

**Appendix D - Water Shortage Contingency Plan**

**Eastern Municipal Water District  
Water Shortage Contingency Plan**

**Ordinance No.117**

**Effective July 6, 2005**

**Attachment A**

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# Water Shortage Contingency Plan For Domestic (Potable) Water

## Eastern Municipal Water District

### Section I: Declaration of Purpose and Principles

In accordance with Water Code 10632 requirements, Eastern Municipal Water District (EMWD) is responsible for conserving the available water supply, protecting the integrity of water supply facilities (infrastructure), and implementing a contingency plan in times of drought, supply reductions, failure of water distribution systems or emergencies. Particular emphasis is placed on use of domestic (potable) water, sanitation, fire protection and preserving public health, welfare, and safety, in addition to minimizing the adverse impacts of water supply shortage or other water supply emergency conditions that do not include recycled water. Therefore, EMWD hereby adopts regulations and restrictions on the delivery and consumption of **potable outdoor water use only**.

**Water Surplus and Drought Management Plan (WSDM)** – Since EMWD purchases approximately 80 percent of its domestic (potable) water from the Metropolitan Water District of Southern California (MWD), the District recognizes the interdependence of surplus and shortage actions of MWD. WSDM is a coordinated plan utilizing all available resources to maximize supply reliability. The overall objective of the WSDM Plan is to ensure that shortage allocation of MWD's imported water supplies is NOT required. New regional storage projects and other on-going "drought-proofing" efforts by MWD and its member agencies have reduced the need for EMWD drought conservation targets in excess of those adopted by MWD through its WSDM and IRP Plans.

The overall policy objective of the WSDM allocation method will be to minimize the impacts to any one agency and the region as a whole. To meet that objective, the method of allocating firm imported supply will account for each agency's demands on Metropolitan, each agency's local resources, and each agency's total retail demands. **The WSDM Plan allocation will also take into account each agency's conservation and recycled water programs.**

In the event that the District was to implement the Water Shortage Contingency Plan (the Plan), it is recognized that the reduction in sales would impact the revenues that would normally be generated. To the extent that this reduction negatively impacts the coverage of its fixed related costs (those that are not tied to volume) the District will utilize its Rate Stabilization Reserve to mitigate any shortfall.

Potable water regulated or prohibited under the Plan is considered to be non-essential use; continuation of such uses during times of potable water shortage or other emergency water supply conditions are deemed to constitute a waste of water and will be subject to penalties as defined in Sections X, XI and XII of this Plan.

The Plan is based on the following priorities:

- Public safety, health and welfare
- Sustaining economic vitality
- Quality of life

## **Section II: Public Involvement**

Opportunity for the public to provide input into the Plan is provided by public notice -- 30 days prior to implementation. See Section V for authorization process of Board of Directors and General Manager to activate the Water Shortage Contingency Plan.

## **Section III: Public Education**

EMWD will periodically provide the public with information about the Plan, including conditions under which each stage of the Plan is to be initiated or terminated and the conservation response measures to be implemented in each stage. This information will be provided by means of public events, website, press releases, bill inserts, etc.

## **Section IV: Coordination with Regional Water Planning Groups**

The service area of EMWD is located within the regional area of the Santa Ana Watershed Project Authority (SAWPA). In addition to SAWPA, coordination and implementation of this Plan are in concert with Metropolitan Water District's (MWD) Water Surplus and Drought Management Plan (WSDM) as well as the EMWD sub-agencies – Lake Hemet Municipal Water District, Nuevo Water Company, Murrieta County Water District, and the cities of Perris, Hemet and San Jacinto.

## **Section V: Authorization Process**

### **A. Long and Short Term Water Deficiencies**

Driven by the requirements outlined in Water Code 10632, the District's General Manager shall request the Board of Directors to authorize and implement the provisions of the Plan, which declares that the demand for potable water consumption is anticipated to be in excess of the water supply. The request shall be made at a regular or special meeting of the Board of Directors where findings will dictate the necessity, if any, to implement provisions of the Plan. The Board of Directors shall have the authority to initiate or terminate the water shortage contingency measures described in this Plan.

### **B. Emergency Water Shortage Response**

By adopting this Plan, the Board of Directors authorizes the General Manager to declare the extent of potable water shortage emergency and to implement the appropriate water shortage contingency measures. The General Manager shall report such water shortage condition and level of response to the Board of Directors at a time which is reasonable and practicable. Refer to Water System Emergency Operation Procedures within the Urban Water Management Plan.

The declaration of the Board shall be made by public announcement and shall be published in a newspaper of general circulation. The declaration shall become effective immediately upon such publication.

## **Section VI: Application**

The water shortage contingency measures of this Plan shall apply to all persons, customers, and property utilizing potable water provided by EMWD. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, agencies, associations, and all other legal entities.

## **Section VII: Definitions**

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: ornamental or decorative fountains, reflecting pools, and water gardens.

Base period: the period of time over which the customer’s water use is computed.

Billing unit: the unit amount of water used to apply water rates for the purposes of calculating commodity charges for the customer water usage and equals 100 cubic feet or 748 gallons of water.

Commercial, Industrial and Institutional (CII): non-profit establishments, governmental entities, schools, retail establishments, hotels, motels, restaurants, car washes and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that supply is conserved and made available for future or alternative uses.

Customer: any person, company, agency, or organization using water supplied by EMWD.

Customer Classifications: residential, commercial, industrial, institutional, agriculture, large landscape accounts, wholesale (sub-agencies).

District: Eastern Municipal Water District.

Domestic water: used for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution. Also used for landscape irrigation.

Even numbered address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Historical base period: any customer who was not a customer during the full historical base period shall be assigned an average daily usage by the District.

Household: residential premises served by the customer’s meter.

Industrial water use: processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-way and medians.

Lifeline: Amount of water necessary to meet a household's minimum needs for health, safety and sanitation.

Non-essential water use: not essential or required for the protection of public, health, safety and welfare.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

Potable water: filtered/treated water suitable for drinking; also used for household needs and landscape irrigation.

Water Shortage Contingency Plan: the Plan

Water shortage: a condition in which the existing or projected potable water supply available to EMWD is not anticipated to meet the water requirements of its customers. This condition may be the result of factors including, but not limited to, voluntary or mandatory curtailment of the District's allocation from the Metropolitan Water District of Southern California (MWD), drought, emergency conditions or failure of water distribution systems.

Water shortage period: the period beginning on the effective date of the Board of Directors approval of implementing EMWD's Water Shortage Contingency Plan, and ending on the date of the General Manager's finding that a potable water shortage no longer exists.

## **Section VIII: Criteria for Initiation/Termination of Water Shortage Contingency Stages**

At a time of long or short-term drought conditions or other emergencies, EMWD shall continue to monitor potable water supply shortage conditions on a regular basis and shall determine when conditions warrant initiation or termination of each stage of the Plan as follows:

- A. Stage 1: When water deficiencies range between 5 and 10 percent (voluntary stage).
- B. Stage 2: When water deficiencies range from more than 10 percent and up to 25 percent (mandatory stage).
- C. Stage 3: When water deficiencies range from more than 25 percent and up to 50 percent (mandatory stage).
- D. Stage 4: When water deficiencies are more than 50 percent (mandatory stage).

## Section IX: Public Notification Procedures

When the District determines that a potable water shortage condition exists, any or all of the following notification procedures may be implemented:

- A. Notify the general public and influential local decision-makers what the situation is, what actions should be taken, what they are intended to achieve, and how these actions are to be implemented.
- B. The public at large will be informed of the situation and what must be done. Contact can be made through billing inserts, water conservation booths, speaker's bureau, community association meetings, newsletters, education programs, etc. Literature should be provided on the potable water shortage condition, conservation methods, and water-savings devices.
- C. Use of media in all its available forms should be employed. This would include public service announcements on radio and cable television as well as press releases in local newspapers.
- D. Post all pertinent information on the District's web site.

## Section X: Water Shortage Contingency Measures (Households)

- A. Stage 1: When potable water deficiencies range between 5 and 10 percent. The following water use restrictions are voluntary under Stage 1 and mandatory under Stage 2 or greater:
  1. Do not hose down driveways or any other hard surfaces except for health or sanitary reasons. Use a broom or blower instead.
  2. Irrigate lawns and landscape only between midnight and 6:00 a.m. (unless hand watering). Adjust automatic timer clocks accordingly.
  3. Adjust and operate all landscape irrigation systems in a manner that will maximize irrigation efficiency and avoid over watering or watering of hardscape and the resulting runoff.
  4. Refrain from using decorative fountains unless they are equipped with a recycling system.
  5. Where possible, install pool and spa covers to minimize water loss due to evaporation.
  6. Do not allow hoses to run while washing vehicles. Use a bucket or a hose with an automatic shutoff valve.

**NOTE:** *The above measures are similar to on-going conservation procedures followed under existing Ordinance No. 72.19.*

- B. Stage 2: When water deficiencies range from more than 10 percent and up to 25 percent. Customers shall be requested to adhere to restrictions prescribed in Stage 1 on a mandatory basis, in addition to the following mandatory water use restrictions:

1. No replacement water will be provided for ponds, lakes, etc.

- C. Stage 3: When water deficiencies range from more than 25 percent and up to 50 percent. Customers shall be requested to adhere to restrictions prescribed in Stages 1 and 2, in addition to the following mandatory water use restrictions:
1. Water used on a one-time basis for purposes such as construction and dust control shall be limited to that quantity identified in a plan submitted by the user describing water use requirements. The plan shall be submitted to the District for approval.
  2. The use of water from fire hydrants shall be limited to fire fighting and related activities.
  3. Water for municipal purposes shall be limited to activities necessary to maintain the public health, safety and welfare.
  4. Outdoor irrigation by sprinklers will only be allowed on even-numbered days of the month for those locations with a street address ending in an **even last digit**. Outdoor irrigation of locations not having a street address shall irrigate on even-numbered days of the month.
  5. Outdoor irrigation by sprinklers will only be allowed on odd-numbered days of the month for those locations with a street address in an **odd last digit**.
  6. Washing of autos, trucks, trailers, motor homes, boats, airplanes or other types of mobile equipment is prohibited. However, such washings are exempted from these regulations for municipalities or commercial entities where the health, safety and welfare of the public is contingent upon frequent vehicle cleaning such as garbage trucks or vehicles used to transport food and perishables.
- D. Stage 4: When water deficiencies are more than 50 percent. Customers shall be requested to adhere to restrictions prescribed in Stages 1 through 3, in addition to the following mandatory water use restrictions:
1. Irrigation of landscaping is only allowed twice per week with hand-held hose only.
  2. No replacement water provided for pools and spas until such time as Stage 4 restrictions are deemed no longer in effect.
  3. No one shall cause the emptying or refilling of existing pools or spas for cleaning purposes. Current water levels will be maintained.
  4. All new landscaping shall be limited to drought-tolerant plantings as determined by the District.
  5. No new lawns/turf, whether by seed or sod, shall be permitted.
  6. No person or entity shall be required to implement any new landscaping requirements of any association, developer or governing agency until the termination of Stage 4.
  7. Use of water by all types of commercial car washes shall be reduced in volume by 50 percent.

## **Section XI: Water Shortage Contingency Measures (CII)**

- A. Stage 1: When potable water deficiencies range between 5 and 10 percent. Customers shall be requested to adhere to restrictions prescribed in Stage 1 of Section X in addition to the following voluntary water use restriction:
1. Reference evapotranspiration (ET) factors for individually metered landscape projects will be reduced from 1.0 (100 percent of ET) to 0.8 (80 percent of ET).
- B. Stage 2: When potable water deficiencies range from more than 10 percent and up

to 25 percent. Customers shall be requested to adhere to restrictions prescribed in Stage 1 of Section X on a mandatory basis.

C. Stage 3: When potable water deficiencies range from more than 25 percent and up to 50 percent. Customers shall be requested to adhere to restrictions prescribed in Stages 1 and 2 of Section X, in addition to the following mandatory water use restriction:

1. Landscape meters to 75 percent of ET.

D. Stage 4: When potable water deficiencies are more than 50 percent. Customers shall be requested to adhere to restrictions prescribed in Stages 1 through 3 in Section X, in addition to the following mandatory water use restriction:

1. Landscape meters to 60 percent of ET.

## **Section XII: Water Shortage Contingency Measures (Agriculture)**

A. Stage 4: When potable water deficiencies are more than 50 percent. Customers shall be requested to adhere to the following mandatory restriction:

1. Based on interruptible agriculture water from MWD, field and row crops may be discontinued.

## **Section XIII: Enforcement**

A. No person or entity shall knowingly or intentionally allow the use of potable water from the District for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the water shortage response stage in effect at the time pursuant to action taken by District, in accordance with provisions of this Plan.

B. The various responses to drought or emergencies described in previous sections are intended to avoid or defer the need for rationing community water supplies, while preserving some latitude of choice with respect to how much potable water individual customers use. However, the success of this framework depends on all customers using water efficiently. In the event of unreasonable use or waste, the District reserves the right to impose penalties in addition to the financial disincentives described, including the right to install flow restrictors or to shut off supply.

C. If a person or entity knowingly or intentionally violates the provision of the Plan, the Board of Directors may choose to implement either the event driven or tiered rate penalties as described below:

1. Event-driven penalties:

**NOTE:** *For irrigation/landscape accounts, the penalties listed below are in addition to the current Annual Assessment Schedule in Ordinance No. 72.19.*

- a. For the first monthly violation of these sub-sections, the District shall issue a written notice of fact of such violation to the customer.
- b. For the second and third month violations, a surcharge of 100% of current water bill commodity charge shall be added to the customer's water bill.
- c. For the fourth and succeeding month(s) violation, a surcharge of 200% of current water bill commodity charge shall be added to the customer's water bill.
- d. Thereafter, the District may install a flow restricting device of one gallon per minute (1 GPM) capacity for services up to 1 ½" size and comparatively sized restrictors for larger services.
- e. The District may also terminate a customer's irrigation/landscape meter service.

**NOTE:** *Flow restricting devices and/or termination of service will only be undertaken after a hearing held by a review board where the customer has an opportunity to respond to the District's evidence that the customer has repeatedly violated this chapter's rules regarding the conservation of potable water and that such action is reasonably necessary to assure compliance with this Plan. Prior to any restoration of the service, the customer shall pay all District charges for any restriction or termination of service and its restoration.*

2. Tiered rate penalty:

- a. The District shall have the option to impose a tiered rate system that will provide for charges and/or penalties for higher consumption of water over and above the requirements stated herein throughout Stages 1 through 4 of this Plan.

**NOTE:** *In the event the historical commodity cannot be established using actual recorded amounts of potable water used by a customer during the corresponding billing period in the calendar year preceding the potable water shortage period, the District shall assign the historical commodity.*

**Section XIV: Variances**

- A. The District may, in writing, grant temporary variance for existing potable water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance, and if one or more of the following conditions are met:
  1. Compliance with this Plan cannot be technically accomplished during the duration of the potable water supply shortage or other condition for which the Plan is in effect.
  2. Alternative methods can be implemented which will achieve the same level of reduction in potable water use.
- B. Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the District within 10 days after the Plan or a particular

drought/emergency response stage has been invoked. All petitions for variances shall be reviewed by the District, and shall include the following:

1. Name and address of the petitioner(s).
  2. Purpose of potable water use.
  3. Specific provision(s) of the Plan from which the petitioner is requesting relief.
  4. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
  5. Description of the relief requested.
  6. Period of time for which the variance is sought.
  7. Alternative water use restrictions or other measures the petitioner is taking or proposes.
  8. Alternative potable water use restrictions or other measures the petitioner is taking, or proposes to take, to meet the intent of this Plan and the compliance date.
  9. Other pertinent information.
- C. Variances granted by the District shall be subject to the following conditions, unless waived or modified by the District:
1. Variances granted shall include a timetable for compliance.
  2. Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.
- D. No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.