought emergency, the regulation targets these outdoor uses. Communities that are approaching, at or below the indoor target, are assigned a modest conservation standard while communities that use water well above the indoor target will be asked to do much more.

To reduce water use by 25 percent statewide, the regulation adopted by the Board this week places each urban water supplier into one of eight tiers which are assigned a conservation standard, ranging between four percent and 36 percent. Each month, the State Water Board will compare every urban water suppliers' water use with their use for the same month in 2013 to determine if they are on track for meeting their conservation standard. Local water agencies will determine the most cost effective and locally appropriate way to achieve their standard. The State Water Board will be working closely with water suppliers to implement the regulations and improve local efforts that are falling short.

"This likely will result in all communities significantly cutting back on outdoor watering, particularly ornamental landscapes surrounding homes, institutions, and businesses, resulting in many golden landscapes statewide," said Marcus. "This will be a heavy lift for some, but we believe that the regulatory strategy adopted today is doable – in fact, many communities that have focused on conserving water have already achieved significant conservation without losing their landscapes."

Residential customers of water suppliers with a conservation standard of 36 percent currently use between 216 and 614 gallons of water per person per day during the months of July, August, and September. Reducing their water use by 36 percent will still leave these residents with a minimum of 137 and up to 393 gallons of water per person per day; far more than the accepted standard of 55 gallons per person per day for indoor use. The difference between 55 gallons per person per day and 137 – 393 gallons per person per day means that these residents will still have water available for outdoor irrigation. Communities using less than 65 gallons per person per day will be required to reduce their overall water use by 8 percent.

"Over the longer term, we have many ways to extend our precious water resources, particularly in urban areas — conservation, recycling, stormwater capture, and desalination in appropriate cases have great promise. Many communities have done a lot already, or have ambitious goals that we hope to help them achieve. In the short run however, conservation is the cheapest, fastest and smartest way to become more resilient in the face of drought today and climate change in the future," said Marcus.

Summary of New Requirements

- The conservation savings for all urban water suppliers (serving more than 3,000 connections) are allocated across nine tiers of increasing levels of residential gallons per capita per day (R-GPCD) water use to reduce water use by 25 percent statewide and will take effect June 1st. For specific information on the tiers and the suppliers in each tier, please visit [here](#).
- Smaller water suppliers (serving fewer than 3,000 connections) must either reduce water use by 25 percent, or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers, that collectively serve less than 10 percent of Californians, must submit a report on December 15, 2015 to demonstrate compliance.
- Commercial, Industrial and Institutional properties that are not served by a water supplier (or are self-supplied, such as by a groundwater well) also must either reduce water use by 25 percent or restrict outdoor irrigation to no more than two days per week. No reporting is required but these properties must maintain documentation of their water use and practices.
- The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:
 - Irrigation with potable water of ornamental turf on public street medians; and
 - Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established by the Building Standards Commission and the Department of Housing and Community Development.
- These are in addition to the existing restrictions that prohibit:
 - Using potable water to wash sidewalks and driveways;
 - Allowing runoff when irrigating with potable water;
 - Using hoses with no automatic shutoff nozzles to wash cars;
 - Using potable water in decorative water features that do not recirculate the water;
 - Irrigating outdoors during and within 48 hours following measureable rainfall; and
 - Restaurants serving water to their customers unless the customer requests it.
- Additionally, hotels and motels must offer their guests the option to not have their linens and towels laundered daily and prominently display this option in each guest room.

Enforcement

In addition to other powers, local agencies can fine property owners up to \$500 a day for failure to implement the water use prohibitions and restrictions. The State Water Board can issue informational orders, conservation orders or cease and desist orders to water suppliers for failure to meet their conservation standard. Water agencies that violate cease and desist orders are subject to a civil liability of up to \$10,000 a day.

Next Steps

Following Board adoption, the regulation will be submitted to the Office of Administrative Law, which has 10 days to approve or deny the regulation. If approved by the Office of Administrative Law, the regulation will take effect immediately and remain in effect for 270 days from that date.

For more information, please visit the [Emergency Water Conservation](#) website.

To learn more about the state's drought response, visit [Drought.CA.Gov](#).

Every Californian should take steps to conserve water. Find out how at [SaveOurWater.com](#).

WATER CODE

CHAPTER 1 – DIVISION III

Water Conservation Program and Conservation Provisions

Section 3.19 Water Bleeds

No water bleeds shall be operated by any person for the purpose of freeze prevention without written permission of the District. Water wasted in this manner will be estimated and charged for at the rate set by the Board of Directors.

Section 3.20 Wastage of Water [Amended by Ord. 2007-01]

No person and/or consumer shall cause or permit any water furnished to his property by the District to waste water for any purpose contrary to any provision of this Code, or in quantities in excess of the use permitted by the conservation stage in effect pursuant to Section 3.23. All District customers are encouraged to report to the District all signs or indications of water leaks or water waste. The District may, after two warnings by certified mail or personal service, disconnect the service to any property and/or consumer for failure to comply with the foregoing rule.

Such service shall be restored only upon payment of the current turn-on charge in effect at the time the water is disconnected, plus any assessed fine as specified in Section 3.23.5. The amount of water wasted in this manner will be estimated and charged at the rates set by the Board of Directors from time to time.

Section 3.21 Water Conservation Devices - Area of Installation

Water conservation requirements concerning installation of devices in new and existing facilities shall apply to all areas within the Squaw Valley Public Service District boundaries. [Amended by Ord. 99-01]

Section 3.22 Installation Requirements for Water Conservation Devices

Requirements for installation in all existing facilities are contained herein. New construction shall conform to these requirements where applicable.

A. Requirements for New Water Use. All new single-family, multi-family, commercial, industrial and public uses shall be equipped with approved water-saving shower heads, water saving aerators on kitchen sinks and lavatories, water saving toilets, shower flow control valves, and pressure reducing valves when such a device is required to maintain 60 psi or less within the system.

B. Insulation of Water Pipes in New Construction. All hot water pipes installed within any new construction shall be insulated to minimum Placer County Building Department standards unless said water pipes are contained within interior walls.

C. Requirements for Existing Water Uses. All existing single-family, multi-family, commercial, industrial and public uses shall be modified so as to be equipped with approved water saving

shower head inserts, and water saving toilets or water closet reservoir devices as required by the latest edition of the Uniform Plumbing Code. [Amended by Ord. 01-04]

Section 3.23 Water Conservation [Added by Ord. 01-04; entire section replaced by Ord. 2007-01]

Notwithstanding any other provision of law, and in accordance with Division 1, Chapter 3.5 of the California Water Code, the District finds that a Water Conservation Program is in the public's best interest, will serve a public purpose, and will promote the health, welfare, and safety of the people of Squaw Valley. The District shall strive to educate water users regarding the benefits of water conservation and will notify customers of high usage rates or when water leaks are suspected. In addition to the provisions contained in the Sections above, all District customers shall adhere to the following water conservation measures at all times.

3.23.1 Irrigation Conservation.

1. The Model Water Efficient Landscape Ordinance mandated by the State of California includes a Maximum Applied Water Allowance (MAWA) for any given parcel of land, based on evapotranspiration rates, by region. Appendix A hereto specifies the Maximum Water Allowance Calculation applied to properties located within District boundaries and is incorporated herein by reference. This calculation is used by the District in establishing rate blocks and water usage rates.

2. District shall establish an increasing block rate structure that encourages efficient water uses, and sends a strong price signal to those who waste water based upon the provisions set forth in 3.23.1.1, above.

3. A dedicated landscape meter shall be required on all new construction on vacant lots. A dedicated meter shall be required on the installation of any new irrigation system.

Any customer using more than 280,000 gallons per year for two (2) consecutive years shall be required to install a dedicated landscape meter.

4. Pressure regulators shall be required on all irrigation systems and set not to exceed 60 psi.

5. Commercial landscaping, both new and existing, shall conform to Chapter 2.7, Sections 490 through 495, of Division 2, Title 23, of the California Code of Regulations.

3.23.2 Stage 1 (Normal Conditions)

During Stage 1 (Normal Conditions), all District customers (residential, commercial, non-profit, and public agencies) shall not waste water in any fashion or in violation of Section 3.20, and shall abide by the following irrigation restrictions:

Note: "Normal Conditions" should be defined.

- a. Voluntary Odd-Even Designated Irrigation Encouraged. The District encourages no irrigation, for any purpose, other than for fire safety measures, on Mondays in Stage 1 (Normal Conditions). Properties with street addresses ending with even numbers are encouraged to irrigate on Tuesdays, Thursdays and Saturdays. Properties with street

addresses ending with odd numbers are encouraged to irrigate on Wednesdays, Fridays and Sundays. Hand watering is permitted at will. These restrictions shall be mandatory in Stage 2 (Significant Water Shortage) and Stage 3 (Critical Water Emergency).

- i. Automatic Irrigation Systems shall not irrigate in one irrigation zone more than two (2) hours in any 24-hour period, unless the method of irrigation or irrigation system is exclusively by drip or other low-flow irrigation system. No outdoor irrigation will be permitted during the hours of 10:00 a.m. and 5:00 p.m.

District customers with automatic irrigation systems are encouraged to operate and maintain such systems as intended by the manufacturer's recommendations and comply with odd-even irrigation requirements.

- ii. Drought Resistant Landscapes. The District strongly encourages the use of drought resistant plants, native plants, groundcovers, or naturalized plants. Drip irrigation or low-flow irrigation systems in new landscape areas shall be required. Installation of large turf areas, and/or unused turf areas shall be discouraged.
 - iii. New Landscape Exemption. An exemption from the provisions of section 3.23.2a.1., above, shall exist under Stage 1 for newly installed landscaping, as follows: lawns, trees and shrubs shall be exempt for a period of: 60 days from date of installation; bedding plants (including vegetable/herb gardens) shall be exempt for a period of: 15 days from date of planting. The property owner, or his/her designee, shall apply to the District for a written exemption.
- b. Excess Flow. District customers shall not allow water to flow over the ground surface, or from sprinklers, onto impervious surfaces or adjacent property.
 - c. Leaks. District customers shall repair all leaks in plumbing and irrigation systems occurring on the customer's side of each meter within ten (10) days from date of discovery or notification. A leak detection notice may be given to the property owner.
 - d. Hoses shall not be used for any purpose without an automatic shut-off device being attached to the hose. Hoses left running are not permitted.
 - e. Undeveloped Property & Vacant Lots. Irrigation of undeveloped property and vacant lots is expressly prohibited unless required or mandated by Placer County Code or other governmental agency.
 - f. (Moved to Stage 2 and 3)
 - g. Food and Beverage Establishments. Commercial food and beverage establishments should encourage serving water to customers only when requested by the customer.

3.23.3 Stage 2 (Significant Water Shortage)

A Stage 2 level shall be determined by the Board of Directors, after consideration of available water supply, aquifer levels, annual precipitation, long range weather forecasts, or such other factors which may apply in District's discretion. and/or any mechanical defect in operating systems. In

addition to restrictions contained in Stage 1, the following restrictions shall become effective immediately upon posting a Stage 2 alert notice at three (3) conspicuous posting locations within the District, and upon notification to the local media:

- a. The filling of all swimming pools, which are not covered during periods of non-use, is prohibited.
- b. The operation of any ornamental fountain or similar decorative water feature is prohibited, unless a water recycling system is used, and a notice to the public of such recycling system is prominently displayed.
- c. Outdoor irrigation of all vegetation, including lawns and landscaping, is limited to three times per week, one hour per irrigation zone, per day. Irrigation restrictions specified in Section 3.23.2.a, Odd-Even Designated Irrigation Established, are mandatory and zones shall be restricted to one hour per zone.
- d. No new landscaping shall be installed during a Stage 2 level.
- e. Hardscapes. Water shall not be used to wash sidewalks, driveways, parking areas, tennis courts, decks, patios or other improved areas, except as required or necessitated by driveway repair or necessary maintenance, or to alleviate immediate fire, sanitation, or health hazards.
- f. Fire Hydrants. Use of fire hydrants for flushing (except for protection of public health), construction water for compaction, and dust control shall be coordinated with hydrant flushing only.
- g. Lodging Facilities. Lodging facilities subject to registration and payment of transient occupancy taxes to Placer County shall post water conservation literature in each room. Literature to be distributed shall be approved by the General Manager.
- h. The Stage 2 declaration and restrictions therein shall be reviewed every 180 days by the Board of Directors. Upon cessation of Stage 2 Conditions, Stage 1 (Normal Conditions) provisions will be re-instated.
- i. After imposition of restrictions on water wastage and usage identified above, such restrictions shall stay in effect until the Board of Directors removes such restrictions [Amended by Ord. 01-04].
- j. If, after having been notified by the District through certified mail or personal service of a violation of the emergency water restrictions specified above, the customer continues to violate such restriction(s), the Manager or his/her designated representative shall have the power to disconnect water service to such customer or reduce such water service for household purposes only. Disconnected service or reduced service shall be restored only upon payment of the appropriate reconnection charge established from time to time by the Board. [Amended by Ord. 01-04]

3.23.4 Stage 3 (Critical Water Supply Shortage, Emergency Water Conservation Restrictions) [Entire Section added by Ord. 01-04]

A. Notwithstanding any other provision of law and in accordance with Division 1, Chapter 3, of the California Water Code, in the event of a critical water supply shortage, the shortage shall be declared as such by the District Board of Directors. A Special Meeting shall be posted in order to alert and educate the public. Upon declaration of a water shortage emergency the District shall notify all customers by direct mailing, public communication, and personal service. In addition to continued adherence to water conservation measures and water restrictions contained in the above Sections, District customers shall implement and adhere to the following Emergency Water Conservation Restrictions:

1. Implement mandatory reduction in average base water consumption by 20% or more as deemed necessary by the Board of Directors for all water users in Squaw Valley.
2. Implement critical water supply rates and charges as set forth by the Board of Directors upon finding the water supply to be at a critical shortage. Said rates and charges are intended to provide sufficient funding to continue operating and to cover cost to correct the water supply shortage.
3. In case of a critical drought condition that threatens the District's ability to pump sufficient water supply, and in order to ensure sufficient water supply is available for domestic use, sanitation, and fire protection, the District Manager shall implement regulatory authority over the water basin as provided for in the California Water Code, until such time as the aquifer has recovered to a safe operating level.
4. The District may limit or discontinue the issuance of new water supply permits as deemed necessary by the General Manager.
5. Water supply permits for projects under construction may be suspended or revoked unless the owner can prove the project will not further exacerbate the water supply shortage.
6. Washing of hard surfaces, including sidewalks, driveways, parking areas or decks, shall be discontinued unless required for the health and safety of the occupant.
7. The District shall continue to conduct public meetings regarding the water shortage and solicit the support of the community.
8. The District shall discontinue or limit supply of water outside of District boundaries (service area) except as may be necessary for public health and safety, including fire suppression.

B. After the Manager imposes the restrictions on water wastage and usage identified in the Section above, such restrictions shall stay in effect until the Manager removes such restrictions.

C. If, after having been notified by the District through certified mail or personal service of a violation of the emergency water restrictions specified in the Section above, the customer continues to violate such restrictions(s), the Manager or his/her designated representative shall have the power to disconnect water service to such customer or reduce such water service for household purposes only. Disconnected service or reduced service shall be restored only upon payment of the appropriate reconnection charge established from time to time by the Board.

3.23.5 Enforcement

The General Manager, and other authorized District employees, have the duty and are hereby authorized to enforce all provisions of Section 3.23.

3.23.6 Violations

- a. For the first violation within one calendar year, the District shall issue a written warning to the customer.
- b. For the second violation within one calendar year, a \$100 fine shall be added to the customer's water bill.
- c. For the third violation within one calendar year, a \$500 fine shall be added to the customer's water bill, and the District may install flow restrictors.
- d. For the fourth and any subsequent violation within one calendar year, a \$1,000 fine shall be added to the customer's water bill. The District may also discontinue water service to the property where the violations occurred, in accordance with District procedures. Reconnection shall be permitted only when there is reasonable protection against future violations, such as installation of a dedicated landscape irrigation meter, flow-restricting devices installed on the customer's service connection, or as otherwise determined at the District's discretion.

3.23.7 District Enforcement Costs

In addition to collecting any fines assessed per Section 3.23.5 above, the District shall be reimbursed for its costs and expenses, including legal fees and costs, incurred to enforce the provisions of this Ordinance including all costs for staff to investigate and monitor the customer's compliance with the terms of this Section. Charges for the installation of a dedicated landscape irrigation meter, flow-restricting devices or for discontinuing or restoring water service shall be added to the customer's bill for the property where the enforcement costs were incurred.