

West Valley Water District Water Shortage Contingency Plan

JUNE 2021

West Valley Water District



WEST VALLEY WATER DISTRICT



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Prepared by Water Systems Consulting, Inc.



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ACRONYMS & ABBREVIATIONS

AWIA	American Water Infrastructure Association
BTAC	Basin Technical Advisory Committee
CWC	California Water Code
CII	Commercial, Industrial, and Institutional
DWR	California Department of Water Resources
DRA	Drought Risk Assessment
ERP	Emergency Response Plan
GW	Groundwater
IRUWMP	Integrated Regional Urban Water Management Plan
RRA	Risk and Resilience Assessment
SBMWD	San Bernardino Municipal Water Department
SWP	State Water Project
UWWP	Urban Water Management Plan
WSCP	Water Shortage Contingency Plan

WATER SHORTAGE CONTINGENCY PLAN

West Valley Water District

This Water Shortage Contingency Plan is a strategic plan that the West Valley Water District uses to prepare for and respond to water shortages.

The Water Shortage Contingency Plan (WSCP) is a strategic plan that West Valley Water District (WVWD) uses to prepare for and respond to foreseeable and unforeseeable water shortages. A water shortage occurs when water supply available is insufficient to meet the normally expected customer water use at a given point in time. A shortage may occur due to a number of reasons, such as water supply quality changes, climate change, drought, regional power outage, and catastrophic events (e.g., earthquake). Additionally, the State may declare a statewide drought emergency and mandate that water suppliers reduce demands, as occurred in 2014. The WSCP serves as the operating manual that WVWD will use to prevent catastrophic service disruptions through proactive, rather than reactive, mitigation of water shortages. This WSCP provides a process for an annual water supply and demand assessment and structured steps designed to respond to actual conditions. This level of detailed planning and preparation provide accountability and predictability and will help WVWD maintain reliable supplies and reduce the impacts of any supply shortages and/or interruptions.

This WSCP was prepared in conjunction with WVWD's 2020 UWMP, which is included in the 2020 Upper Santa Ana River Watershed Integrated Urban Water Management Plan (2020 IRUWMP) and is a standalone document that can be modified as needed. This document is compliant with the California Water Code (CWC) Section 10632 and incorporated guidance from the State of California Department of Water Resources (DWR) UWMP Guidebook.

IN THIS SECTION

- Water Service Reliability
- Annual Water Supply and Demand Assessment
- Supply Shortage Stages and Response Actions

The WSCP describes the following:

1. **Water Service Reliability Analysis:** Summarizes WVWD's water supply analysis and reliability and identifies any key issues that may trigger a shortage condition.
2. **Annual Water Supply and Demand Assessment Procedures:** Describes the key data inputs, evaluation criteria, and methodology for assessing the system's reliability for the coming year and the steps to formally declare any water shortage stages and response actions.
3. **Water Shortage Stages:** Establishes water shortage stages to clearly identify and prepare for shortages.
4. **Shortage Response Actions:** Describes the response actions that may be implemented or considered for each stage to reduce gaps between supply and demand.
5. **Communication Protocols:** Describes communication protocols under each stage to ensure customers, the public, and government agencies are informed of shortage conditions and requirements.
6. **Compliance and Enforcement:** Defines compliance and enforcement actions available to administer demand reductions.
7. **Legal Authority:** Lists the legal documents that grant WVWD the authority to declare a water shortage and implement and enforce response actions.
8. **Financial Consequences of WSCP Implementation:** Describes the anticipated financial impact of implementing water shortage stages and identifies mitigation strategies to offset financial burdens.
9. **Monitoring and Reporting:** Summarizes the monitoring and reporting techniques to evaluate the effectiveness of shortage response actions and overall WSCP implementation. Results are used to determine if additional shortage response actions should be adjusted.
10. **WSCP Refinement Procedures:** Describes the factors that may trigger updates to the WSCP and outlines how to complete an update.
11. **Plan Adoption, Submittal, and Availability:** Describes the process for the WSCP adoption, submittal, and availability after each revision.

1.0 Water Service Reliability Analysis

As part of the 2020 IRUWMP, WVWD completed a water supply reliability analysis for normal, single-dry, and five-year consecutive dry year periods from 2025-2045. A Drought Risk Assessment (DRA) was also performed to analyze supply reliability under five consecutive years of drought from 2021-2025. As described in [Chapter 3](#) of the 2020 IRUWMP, the effects of a local drought are not immediately recognized since the region uses the local groundwater basins to simulate a large reservoir for long term storage. WVWD is able to pump additional groundwater to meet increased demands in dry years and participates in efforts to replenish the basins with imported and local water through regional recharge programs. Additionally, WVWD implements several ongoing water conservation measures. Regional recharge programs and conservation help to optimize and enhance the use of regional water resources. **Based on the 2020 IRUWMP analysis, WVWD's water supply is reliable and not expected to see impactful change under drought conditions.**

Even though localized drought conditions should not affect supply, other shortages may occur due to a number of reasons, such as water supply quality changes, regional power outage, State mandates for water use efficiency standards, and catastrophic events (e.g., earthquake). Therefore, WVWD will use this WSCP as appropriate to address shortages and other supply emergencies.

2.0 Annual Water Supply and Demand Assessment

As an urban water supplier, WVWD must prepare and submit an Annual Water Supply and Demand Assessment (Annual Assessment). Starting in 2022, the Annual Assessment will be due by July 1 of every year, as indicated by CWC Section 10632.1. The Annual Assessment is an evaluation of the near-term outlook for supplies and demands to determine whether the potential for a supply shortage exists and whether there is a need to trigger a WSCP shortage stage and response actions in the current calendar year to maintain supply reliability. This process will take place at the same time each year based on known circumstances and information available to WVWD at the time of analysis and can be update or revised at any time if circumstances change.

WVWD will establish and convene an internal WSCP Team to conduct the Annual Assessment each year. The WSCP may include the following staff:

- **Assistant General Manager**
- **Engineering Services Manager**
- **Operations Manager**
- **Production Supervisor**
- **Chief Water Treatment Plant Operator**
- **Director of Finance**

The Annual Assessment procedure, including key data inputs and evaluation criteria, is summarized in [Table 1](#). The Annual Assessment procedure and timeline, along with how it integrates with the annual assessment that will be conducted on a regional basis in parallel, is shown graphically in [Figure 1](#).

Table 1. Annual Assessment Procedure

TIMING	ASSESSMENT ACTIVITIES	PROCEDURE, KEY DATA INPUTS, EVALUATION CRITERIA AND OTHER CONSIDERATIONS	STAFF RESPONSIBLE
JAN - FEB	Estimate unconstrained demands for coming year	Demands will be estimated based on water sales forecasts from annual budget or prior year demands plus any anticipated changes	Engineering Services Manager, Director of Finance
JAN - FEB	Estimate available supplies for the year, considering the following year will be dry	<p>Each December, WVWD submits an order to Valley District for the volume of SWP water that is planned for use the following year. If the requested volume is not available due to reduced SWP supplies, WVWD will meet with Valley District and other SWP users to discuss reducing SWP orders and may update the Annual Assessment to reflect a shift from SWP to groundwater production, if needed.</p> <p>Estimates of available surface water supplies from the Lytle Creek will be based on annual precipitation and local mountain snowpack.</p> <p>The remainder of supply needs not met from SWP and surface water will be pumped from groundwater basins. The groundwater basins are sustainably managed to provide long term supply reliability and is not anticipated to be impacted in dry years. In the unlikely event that local supplies are reduced, WVWD will coordinate with the BTAC to identify available supplies for the coming year.</p>	Operations Manager, Chief Water Treatment Plant Operator
JAN - FEB	Consider potential constraints that may impact supply delivery	<p>Identify any known regional or WVWD infrastructure issues that may pertain to near-term water supply reliability, including repairs, construction, and environmental mitigation measures that may temporarily constrain capabilities, as well as any new projects that may add to system capacity.</p> <p>Identify any facilities out of service due to water quality problems, equipment failure, etc. that may impact normal water deliveries.</p> <p>Identify any potential or emerging impacts to groundwater quality, such as emerging regulatory constraints that may limit use of available supplies for potable needs.</p>	Operations Manager, Chief Water Treatment Plant Operator, Production Supervisor, Engineering Services Manager

TIMING	ASSESSMENT ACTIVITIES	PROCEDURE, KEY DATA INPUTS, EVALUATION CRITERIA AND OTHER CONSIDERATIONS	STAFF RESPONSIBLE
FEB	Convene WSCP Team to conduct Annual Assessment	<p>Compare supplies and demands and discuss any constraints that may impact supply delivery. If the potential for a shortage exists, determine which shortage response stage and actions are recommended to reduce/eliminate the shortage.</p> <p>Additionally, if the State declares a drought state of emergency and requires demand reductions, the WSCP Team will determine which water shortage stage and response actions are needed to comply with the State mandate.</p>	WSCP Team
JUNE	Board of Directors	<p>If the potential for a shortage exists or the State has mandated demand reductions, the results of the Annual Assessment will be presented to the WVWD Board of Directors, including the recommended shortage stage and response actions. The Board of Directors may order the implementation of a shortage stage and will adopt a resolution declaring the applicable water shortage stage.</p>	<p>General Manager</p> <p>Board of Directors</p>
ON-GOING	Implement WSCP actions, if needed	<p>Relevant members of WVWD staff will implement shortage response actions associated with the declared water shortage stage</p>	WSCP Team
BY JULY 1	Submit Retail Annual Assessment	<p>Send Final Retail Annual Assessment to DWR</p>	<p>Engineering Services Manager</p>

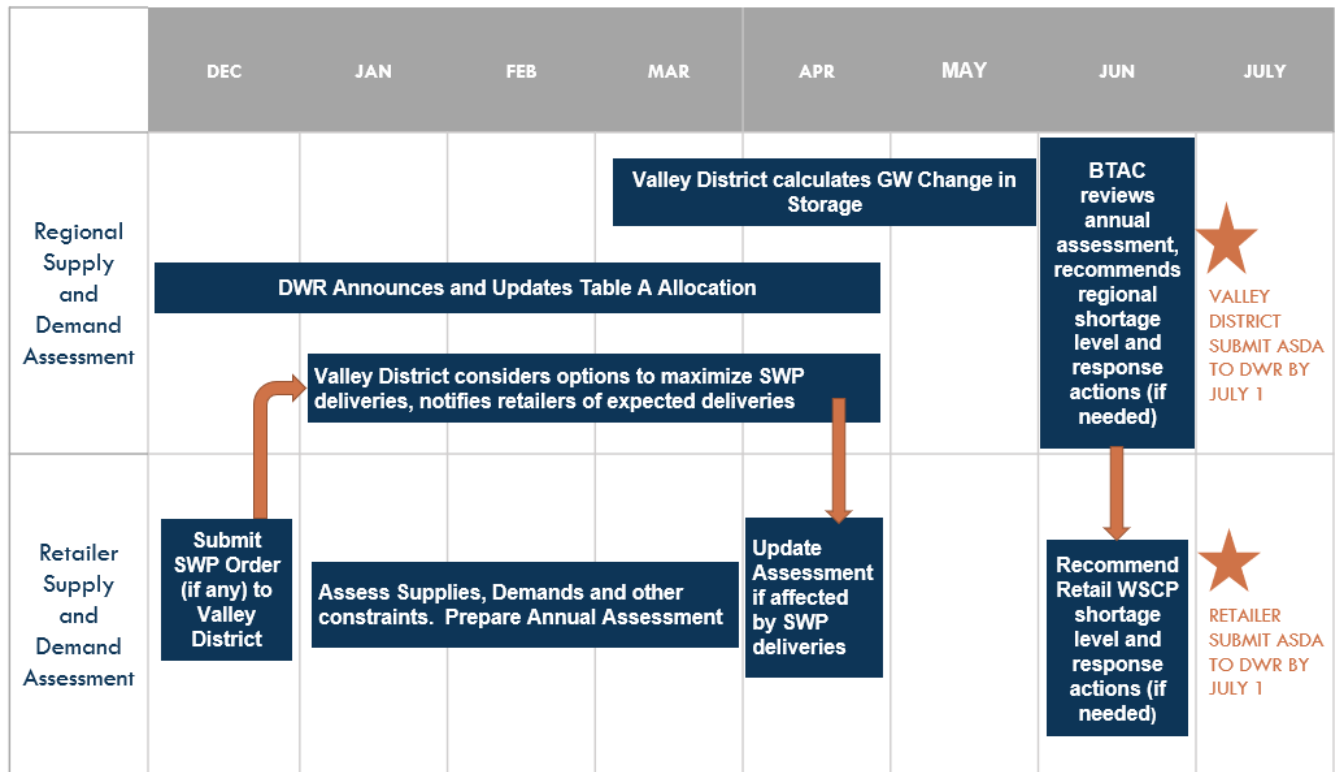


Figure 1. Regional and Retail Agency Annual Assessment Process and Timeline

3.0 Water Shortage Stages

With the exception of a catastrophic failure of infrastructure, WVWD does not foresee imposing a water shortage stage except under the State’s direction, as occurred in 2014 or in the event of catastrophic infrastructure failure. If a potential water supply shortage is identified in the Annual Assessment, this section provides information on the water shortage stages and response actions that WVWD may implement.

WVWD uses four (4) shortage stages to identify and respond to water shortage emergencies. At a minimum, WVWD encourages baseline conservation efforts year-round, regardless of a shortage emergency.

Stage I – Normal Conditions:

Normal supply and distribution capacity is available. All policies shown in Section 2403 and the following water conservation measures shall apply.

Stage II – Water Alert:

The District may not be able to meet all water demands of all customers, unless the following water conservation measures are applied.

Stage III – Water Warning (includes sub-stages A, B, and C):

District is not able to meet all water demands of all customers; therefore, the following water conservation measures listed in [Table 4](#) shall apply.

Stage IV: Water Emergency

District is not able to meet all water demands of all customers; therefore, the following water conservation measures listed in [Table 4](#) shall apply.

The CWC outlines six standard water shortage stages that correspond to a gap in supply compared to normal year availability. The six standard water shortage stages correspond to progressively increasing estimated shortage conditions (up to 10-, 20-, 30-, 40-, 50-percent, and greater than 50-percent shortage compared to the normal reliability condition) and align with the response actions that a water supplier would implement to meet the severity of the impending shortages.

The CWC allows suppliers with an existing WSCP that uses different water shortage stages to comply with the six standard stages by developing and including a cross-reference relating its existing shortage categories to the six standard water shortage stages. WVWD is maintaining the current four shortage stages for this WSCP. A crosswalk defines how WVWD’s current water shortage stages will align with the DWR’s standardized 6 stages of shortage. A visual representation of this alignment is shown in [Figure 2](#).

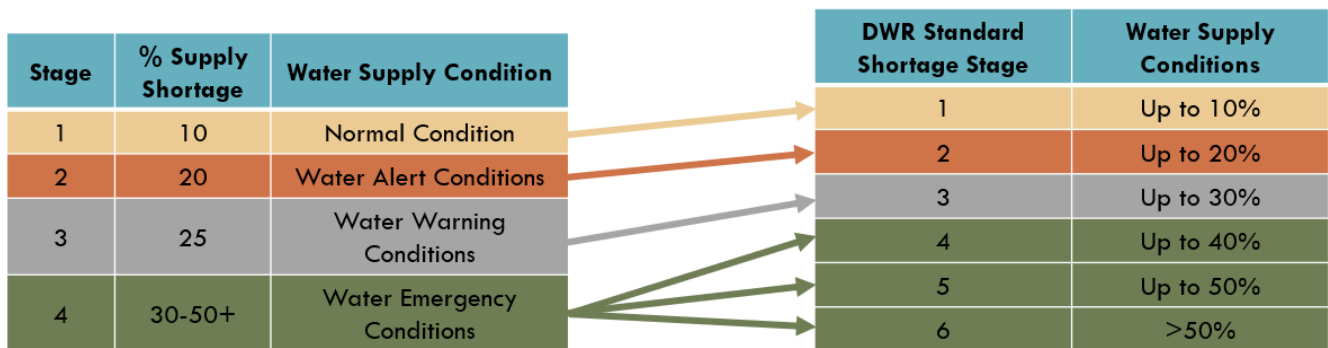


Figure 2. Crosswalk to DWR Six Standard Stages

Table 2: DWR 8-1 Water Shortage Contingency Plan Stages

SHORTAGE STAGE	PERCENT SHORTAGE RANGE ¹ (NUMERICAL VALUE AS A PERCENT)	WATER SHORTAGE CONDITION
1	Up to 10%	Normal Conditions (WVWD Stage 1)
2	Up to 20%	Water Alert Condition (WVWD Stage 2)
3	Up to 30%	Water Warning Condition (WVWD Stage 3, 3A, 3B, and 3C)
4	Up to 40%	Water Emergency Condition (WVWD Stage 4)
5	Up to 50%	Water Emergency Condition (WVWD Stage 4)
6	>50%	Water Emergency Condition (WVWD Stage 4)

¹ One stage in the Water Shortage Contingency Plan must address a water shortage of 50%.

4.0 Shortage Response Actions

This section was completed pursuant to CWC Section 10632(a)(4) and 10632.5(a) and describes the response actions that must be implemented or considered for each stage to minimize social and economic impacts to the community.

In accordance with CWC 10632(b) WVWD analyzes and defines water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas.

4.1 Supply Augmentation

Table 3 identifies the supply augmentation actions WVWD can take in the event of a water shortage condition. WVWD currently maintains interconnections with the Cities of Rialto, Colton and San Bernardino, the Fontana Water Company, Marygold Mutual Water Company. During water shortage emergencies, WVWD may be able to obtain supplemental water supply through these connections, if available.

Table 3: DWR 8-3R Supply Augmentation & Other Actions

SHORTAGE STAGE	SUPPLY AUGMENTATION METHODS AND OTHER ACTIONS BY WATER SUPPLIER	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE
4	Other purchases	0-100%	WVWD currently has interconnections with the Cities of Rialto, Colton and San Bernardino, the Fontana Water Company, Marygold Mutual Water Company, and Valley District

4.2 Demand Reduction

In addition to prohibitions on end uses, WVWD offers various rebates to encourage conservation (i.e. ultra-low flush toilet replacements, high efficiency washing machines, etc.). WVWD has a water rate structure that promotes water efficiency. The reduction goal is to balance supply and demand. **Table 4** summarizes these efforts and end use prohibitions.

Table 4: DWR 8-2 Demand Reduction Actions

SHORTAGE STAGE	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
All	Expand Public Information Campaign	0-20%	Provide reminder notices regarding noted water waste and offer community outreach programs	No
1	Landscape - Other landscape restriction or prohibition	0-5%	The use of sprinklers for any type of irrigation during high winds is prohibited.	Yes

SHORTAGE STAGE	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
1	Landscape - Limit landscape irrigation to specific times	0-5%	Limit all landscape irrigation to between the hours of 8:00 p.m. and 6:00 a.m. Hand watering should be done between 6:00 p.m. and 8:00 a.m. Drip irrigation and hand watering while gardening is exempt from this recommendation. Water being used during repair or maintenance of watering system is exempt from this section.	Yes
1	Landscape - Restrict or prohibit runoff from landscape irrigation	0-5%	Use of water for outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited.	Yes
1	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	0-1%	No person shall permit water to leak from any facility, improvement or plumbing fixture on his/her/its premises; said leak shall be repaired in a timely manner.	Yes
1	Other - Require automatic shut of hoses	0-1%	Washing of automobiles, trucks, trailer, boats, and other mobile equipment is prohibited unless done with a hand held device equipped with an automatic shut off trigger nozzle. This does not apply to commercial car washes utilizing a recycling system or when the health and safety of the public would necessitate.	Yes
1	Water Features - Restrict water use for decorative water features, such as fountains	0-1%	No water shall be used to clean, fill, operate or maintain levels in decorative fountains unless the water is part of a recycling system.	Yes
1	Other - Prohibit use of potable water for washing hard surfaces	0-1%	There shall be no application of water to sidewalks, walkways, driveways, parking areas, patios, porches, verandas, tennis courts, or other paved, concrete, or other hard surface areas, except that flammable or other similarly dangerous or unhealthy substances may be washed from said areas by direct hose flushing for the benefit of public health or safety.	Yes
1	Landscape - Prohibit certain types of	0-5%	The irrigation of potable water of ornamental turf on public street medians is prohibited. The	Yes

SHORTAGE STAGE	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
	landscape irrigation		term “median” shall mean the strip of land between street lanes.	
2	Decrease Line Flushing	0-1%		No
2	Other	0-1%	Use historical data instead of performing fire flow tests for new developments	No
2	Other	0-1%	Screen all new applications for water service installations and limit water use before occupancy	No
2	Reduce System Water Loss	0-1%	Repair all leaks within 72 hours	No
2	CII - Restaurants may only serve water upon request	0-1%	All restaurants prohibited from serving water to their customers except when requested by customer.	Yes
2	CII - Lodging establishment must offer opt out of linen service	0-1%	Operators of hotels and motels must provide guests with the option of choosing not to have towels and linens laundered daily. The hotels and motels shall prominently display notice of this option in each guestroom using clear and easily understood language.	Yes
2	Landscape - Limit landscape irrigation to specific days	0-5%	Limit all landscape irrigation to four (4) days per week for no more than ten (10) minutes per station per day. This provision does not apply to any landscape that has waterefficient devices that are operated properly. Waterefficient devices are drip irrigation systems and operational weather-based irrigation controllers. The term “week” is defined as Sunday through Saturday.	Yes
2	Other - Prohibit use of potable water for construction and dust control	0-1%	District will screen all new applications for water service installations and will limit water use before occupancy to that essential use for construction and testing of landscape plumbing. Limited landscaping for new development shall be allowed as approved by the District. Water use for compaction, dust control, and other types of construction shall be by permit only and will be limited to conditions of the permit or may be prohibited as determined by the General Manager or his/her designee.	Yes
2	Other - Customers must	0-1%	Repair all leaks within seventy-two (72) hours of notification by the District unless other	Yes

SHORTAGE STAGE	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
	repair leaks, breaks, and malfunctions in a timely manner		arrangements are made with the general manager of the District ("General Manager").	
2	Landscape - Other landscape restriction or prohibition	0-5%	Irrigating landscaping, including, but not limited to, turf and ornamental landscapes during and within forty-eight (48) hours following measurable precipitation is prohibited.	Yes
2	Other water feature or swimming pool restriction	0-1%	Swimming pools, hot tubs, and spas shall not be filled or refilled after being drained.	Yes
2	Other water feature or swimming pool restriction	0-1%	Ornamental pools, fountains, water displays, and artificial lakes shall not be filled or refilled after being drained.	Yes
2	Other - Prohibit use of potable water for construction and dust control	0-1%	Water used for compaction, dust control, and other types of construction shall be by permit only and will be limited to conditions of the permit or may be prohibited as determined by the General Manager, or his/her designee.	Yes
3	Reduce System Water Loss	0-1%	Repair all leaks within 48 hours	No
3A	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	0-1%	Washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment are prohibited. Washing of the above-listed vehicles or mobile equipment shall be allowed only at a commercial car wash where recirculating water is being utilized.	Yes
3A	Landscape - Limit landscape irrigation to specific times	0-5%	All agricultural water users shall irrigate only at times approved by the District.	Yes
3A	Water Features - Restrict water use for decorative water features, such as fountains	0-1%	Swimming pools, hot tubs, and spas shall not be refilled or filled after being drained.	Yes

SHORTAGE STAGE	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
3A	Water Features - Restrict water use for decorative water features, such as fountains	0-1%	Ornamental pools, fountains, water displays, and artificial lakes shall not be refilled or filled after being drained.	Yes
3A	Landscape - Limit landscape irrigation to specific days	0-5%	Limit all landscape irrigation to three (3) days per week for no more than ten (10) minutes per station per day. Drip systems that are operated efficiently are exempt from these regulations.	Yes
3A	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	0-1%	Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager.	Yes
3B	Landscape - Limit landscape irrigation to specific days	5-20%	Limit all landscape irrigation to two (2) days per week for no more than ten (10) minutes per station per day.	Yes
3C	Landscape - Limit landscape irrigation to specific days	10-30%	Limit all landscape irrigation to one (1) day per week for no more than ten (10) minutes per station per day.	Yes
4	Landscape - Prohibit all landscape irrigation	10-30%	No lawn or landscape water will be allowed	Yes
4	Other - Prohibit use of potable water for construction and dust control	0-5%	No construction water use to be allowed, construction meters to be locked off or removed.	Yes
4	CII - Other CII restriction or prohibition	0-5%	Commercial nurseries shall water only between the hours of 11:00 p.m. and 6:00 a.m. and only with hand-held devices or with drip irrigation systems.	Yes
4	Landscape - Prohibit all landscape irrigation	10-30%	The use of water shall be limited to essential household, commercial, manufacturing, or processing uses only, except where other uses may be allowed by permit	Yes

SHORTAGE STAGE	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
4	Landscape - Limit landscape irrigation to specific times	0-5%	All agricultural water users shall irrigate only at times approved by the District.	Yes

4.3 Operational Changes and Additional Mandatory Restrictions

During shortage conditions, operations may be affected by supply augmentation or demand reduction responses. WVWD will consider their operational procedures when it completes its Annual Assessment. Any additional mandatory restrictions implemented in response to the declaration of a shortage response stage, beyond the actions listed in [Table 3](#) and [Table 4](#) are listed in WVWD’s Ordinance Number 80 Article No. 24 provided as [Attachment 1](#).

4.4 Emergency Response Plan

In 2021, WVWD completed a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) in accordance with America’s Water Infrastructure Act (AWIA) of 2018. The purpose of the RRA and ERP is to meet the AWIA compliance requirements and plan for long-term resilience of WVWD’s infrastructure. The RRA assessed WVWD’s water system to identify critical assets and processes that may be vulnerable to human and natural hazards, and to identify measures that can be taken to reduce risk and enhance resilience from service disruption for the benefit of customers. The RRA identifies and characterizes both infrastructure-specific and system-wide vulnerabilities and threats and quantifies the consequences of disruption. The RRA also identifies various options (and constraints) in addressing and mitigating risk. The RRA, in conjunction with the Emergency Response Plan (ERP), charts a course for water system resilience. The RRA also provided various recommendations to increase reliability of WVWD’s system. Since critical pieces of infrastructure and specific vulnerabilities are detailed in the RRA and ERP, the contents of the document are confidential and for use by WVWD’s staff only. However, WVWD can confirm that these plans meet the requirements set forth by AWIA and evaluate seismic risks and mitigation actions to WVWD’s infrastructure.

In the event of a water shortage emergency resulting from equipment failure, power outage, or other catastrophe, WVWD is prepared to purchase emergency water supplies from nearby agencies while repairs or other remedial actions are underway. WVWD may also implement its four-stage plan for conservation, as described above, with either voluntary or mandatory reductions depending on the severity of the shortage. For severe disasters (Stage 4), mandatory water use reductions are specified.

4.5 Seismic Risk Assessment and Mitigation Plan

Disasters, such as earthquakes, can and will occur without notice. In order to respond to disasters WVWD has assessed the seismic risk and reliance of WVWD’s water facilities in the RRA mentioned in the section above.

In the event of an extended multi-week supply shortages due to natural disasters or accidents which damage all water source, WVWD’s 25 storage reservoirs have a combined capacity of over 72 million gallons, which is sufficient water to meet the health and safety requirements of 50 gallons per day per capita for approximately

80,000 residents for 18 days. This assumes zero non-residential use. Under emergency power outages or catastrophic earthquake conditions, the existing storage is expected to provide a supply of four days of average day demand or 2.5 days under maximum summer demand. WVWD also has interconnections with other agencies for emergency supplies.

WVWD has portable back-up generators that can be used in the event of an area-wide power outage. These generators can be located on both wells and booster stations to continue water production. These generators will be located in the northern part of the distribution system. Water can then be boosted to higher zones or gravity fed to the lower zones. In addition to the portable generators, WVWD will be installing back-up generators at the Zone 5 and 6 booster stations.

4.6 Shortage Response Action Effectiveness

WVWD has estimated the effectiveness of shortage response actions in [Table 3](#) and [Table 4](#) when data pertaining to such actions is available. It is expected that response actions effectiveness is also a result of successful communication and outreach efforts.

5.0 Communication Protocols

The West Valley Water District prioritizes effective communication, especially in times of a water shortage emergency. WVWD routinely communicates to customers about details on when a stage is announced. Communication actions may include bill inserts, handouts, informative flyers, and direct mail pieces to newspaper and bus shelter advertisements, news releases, social media outreach, and website content. WVWD continues to provide reminders about shortage stages and encourages conservation at all times.

6.0 Compliance and Enforcement

Consumption limits in the progressively restrictive stages are imposed on different uses. These are based on percentage reductions in water allotments, and restrictions on specific uses. The specific percentage reductions at each stage and for each user class are detailed in the ordinance. The individual customer allotments will be based on the previous year's use. This provides WVWD a basis for reviewing appeals.

Mandatory provisions to reduce water use during the different stages of water shortage are also summarized in the ordinance. Provisions of Article 24 - Water Conservation, adopted August 6, 2015, were adopted pursuant to Sections 375 and 376 of the CWC. Any second or subsequent violation of this policy after notice as specified in Section 2411 1(a) is a misdemeanor (CWC Section 377).

In addition to the remedy of criminal prosecution available to the District, violation of the Ordinance may result in the imposition of surcharges and restriction and/or termination of water service as set forth below:

1. **First Violation** – Notice of Non-Compliance – a written warning accompanied by a copy of this Ordinance, delivered by U.S. Mail and/or hung on customer's door.
2. **Second Violation – Warning of Penalties** – a written warning notice of future imposition of penalties that could be placed on the customer's water bill.

3. **Third Violation (within one (1) year)** - a surcharge of \$100.00.
4. **Fourth Violation (within one (1) year of the first violation)** – a surcharge of \$300.00, and installation of flow restricting device in the meter for a minimum of ninety-six (96) hours. Said restricted flow shall meet minimum County Health Department’s standards, if any have been established. If said ninety-six (96) hour period ends on a weekend or holiday, full service will be restored during the next business day.
5. **Fifth Violation (within one (1) year of the first violation)** – a surcharge of \$500.00, and termination of service for such period as the Board determines to be appropriate under the circumstances, following a hearing regarding said issue. Written notice of the hearing shall be mailed to the customer at least ten (10) days before the hearing.

Any surcharge hereunder shall be in addition to the basic water rates and other charges of the District for the account and shall appear on and be payable with the billing statement for the period during which the violation occurred; non-payment shall be subject to the same remedies available to the District as for non-payment of basic water rates.

In addition to any surcharge, a customer violating this Ordinance shall be responsible for payment of the District's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the District's Schedule of Charges then in effect. Such charges shall be paid prior to the removal of the flow restrictor or reconnection of service, whichever the case may be.

7.0 Legal Authorities

To offset the prolonged effects of the drought periods, the Board of Directors adopted a Water Conservation Plan with Ordinance No. 68 on July 5, 1990 by adding Article No. 24 entitled “Water Conservation” to its water service regulations and a WSCP with Ordinance No. 69 on February 6, 1992 which amended portions of the Water Conservation Plan. On August 6, 2015, the Board of Directors amended Resolution No. 387 through Ordinance Number 80, included as **Attachment 1**, which established water service regulations, schedules of rates, and charges. Article No. 24 describes Water Conservation objectives and outlines four stages of action to be implemented during a water shortage. WVWD’s Plan includes voluntary and mandatory stages.

The purpose of Article 24 is to provide water conservation measures in order to minimize the effect of a water shortage on the citizens of, and the economic well-being of, the communities WVWD serves. This Article adopts provisions that will significantly reduce the wasteful and inefficient consumption of water, thereby extending the available water resources required for the domestic, sanitation, and fire protection needs of the citizens of the communities they serve while reducing the hardship on WVWD and the general public to the greatest extent possible.

7.1 Water Shortage Emergency Declaration

In accordance with CWC Section Division 1, Section 350 – WVWD shall declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

7.2 Local/Regional Emergency Declaration

If a water shortage is approaching, WVWD shall coordinate with any the cities and counties in its service area for the possible proclamation of a local emergency.

8.0 Financial Consequences of WSCP

To ensure WVWD's customers comply with Article 24 and CWC Chapter 3.3 (Excessive Residential Water Use During Drought), additional costs may be incurred to monitor and enforce response actions. The financial consequences a water shortage can have on WVWD and the local community will depend on the duration and level of severity. During Stages 2 through 4 of the District's WSCP, water consumption will decrease based upon each individual stage and the amount of reduction goal achieved. The impacts of these reductions will result in a reduction in water sales revenues and a reduction of water production expenditures. To mitigate the financial impacts of a water shortage, WVWD maintains sufficient funds within a Rate Stabilization Account. These funds could be used to stabilize water rates during periods of water shortage or disasters affecting the water supply.

9.0 Monitoring and Reporting

The water savings from implementation of the WSCP will be determined based on monthly production reports which are reviewed and compared to production reports and pumping statistics from prior months and the same period of the prior year. Under shortage conditions, these production reports could be prepared as often as daily. At first, the cumulative consumption for the various sectors (e.g., residential, commercial, etc.) will be evaluated for reaching the target level. Then if needed, individual accounts will be monitored. Weather and other possible influences may be accounted for in the evaluation.

10.0 WSCP Refinement Procedures

The WSCP is best prepared and implemented as an adaptive management plan. WVWD will use results obtained from their monitoring and reporting program to evaluate any needs for revisions. Potential changes to the WSCP that would warrant an update include, but are not limited to, any changes to trigger conditions, changes to the shortage stage structure, and/or changes to customer reduction actions.

Any prospective changes to the WSCP would need to be presented to WVWD's Board for discretionary approval. Once discretionary approval has been granted, WVWD will hold a public hearing, obtain any comments and adopt the updated WSCP. Notices for refinement and the public hearing date will be published in the local newspaper in advance of any public meetings.

11.0 Plan Adoption, Submittal and Availability

WVWD adopted this WSCP with the 2020 IRUWMP. The 2020 IRUWMP and WSCP were made available for public review in June 2021 and a public hearing was held on **June 17, 2021** to receive public input on the draft 2020 IRUWMP and the WSCP.

The WVWD Board of Directors adopted the 2020 IRUWMP and the WSCP at a public meeting on **June 17, 2021**. The resolution of adoption is included as an attachment.

This WSCP was submitted to DWR through the WUData portal before the deadline of **July 1, 2021**.

This WSCP will be available to the public on West Valley Water District web site.

If WVWD identifies the need to amend this WSCP, it will follow the same procedures for notification to cities, counties and the public as used for the 2020 IRUWMP and for initial adoption of the WSCP.

References

California Department of Water Resources. (2021). *Urban Water Management Plan Guidebook 2020*. Sacramento: California Department of Water Resources.

Texas Living Waters Project. (2018). *Water Conservation by the Yard: A Statewide Analysis of Outdoor Water Savings Potential*. Austin: Texas Living Waters Project, Sierra Club, National Wildlife Federation. Retrieved from Texas Living Waters Project.

United States Environmental Protection Agency, Office of Water. (2002). *Cases in Water Conservation: How Efficiency Programs Help Water Utilities Save Water and Avoid Costs*. United States Environmental Protection Agency.

Attachment 1: WVWD'S Article No. 24 - Water Conservation

ORDINANCE NO. 80
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
WEST VALLEY WATER DISTRICT
RESCINDING ORDINANCE 79 AND AMENDING RESOLUTION
NO. 387, WATER SERVICE REGULATIONS, BY AMENDING
ARTICLE NO. 24 - WATER CONSERVATION

WHEREAS, Article 10, Section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, the water resources of West Valley Water District (“District”) are limited and finite; and

WHEREAS, conservation of certain water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use and manner of use provide an effective and immediately available means of conserving water; and

WHEREAS, California Water Code Sections 375 et seq. authorize water suppliers to adopt and enforce a comprehensive water conservation program; and

WHEREAS, pursuant to such authority the Board of Directors (“Board”) of District adopted Ordinance No. 68 amending Resolution No. 387, to add Article 24 to the District’s Service Regulations (“Article 24”); and

WHEREAS, the Board adopted Ordinance No. 78, rescinding Ordinance No. 68, and amending Resolution No. 387, by amending Article 24; and

WHEREAS, the Board adopted Ordinance No. 79, rescinding Ordinance No. 78, and amending Resolution No. 387, by amending Article 24; and

WHEREAS, the adoption of this Ordinance will allow the District to delay or avoid the implementation of more restrictive water use regulations provided that nothing in this Ordinance will prevent the District from implementing more restrictive regulations as authorized by California Water Code Section 350 et. seq; and

WHEREAS, the District has adopted an Urban Water Management Plan (“Plan”) that includes water conservation as a necessary and effective component to provide a reliable source of water to meet the needs of the District’s customers. The Plan also includes an analysis of actions to be taken in response to water supply shortages. This Ordinance is consistent with the District’s

Plan; and

WHEREAS, the State Water Resources Control Board adopted Resolution No. 2014-0038, No. 2014-0718-01E and 2015-0032 to adopt an emergency regulation for statewide urban water conservation (“State Board Regulations”). The State Board Regulations set forth certain prohibited activities and certain actions to be taken by water suppliers, such as the District; and

WHEREAS, the water conservation measures and progressive restrictions on water use identified by this Ordinance provide certainty to water users and enable District to control water use and plan and implement water measures in a fair and orderly manner for the benefit of the public. This Ordinance is further intended to comply with the mandates of the State Board Regulations as such applies to the District.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF WEST VALLEY WATER DISTRICT does ordain that Resolution 387 is hereby amended to amend Article 24 to read as follows:

ARTICLE 24
WATER CONSERVATION

1. Purpose. The purpose of this Article is to provide water conservation measures in order to minimize the effect(s) of a water shortage on the citizens of, visitors to, and the economic well-being of the communities we serve and, by means of this Article, to adopt provisions that will significantly reduce the wasteful and inefficient consumption of water, thereby extending the available water resources required for the domestic, sanitation, and fire protection needs of the citizens of, and visitors to, the communities we serve while reducing the hardship on the District and the general public to the greatest extent possible.

2. Application. The provisions of this Article shall apply to all customers and property within the service area of the District and shall also apply to all property and facilities owned, maintained, operated, or otherwise under the jurisdiction of the District.

a) Exception. The prohibited uses of water provided for by this Ordinance are not applicable to that use of water necessary for public health and safety or for essential government services such as police, fire, and similar emergency services.

3. Policy. Due to the fact that we are located in a semi-arid region and our groundwater is of limited supply and in an overdraft condition and because of these conditions prevailing in the District and areas elsewhere from which the District obtains its water supplies, the general welfare requires that the water resources available to the District be put to the maximum beneficial use to the extent to which they are capable and that the wasteful, inefficient, or unreasonable use, or method of use of our previous, limited, and finite water resources be prevented.

As such, the conservation of such waters is to be exercised with a view to the reasonable and

beneficial and efficient use thereof in the interests of the people of the District and for the public welfare.

Therefore, the District establishes the following goals, objectives, policies, and four-stage water conservation plan pertaining to the conservation and use of water:

2401. GOALS

- < The conservation of water.
- < The efficient use and distribution of available water supplies.
- < Adequate and sufficient potable water supply and availability for the greatest public benefit, with particular regard to human consumption, sanitation, and fire protection.
- < Maintain high quality customer service.
- < Ensure fiscal soundness.
- < Protect environmental quality.
- < Meet growing water quality regulations.
- < To reduce water consumption in accordance with State law, including, but not limited to the State Board Regulations.

2402. OBJECTIVES

- < To conserve all available water supplies.
- < To achieve an overall water use reduction.
- < To reduce the volume of wastewater.
- < To continuously increase consumer awareness about the need for and benefits of water conservation.
- < To reduce or eliminate wasteful and inefficient uses of water.
- < To assure an adequate supply of potable water sufficient to meet the essential private and public needs of the District's growing population and economy of those communities in which we serve.
- < To assure that all new developments and existing dwellings which are remodeled or

added to are equipped with water-conserving devices, fixtures, and appliances.

< To increase the use of native or water-conserving plant species for landscaping purposes.

< The term “base year” shall have the following meaning:

- a) The year 2013, if the customer occupied the subject real property for the entire year.
- b) If the customer did not occupy the subject real property for the entire year of 2013, the base year for that customer would be the first twelve (12) months the customer occupied the subject real property in or after 2013.
- c) If the customer has not occupied the subject real property for a twelve (12) month period on the adoption of this Ordinance, then the District will use the consumption history for the period of time the customer has occupied the subject real property. If the customer has no consumption history for the subject real property then the District will determine goals for that customer based on the averaging of other real properties with similar service types and meter sizes within the same meter reading route (as determined by the District) for the months without consumption history. The customer shall have a ten (10) day period after the customer receives the goals to appeal that determination to the General Manager (as defined herein), in writing. If the customer fails to appeal the determination within the ten (10) day period the goals shall be final. Upon receipt of a timely appeal, the General Manager shall schedule a hearing at which the General Manager or his/her designated representative shall act as the hearing officer. The hearing shall be at least ten (10) days following receipt of the appeal, and the District shall mail written notice of the hearing to the customer at least ten (10) days before the date of said hearing. The determination of the hearing officer with respect to the goals shall be final.

2403. POLICIES

< As a condition of water service, all new structures shall be equipped with high efficiency toilets (1.28 gallons per flush max) as per Section 17921.3 of the California Health and Safety Code, and with low-flow showers and faucets as per Title 24, Part 6, Article 1, T20-1406F of the California Administrative Code, in addition to the insulating of all hot water lines according to California Energy Commission Rules. “New Structures” shall mean buildings obtaining occupancy permits after the effective date of this Ordinance.

As a condition of continued water service, existing structures not so equipped, which require building permits to remodel or expand, shall be retrofitted with toilet tank dams

resulting in 1.28 gallon flushes unless the toilets are to be replaced, in which case the new toilets shall be ultra low-flush (1.28gpf), as stated above, and low-flow showers and faucets. Certification of compliance with this Ordinance shall be forwarded to the District.

- < The use of lawns shall be minimized in new commercial, hotel, condominium, and high-density housing and shall be subject to District review and conditioning of projects. The use of native or water-conserving trees, shrubs, lawns, grass, ground cover, vines, and other plant species for landscape planting or replanting purposes is required and shall be approved by the District. (A list of such plants can be obtained at the District office.)
- < Large water users, as determined by the District, shall submit a water conservation plan to the District and promote implementation of same as a condition to continued service.
- < Water demand, use, and mitigation shall be address in every Environmental Impact Report.
- < The District shall:
 - a) Cooperate with other local water purveyors, appropriate state and other responsible agencies in facilitating a continuous program to increase consumer awareness about the need for and benefits of water conservation.
 - b) Encourage large water users to implement water recycling and reuse processes.
 - c) Make water conservation as reliable a method of reducing water demands as water supply projects are in meeting such demands.

2404. STAGE I - NORMAL CONDITION

Normal supply and distribution capacity is available. All policies shown in Section 2403 and the following water conservation measures shall apply.

1. Recommendations for use of water.
 - a) Limit all landscape irrigation to between the hours of 8:00 p.m. and 6:00 a.m. Hand watering should be done between 6:00 p.m. and 8:00 a.m. Drip irrigation and hand watering while gardening is exempt from this recommendation. Water being used during repair or maintenance of watering system is exempt from this section.
 - b) Water conservation should be practiced within the home or business.
 - c) All restaurants and food establishments are requested not to serve water to their customers unless specifically requested by the customer.

2. The following uses of water are hereafter considered non-essential to the public health, safety and welfare and, if allowed, would constitute the wasting of water and is hereby prohibited, pursuant to Water Code Section 350 et seq., Water Code Section 71640 et. Seq. and the common law:
 - a) There shall be no application of water to sidewalks, walkways, driveways, parking areas, patios, porches, verandas, tennis courts, or other paved, concrete, or other hard surface areas, except that flammable or other similarly dangerous or unhealthy substances may be washed from said areas by direct hose flushing for the benefit of public health or safety.
 - b) No water shall be used to clean, fill, operate, or maintain levels in decorative fountains unless such water is part of a recirculating system.
 - c) No person shall permit water to leak from any facility, improvement or plumbing fixture on his/her/its premises; said leak shall be repaired in a timely manner.
 - d) Washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment are prohibited unless done with a hand-held bucket or hand-held hose equipped with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use. This section does not apply to the washing of the above-listed vehicles or mobile equipment when conducted at a commercial car wash utilizing recirculating systems.
 1. Such washings are exempted from these regulations when the health, safety, and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks and vehicles used to transport food and perishables.
 - e) Use of water for outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures is prohibited .
 - f) The use of sprinklers for any type of irrigation during high winds, which divert a significant amount of water from the intended landscaping, is prohibited.
 - g) The irrigation of potable water of ornamental turf on public street medians is prohibited. The term “median” shall mean the strip of land between street lanes.
 - h) The irrigation with potable water of landscape outside of newly constructed homes and buildings shall be consistent with regulations or other requirements establishments by the California Buildings Standards Commission, as those regulations may be modified from time to time.

2405. STAGE II - WATER ALERT

The District may not be able to meet all water demands of all customers, unless the following water conservation measures are applied:

- a) All policies and prohibitions listed in Sections 2403 and 2404.
- b) All customers are asked for a minimum twenty percent (20%) reduction of their water consumption over the base year consumption, unless otherwise stated.
- c) Operators of hotels and motels must provide guests with the option of choosing not to have towels and linens laundered daily. The hotels and motels shall prominently display notice of this option in each guestroom using clear and easily understood language.
- d) All eating establishments, including, but not limited to, restaurants, hotels, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased are prohibited from serving water to their customers except when specifically requested by the customer.
- e) District will screen all new applications for water service installations and will limit water use before occupancy to that essential use for construction and testing of landscape plumbing. Limited landscaping for new development shall be allowed as approved by the District.
- f) Limit all landscape irrigation to four (4) days per week for no more than ten (10) minutes per station per day. This provision does not apply to any landscape that has water-efficient devices that are operated properly. Water-efficient devices are drip irrigation systems and operational weather-based irrigation controllers. The term “week” is defined as Sunday through Saturday.
- g) Repair all leaks within seventy-two (72) hours of notification by the District unless other arrangements are made with the general manager of the District (“General Manager”).
- h) Water use for compaction, dust control, and other types of construction shall be by permit only and will be limited to conditions of the permit or may be prohibited as determined by the General Manager or his/her designee.
- i) Irrigating landscaping, including, but not limited to, turf and ornamental landscapes during and within forty-eight (48) hours following measurable precipitation is prohibited.

2406. STAGE III A - WATER WARNING

District is not able to meet all water demands of all customers; therefore, the following water conservation measures shall apply.

- a) All policies and prohibitions listed in Sections 2403, 2404 and 2405.

- b) All customers are required to reduce potable water consumption by a minimum of twenty-five (25%) reduction in their water consumption over the base year consumption.
- c) Washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment are prohibited. Washing of the above-listed vehicles or mobile equipment shall be allowed only at a commercial car wash where recirculating water is being utilized.
 - 1. Such washings are exempt from these regulations when the health, safety, and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks and vehicles used to transport food and perishables.
- d) New water services shall be installed but water shall be used before occupancy for essential construction only and for testing of landscape irrigation systems. The installation of new landscaping for all new development/projects must be approved by the District.
- e) Limit all landscape irrigation to three (3) days per week for no more than ten (10) minutes per station per day. Drip systems that are operated efficiently are exempt from these regulations.
- f) Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager.
- g) All agricultural water users shall irrigate only at times approved by the District.
- h) Swimming pools, ornamental pools, fountains, water displays, hot tubs, spas and artificial lakes shall not be filled or refilled after being drained.
- i) Water used for compaction, dust control, and other types of construction shall be by permit only and will be limited to conditions of the permit or may be prohibited as determined by the General Manager, or his/her designee.

2407. STAGE III B- WATER WARNING

District is not able to meet all water demands of all customers; therefore, the following water conservation measures shall apply.

- a) All policies and prohibitions listed in Sections 2403, 2404, 2405 and 2406 (except 2406 (e)).
- b) Limit all landscape irrigation to two (2) days per week for no more than ten (10) minutes per station per day.

2408. STAGE III C- WATER WARNING

District is not able to meet all water demands of all customers; therefore, the following water conservation measures shall apply.

- a) All policies and prohibitions listed in Sections 2403, 2404, 2405 and 2406 (except 2406 (e)).
- b) Limit all landscape irrigation to one (1) day per week for no more than ten (10) minutes per station per day.

2409. STAGE IV - WATER EMERGENCY

District is experiencing a major failure of supply or distribution; therefore, the following water conservation measures shall apply:

- a) All policies and prohibitions shown in Sections 2403, 2404, 2405 and 2406.
- b) All customers are required to reduce potable water consumption by a minimum of thirty percent (30%) reduction in their water consumption over the base year consumption.
- c) No water shall be used for construction purposes. All construction meters shall be locked off or removed.
- d) Commercial nurseries shall water only between the hours of 11:00 p.m. and 6:00 a.m. and only with hand-held devices or with drip irrigation systems.
- e) There shall be no watering of any lawn or landscaped area.
- f) The use of water shall be limited to essential household, commercial, manufacturing, or processing uses only, except where other uses may be allowed by permit.
- g) All agricultural water users shall irrigate only at times approved by the District.

2410. DETERMINATION AND DECLARATION OF WATER CONDITIONS

The General Manager, or his/her designee, shall access all available water supply data and shall make a report of his/her findings to the Board at the next Regular meeting or at a Special meeting called for that purpose. The Board may at that time determine and declare which of the four (4) previously discussed conditions the District's water supply is in and the extent of water conservation required to prudently plan for and supply water to the District's customers.

Thereafter, the Board may order that the appropriate stage of water conservation be implemented or terminated in accordance with the applicable provision of this Ordinance. The declaration of any stage shall be made by public announcement and notice shall be published once in a local

newspaper of general circulation. The stage designated shall become effective immediately upon announcement.

2411. DURATION OF DECLARATION

The declaration of any stage of water supply conditions shall remain in effect until such time as another stage is declared.

2412. AUTHORITY - MISDEMEANOR

This Article is adopted pursuant to Sections 375 and 376 of the California Water Code. Any second or subsequent violation of this policy after notice as specified in Section 2411 1(a) is a misdemeanor. (California Water Code Section 377).

2413. ENFORCEMENT

1. **Violations.** In addition to the remedy of criminal prosecution available to the District as described above, violation of this Ordinance may result in the imposition of surcharges and restriction and/or termination of water service as set forth below:

- a) First Violation – Notice of Non-Compliance – a written warning accompanied by a copy of this Ordinance, delivered by U.S. Mail and/or hung on customer's door.
- b) Second Violation – Warning of Penalties – a written warning notice of future imposition of penalties that could be placed on the customer's water bill.
- c) Third Violation (within one (1) year) - a surcharge of \$100.00.
- d) Fourth Violation (within one (1) year of the first violation) – a surcharge of \$300.00, and installation of flow restricting device in the meter for a minimum of ninety-six (96) hours. Said restricted flow shall meet minimum County Health Department's standards, if any have been established. If said ninety-six (96) hour period ends on a weekend or holiday, full service will be restored during the next business day.
- e) Fifth Violation (within one (1) year of the first violation) – a surcharge of \$500.00, and termination of service for such period as the Board determines to be appropriate under the circumstances, following a hearing regarding said issue. Written notice of the hearing shall be mailed to the customer at least ten (10) days before the hearing.

2. **Surcharges, Additional Charges.** Any surcharge hereunder shall be in addition to the basic water rates and other charges of the District for the account and shall appear on and be payable with the billing statement for the period during which the violation occurred; non-payment shall be subject to the same remedies available to the District as for non-payment of basic water rates.

In addition to any surcharge, a customer violating this Ordinance shall be responsible for payment of the District's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the District's Schedule of Charges then in effect. Such charges shall be paid prior to the removal of the flow restrictor or reconnection of service, whichever the case may be.

3. **Non-liability for Damage.** The customer or resident who violates this Ordinance thereby assumes responsibility for injury to the customer and/or other residents/occupants receiving service, including emotional distress and/or damage to the customer's private water system and/or to other real or personal property owned by the customer or by a third party resulting from the installation and operation of a flow restricting device or from termination of service; said customer shall thereby be deemed to have: (a) waived any claim for injury or for damage to the customer's property which the customer may otherwise have against the District; and (b) agreed to indemnify, defend, and hold the District harmless from claims by third parties for injury or property damage arising or claimed to arise out of the District's installation and/or operation of a flow restricting device or termination of water service.

4. **Exemptions.** No exemption shall be granted to any person for any reason in the absence of a showing by said person that he/she/it has achieved the maximum practical reduction in water consumption in his/her residential, commercial, industrial, or governmental water consumption as the case may be.

The General Manager, or his/her designee, may grant exemptions ("exceptions" to this Ordinance) for uses of water otherwise prohibited by the regulations. Water customers who feel that they need an adjustment in the prohibitions as they relate to him/her will fill out a simple application form for an exemption stating the justification and circumstances. If the exemption is not granted, customer may appeal in writing as stated in Section 2414.1.

a) Inconvenience or the potential for damage to landscaping shall not be considered for exemption from any section of this Ordinance.

2414. APPEALS

1. **Procedures.** The General Manager, or his/her designated enforcement officer, shall determine when violations have occurred and shall issue to the customer a notice of violation ("Notice of Violation") by mailing same and/or hanging same on the customer's door at least ten (10) days before taking enforcement action. Said notice shall describe the action to be taken (notice of first violation shall simply be accompanied by a copy of this Ordinance) and shall be mailed or delivered at least ten (10) days before the proposed action is scheduled to be taken.

A customer may appeal the Notice of Violation by filing a written notice of appeal with the District no later than the close of business on the day before the date scheduled for enforcement action. Any Notice of Violation not timely appealed shall be final. Upon receipt of a timely appeal, a hearing on the appeal by the Board shall be scheduled at the Board's next Regular meeting or at a Special meeting scheduled for that hearing; in either, the hearing shall be at least

ten (10) days following receipt of the appeal, and the District shall mail written notice of the hearing to the customer at least ten (10) days before the date of said hearing.

2. **Interim Measures.** Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the General Manager or the enforcement officer, if one has been designated, may take appropriate steps to prevent the unauthorized use of water as appropriate to the nature and extent of the violation and the current declared water condition.

2415. IMPLEMENTATION BY GENERAL MANAGER

The General Manager or designated representative is hereby authorized and directed to implement the provisions of this Ordinance. Guidelines regarding implementation procedures may be approved and/or modified from time to time by resolution by the Board.

2416. CEQA EXEMPTION

The adoption of this Ordinance, and the actions taken hereunder, are exempt from the provisions of the California Environmental Quality Act of 1970 in that they constitute a project undertaken as immediate action necessary to prevent or mitigate an emergency pursuant to Section 15071 of the State EIR Guidelines.

2417. DURATION OF ORDINANCE

This Ordinance shall remain in effect until the Board finds that the threatened emergency and threatened water shortage no longer exists. The provisions of this Ordinance shall prevail and control in the event of any inconsistency with any other rules and regulations of the District.


2418. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be unconstitutional or invalid.

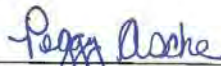
2419. EFFECTIVE DATE, PUBLISHING, AND POSTING

This Ordinance shall be effective immediately upon adoption. Within ten (10) days of adoption, a copy of this Ordinance shall be published one time in a local newspaper and posted in the lobby of the District Office.

ADOPTED, SIGNED AND APPROVED THIS 6th DAY OF AUGUST, 2015.


Betty Gosney, President of
the Board of Directors

ATTEST:


Peggy Asche, Secretary of the Board of
Directors

Attachment 2: Adoption Resolution

RESOLUTION NO. 2021-8

**RESOLUTION OF THE BOARD OF DIRECTORS
OF WEST VALLEY WATER DISTRICT
ADOPTING THE WATER SHORTAGE CONTINGENCY PLAN**

WHEREAS, The California Urban Water Management Planning Act, Water Code Section 10610 et seq. (“the UWMP Act”), mandates that every urban supplier of water providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre feet of water annually, prepare and adopt, in accordance with prescribed requirements, a water shortage contingency plan (“WSCP”); and

WHEREAS, West Valley Water District (“Water District”) meets the definition of an urban water supplier for purposes of the UWMP Act; and

WHEREAS, the UWMP Act specifies the requirements and procedures for adopting such Water Shortage Contingency Plans; and

WHEREAS, pursuant to recent amendments to the UWMP Act, urban water suppliers are required to adopt and electronically submit their WSCPs to the California Department of Water Resources by July 1, 2021; and

WHEREAS, The Water District has prepared a WSCP in accordance with the UWMP Act and SB X7-7, and in accordance with applicable legal requirements, has undertaken certain coordination, notice, public involvement, public comment, and other procedures in relation to its WSCP; and

WHEREAS, the WSCP references and incorporates the provisions of the Water District’s Article 24 - Water Conservation Ordinance No. 83 adopted on August 18th, 2016; and

WHEREAS, in accordance with the UWMP Act, the Water District has prepared its WSCP with its own staff, with the assistance of consulting professionals, and in cooperation with other governmental agencies, and has utilized and relied upon industry standards and the expertise of industry professionals in preparing its WSCP, and has also utilized the California Department of Water Resources Guidebook for Urban Water Suppliers to Prepare 2020 Urban Water Management Plans, in preparing its WSCP; and

WHEREAS, in accordance with applicable law, including Water Code sections 10608.26 and 10642, and Government Code section 6066, a Notice of a Public Hearing regarding the Water District’s WSCP was published within the jurisdiction of the Water District on June 3 and June 10; and

WHEREAS, in accordance with applicable law, including but not limited to Water Code sections 10608.26 and 10642, a public hearing was held on June 17th, 2021 at 7:00pm, or soon thereafter, in the boardroom of the offices of the Water District, 855 W. Base Line Rd., Rialto,

CA in order to provide members of the public and other interested entities with the opportunity to be heard in connection with proposed adoption of the WSCP and issues related thereto; and

WHEREAS, pursuant to said public hearing on the WSCP, the Water District, among other things, encouraged the active involvement of diverse social, cultural, and economic members of the community within the Water District's service area with regard to the preparation of the WSCP, encouraged community input regarding the Water District's WSCP; and

WHEREAS, the Board of Directors has reviewed and considered the purposes and requirements of the UWMP Act, the contents of the WSCP, and the documentation contained in the administrative record in support of the WSCP, and has determined that the factual analyses and conclusions set forth in the WSCP are legally sufficient; and

WHEREAS, the Board of Directors desires to adopt the WSCP in order to comply with the UWMP Act.

NOW THEREFORE BE IT RESOLVED, the Board of Directors of the Water District hereby resolve as follows:

1. The Water Shortage Contingency Plan is hereby adopted as amended by changes incorporated by the Board of Directors as a result of input received (if any) at the public hearing and ordered filed with the Secretary of the Board of Directors;
2. The General Manager is hereby authorized and directed to include a copy of this Resolution in Water District's WSCP;
3. The General Manager is hereby authorized and directed, in accordance with Water Code sections 10621(d) and 10644(a)(1)-(2), to electronically submit a copy of the WSCP to the California Department of Water Resources no later than July 1, 2021;
4. The General Manager is hereby authorized and directed, in accordance with Water Code section 10644(a), to submit a copy of the WSCP to the California State Library, and any city or county within which the Water District provides water supplies no later than thirty (30) days after this adoption date;
5. The General Manager is hereby authorized and directed, in accordance with Water Code section 10645, to make the WSCP available for public review at The Water District's offices during normal business hours and on The Water District's website no later than thirty (30) days after filing a copy of the WSCP with the California Department of Water Resources;
6. The General Manager is hereby authorized and directed, in accordance with Water Code Section 10635(b), to provide that portion of the WSCP prepared pursuant to

Water Code Section 10635(a) to any city or county within which The Water District provides water supplies no later than sixty (60) days after submitting a copy of the WSCP with the California Department of Water Resources;

7. The General Manager is hereby authorized and directed to implement the WSCP in accordance with the UWMP Act and to provide recommendations to the Board of Directors regarding the necessary budgets, procedures, rules, regulations or further actions to carry out the effective and equitable implementation of the WSCP.


ADOPTED, SIGNED, AND APPROVED THIS 17th DAY OF JUNE, 2021.

AYES:	DIRECTORS:	Channing Hawkins, Kyle Crowther, Michael Taylor
NOES:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Clifford Young, Greg Young
ABSTAIN:	DIRECTORS:	None

ATTEST:



Peggy Asche
Board Secretary



Channing Hawkins,
President of the Board of Directors
of West Valley Water District