Chapter 7 Water Shortage Contingency Plan

Chapter 7 constitutes the District's Water Shortage Contingency Plan (WSCP) and contains a detailed discussion of the water shortage contingency planning undertaken by the District to prepare for and implement during water shortage conditions. This chapter also describes the District's annual water supply reliability assessment procedures and addresses the District's mandatory prohibitions and penalties associated with excess water use.

10632(a): Every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its urban water management plan that consists of each of the following elements:

10632(a)(1): The analysis of water supply reliability conducted pursuant to Section 10635.

10632(a)(2): The procedures used in conducting an annual water supply and demand assessment that include, at minimum, both of the following:

10632(a)(2)(A): The written decision-making process that an urban water supplier will use each year to determine its water supply reliability.

10632(a)(2)(B): The key data inputs and assessment methodology used to evaluate the urban water supplier's reliability for the current year and one dry year, including all of the following:

10632(a)(2)(B)(i): Current year unconstrained demand, considering weather, growth, and other influencing factors, such as policies to manage current supplies to meet demand objectives in future years, as applicable.

10632(a)(2)(B)(ii): Current year available supply, considering hydrological and regulatory conditions in the current year and one dry year. The annual supply and demand assessment may consider more than one dry year solely at the discretion of the urban water supplier.

10632(a)(2)(B)(iii): Existing infrastructure capabilities and plausible constraints.

10632(a)(2)(B)(iv): A defined set of locally applicable evaluation criteria that are consistently relied upon for each annual water supply and demand assessment.

10632(a)(2)(B)(v): A description and quantification of each source of water supply.

10632.1: An urban water supplier shall conduct an annual water supply and demand assessment pursuant to subdivision (a) of Section 10632 and, on or before July 1 of each year, submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan. An urban water supplier that relies on imported water from the State Water Project or the Bureau of Reclamation shall submit its annual water supply and demand assessment within 14 days of receiving its final allocations, or by July 1 of each year, whichever is later.

10632(a)(3)(A): Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage. Urban water suppliers shall define these shortage levels based on the suppliers' water supply conditions, including percentage reductions in water supply, changes in groundwater levels, changes in surface elevation or level of subsidence, or other changes in hydrological or other local conditions indicative of the water supply available for use. Shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, and other potential emergency events.

10632(a)(3)(B): An urban water supplier with an existing water shortage contingency plan that uses different water shortage levels may comply with the requirement in subparagraph (A) by developing and including a cross-reference relating its existing categories to the six standard water shortage levels.

10632(a)(4): Shortage response actions that align with the defined shortage levels and include, at a minimum, all of the following:

10632(a)(4)(A): Locally appropriate supply augmentation actions.

10632(a)(4)(B): Locally appropriate demand reduction actions to adequately respond to shortages.

10632(a)(4)(C): Locally appropriate operational changes.

10632(a)(4)(D): Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions.

10632(a)(4)(E): For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.

10632.5(a): In addition to the requirements of paragraph (3) of subdivision (a) of Section 10632, beginning January 1, 2020, the plan shall include a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities.

10632.5(b): An urban water supplier shall update the seismic risk assessment and mitigation plan when updating its urban water management plan as required by Section 10621.

10632.5(c): An urban water supplier may comply with this section by submitting, pursuant to Section 10644, a copy of the most recent adopted local hazard mitigation plan or multihazard mitigation plan under the federal Disaster Mitigation Act of 2000 (Public Law 106-390) if the local hazard mitigation plan or multihazard mitigation plan addresses seismic risk.

10632(a)(5): Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, all of the following:

10632(a)(5)(A): Any current or predicted shortages as determined by the annual water supply and demand assessment described pursuant to Section 10632.1.

10632(a)(5)(B): Any shortage response actions triggered or anticipated to be triggered by the annual water supply and demand assessment described pursuant to Section 10632.1.

10632(a)(5)(C): Any other relevant communications.

10632(a)(6): For an urban retail water supplier, customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions as determined pursuant to Section 10632.2.

10632(a)(7)(A): A description of the legal authorities that empower the urban water supplier to implement and enforce its shortage response actions specified in paragraph (4) that may include, but are not limited to, statutory authorities, ordinances, resolutions, and contract provisions.

10632(a)(7)(B): A statement that an urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1. [see below]

10632(a)(7)(C): A statement that an urban water supplier shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

Division 1, Section 350: Declaration of a water shortage emergency condition. The governing body of a distributor of a public water supply, whether publicly or privately owned and including a mutual water company, 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.

10632(a)(8): A description of the final consequences of, and responses for, drought conditions, including, but not limited to, all of the following:

10632(a)(8)(A): A description of potential revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

10632(a)(8)(B): A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).

10632(a)(8)(C): A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1.

10632(a)(9): For an urban retail water supplier, monitoring and reporting requirements and procedures that ensure appropriate data is collected, tacked, and analyzed for the purposes of monitoring customer compliance to meet state reporting requirements.

10632(a)(10): Reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed.

10632(b): For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.

10632(c): The urban water supplier shall make available the water shortage contingency plan prepared pursuant to this article to its customers and any city of county with which it provides water supplies no later than 30 days after adoption of the water shortage contingency plan.

10632.3: It is the intent of the Legislature that, upon proclamation by the Governor of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions, the board defer to implementation of locally adopted water shortage contingency plans to the extent practicable.

7.1 Drought and Water Shortage Planning Overview

As demonstrated in Chapter 6, the Water Authority's 2020 UWMP reports sufficient supplies to meet future demands of its member agencies under the single dry year and multiple dry year assessment, and therefore the District anticipates being able to meet projected demands under all scenarios evaluated. The WSCP may be implemented in the event of drought conditions, temporary restrictions from the State, notification of shortages from the Water Authority, or other unanticipated shortages.

The District has experienced three droughts over the past few decades – one in the 1990s, one in the late 2000s, and the most recent one that occurred between 2014 and 2017 – where supply

deficiencies were significant enough to necessitate mandatory water use restrictions. In the 1990s, a statewide drought halted operation of the SWP and, simultaneously, a local drought significantly reduced flows into Lake Hodges. At that time, the Water Authority informed its member agencies that a mandatory 20% reduction in demand was needed.

Between 2007 – 2011, mandatory water use restrictions implemented in response to another statewide drought, combined with litigation that impacted operation of the SWP in the Bay-Delta, substantially reduced pumping volumes from the SWP. In April 2007, MWD notified its member agencies (including the Water Authority) that it expected to face challenges in meeting demands due to insufficient imported water supplies from the SWP and the CRA. MWD, the Water Authority, and the District all adopted voluntary and mandatory water use restrictions as dry conditions persisted into 2009. In April 2009, MWD's Board of Directors voted to allocate urban water deliveries to its member agencies in FY 2010 for the first time in decades. In turn, the Water Authority allocated water deliveries to its member agencies. The Water Authority's long-term strategy to improve water supply reliability by diversifying the region's water supply portfolio helped offset some of the required cutbacks from MWD. Residences and businesses responded to the call for conservation and urban water use dropped throughout San Diego County. Although hydrologic conditions began to improve in 2010, storage reserves remained low, and allocations continued into FY 2011 to help restore storage reserves and prepare for a potential dry water year.

In response to the most recent severe drought that occurred between 2012 and 2017 water suppliers implemented the strictest water use restrictions to date through activation of drought response levels. Drought response levels are enacted to reduce a supplier's total urban water use through encouragement and enforcement of several voluntary and mandatory shortage response actions to achieve a specified reduction. The District defines and activates its drought response levels in accordance with drought response levels defined and activated by the Water Authority. The Water Authority's *Water Shortage and Drought Response Plan* defines its drought response levels, which can be activated by the Water Authority's Board of Directors as needed to reduce water use in response to drought conditions. Upon being activated, the Board of Directors will set forth a drought level for the Water Authority, and the Water Authority will encourage its member agencies to adopt similar drought levels. The District has responded to drought conditions by adopting a drought management plan, implementing mandatory and voluntary water use restrictions, and implementing new water conservation programs. The District's drought management plan is incorporated in the District's *Administrative Code, Article 17, Water Shortage Response Policies and Procedures*.

In April 2015, the Governor of California issued an executive order declaring a State of Emergency requiring the California State Water Resources Control Board (State Board) to implement regulations and restrictions to achieve a 25% reduction in potable water use statewide. To address this executive order, the State Board then amended its emergency drought regulations requiring the District to reduce its water use by 36% compared to its 2013 water use. In response to these state actions, the District revised its *Water Shortage Response Policies and Procedures* in May 2015 to enforce a water allocation program to reduce the District's overall water use to meet the State requirements. Additional revisions included water waste prohibitions and the establishment of penalties for violation of implemented water allocations during Level 3 and Level 4 drought conditions. The District's Water Shortage Response Level 2 that went into effect in August 2014 was increased to a Level 3 in May 2015, increasing water use restrictions and prohibitions. The District began to relax water use restrictions as supplies began to recover and drought conditions

improved. In June 2016, the District went from a Water Shortage Response Level 3 to a Level 1, which encourages but does not mandate water use restrictions. In April 2017, the Governor of California issued an executive order lifting the drought emergency water restrictions in San Diego County, and the District followed by ending its Level 1 restrictions.

The District will update its *Water Shortage Response Policies and Procedures* again by the end of 2021 to comply with new 2018 legislation that was adopted in response to the recent severe drought and for consistency with this WSCP. Pursuant to the 2018 legislation, water suppliers must address several new requirements with prescriptive elements in their water shortage contingency plans, including, but not limited to: describe key attributes of and procedures for conducting an annual water supply reliability assessment, update to six standard water shortage response levels (progressive ranges of 10%, 20%, 30%, 40%, 50%, and greater than 50% shortage), quantify estimated water savings associated with each shortage response action, describe communication protocols and public outreach measures, identify monitoring and reporting procedures to track compliance, and discuss methods to reevaluate and improve the water shortage contingency plan. A copy of the District's current *Water Shortage Response Policies and Procedures* is included in **Appendix I**. The current policy is summarized in this chapter, with revisions that will be incorporated into the District's updated *Water Shortage Response Policies and Procedures* by the end of 2021.

7.2 Annual Water Supply and Demand Assessment Procedures

Beginning in 2022, pursuant to the new requirements discussed in Section 7.1 and CWC 10632.1, water suppliers will be required to submit a water supply and demand assessment report (Annual Assessment) to DWR on or before July 1st of each year. The Annual Assessment will be used to evaluate short-term water supply reliability for the upcoming fiscal year and will discuss the District's existing and projected water supply sources (including imported water from the Water Authority), unconstrained customer demand, planned water use for the current year assuming that the following year will be dry, infrastructure capabilities and constraints, and any other local factors that may influence or disrupt water supplies. Evaluation criteria and procedures for conducting the District's Annual Assessment are described in more detail in the District's *Water Shortage Response Policies and Procedures*.

The District will perform its water supply and demand assessment annually in spring each year to assess short-term reliability for the upcoming fiscal year. Results of the analysis will be discussed in a report and presented to the District's Board in June. If the analysis projects a supply deficit, the Board will vote to determine the appropriate shortage response level and associated actions necessary to reduce demand to ensure adequate supply. Because the District purchases water from the Water Authority, the District's Annual Assessment will be conducted in coordination with the Water Authority's annual assessment. As such, the timeline for conducting the annual assessment has been based on the Water Authority's timeline. The District's timeline for developing its annual assessment is presented in **Table 7-1**.

Table 7-1: Annual Assessment Process and Timeline

Time Frame	Step	Action
March – April	1(a)	District estimates available local supplies.
	1(b)	District coordinates with the Water Authority to gather necessary information for the Authority to conduct its wholesaler assessment.
April – May	2(a)	The Water Authority announces member agency allocation determination for current year.
	2(b)	The Water Authority determines carryover (and emergency storage apportionments if under emergency).
	2(c)	District conducts its Annual Assessment:
	(i)	District determines total available supply – inclusive of imported water supply.
	(ii)	District determines infrastructure constraints (including water quality conditions limiting local sources).
	(iii)	District determines expected demand for current year and one subsequent dry year, anticipated to be based on regional projections from the Water Authority .
	(iv)	District compares supply and demand and makes a determination of the water supply reliability.
June	3(a)	District Board of Directors reviews and approves Annual Assessment determination.
	3(b)	District coordinates with the Water Authority on submittal of the report. Annual Assessment report to be submitted to the state by July 1.

[1] The process outlined above is provided as a guideline and may be modified based on conditions present during the evaluation period.

7.3 Water Shortage Emergency Response

The District has taken significant steps to ensure it is prepared for catastrophic water supply interruption, including developing planning documents that outline contingency actions and purchasing key mechanical equipment to improve preparedness and enhance the District's ability to respond as needed. The District maintains an *Emergency Response Plan*. In 2008, the District adopted the National Incident Management System (NIMS) that establishes procedures and training programs for emergency response.

Emergency Response Plan

Emergencies often strike without warning – interrupting normal operations, disrupting normal channels of communication, and imposing great responsibilities that must be carried out with minimal time and resources. Disaster planning is an intelligent response to the anticipated conditions and expected circumstances of emergencies. A comprehensive *Emergency Response Plan* was adopted by the District in 1996 and updated in 2005 in conformance with Government Code Section 8550, which established the Standardized Emergency Management System. The District maintains the *Emergency Response Plan* which was revised in August 2019.

The District's plan is integrated with existing plans and systems within the Unified San Diego County Emergency Organization Operations Area, the Rancho Santa Fe Fire Protection District, the City of Solana Beach, and the Water Authority. As described in *Chapter 5 Water Supply Characterization*, the District has established cooperative agreements with adjacent water agencies for the emergency exchange and transportation of water, including the City of San Diego, SDWD, City of Del Mar, and OMWD. Agreements with all four agencies describe the number, location, and types of connections, and the agreed rate of flow.

If an emergency or catastrophic event were to occur, the District would respond immediately to assess water supply and transmission capabilities. Depending upon the results of the initial assessment, the plan may be activated at one of four levels:

1. **Notification** level is used for the purpose of alerting staff and Directors that emergency conditions may exist and that the Emergency Operations Center may need to be activated. The General Manager/Director of District Emergency Services may activate specific functions, such as Public Information Officer. The Unified San Diego County Emergency Services Organization Operational Area may also notify the District of emergency activations within the Operational Area or the State may place the District on alert.
2. **Pre-activation** is a heightened stage of alert and notification. All staff with emergency assignments should maintain contact with the District and be prepared to report to the Emergency Operations Center. In this level, some emergency functions may be activated; however, the District is operating under normal conditions.
3. **Emergency** level is an official and partial or full activation of the District's Emergency Operations Center. During this phase, the District notifies the Water Authority and the County of San Diego of the activation and provides status reports.
4. **Deactivation** stage returns the operation to normal as the need for emergency response functions slows and ceases. Some functional positions have transitional responsibilities for recovery projects and programs.

Emergency Storage Project and Supply Reliability

In order to provide sufficient emergency water storage to supply to its member agencies during an extended period, the Water Authority implemented the Emergency Storage Project (ESP) in 2014. The ESP is a system of reservoirs, pipelines, pump stations, and other conveyance facilities intended to improve San Diego's regional water storage capacity and allow stored emergency water to be delivered to the Water Authority's member agencies within San Diego County during a prolonged regional interruption. The pipelines that carry imported water from MWD to San Diego cross several major fault lines on their way to San Diego County. Consequently, an earthquake, drought, or other disaster could interrupt San Diego County's imported water supply for up to six months. The ESP facilities can be used to help deliver emergency water supply to member agencies during two- and six-month emergency events in which the region is either completely unable or only partially able to receive imported water deliveries due to a disaster that renders their transmission system inoperable. By providing interconnections within regional facilities, the ESP is designed to make water available to the San Diego region even during catastrophic conditions when there is an interruption in imported water deliveries.

The regional emergency water supply reservoirs (with their ESP capacity) are Olivenhain (18,000 AF), Lake Hodges (20,000 AF), and San Vicente (52,100 AF). The actual amount of ESP water to be delivered to a particular member agency during an emergency event will depend on many factors such as member agency demands, local supplies, infrastructure, availability of MWD supplies, and duration of emergency. The ESP was designed to provide a total of 90,100 AF of stored water to meet the region's emergency needs through at least 2030 and recent trends in regional water demand indicate this volume of emergency storage will serve the region beyond 2045. The Water Authority Board of Directors may also authorize that supplies from the ESP be used in a prolonged drought or other water shortage situations where imported and local supplies do not meet 75% of the Water Authority's member agencies urban demands.

The District has also improved the resiliency of its own system. In an effort to minimize impacts to the District's water supply during a disaster, the District maintains emergency generators and stores raw water in the San Dieguito Reservoir.

Seismic Risk Assessment and Mitigation Plan

Water Code Section 10632.5 requires an urban water supplier to include within its UWMP a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities. Pursuant to CWC 10632.5(c), an urban water supplier may comply with this requirement by submitting a copy of the most recently adopted multi-hazard mitigation plan under the federal Disaster Mitigation Act of 2000 (Public Law 106-390) if the multi-hazard mitigation plan addresses seismic risk.

Appendix K includes a copy of Section 4.3.4 of the *Multi-Hazard Mitigation Plan for San Diego County* (MHM Plan), which addresses seismic risk, as well as Section 5.1 which addresses hazard-related goals, objectives and actions for the City of Solana Beach. The MHM Plan was prepared with input from the Water Authority and under the federal Disaster Mitigation Act of 2000.

7.4 Stages of Action

In 1991, the District adopted a Water Conservation Resolution (#92-06) for use in times of declared water shortages. The District's water shortage contingency plan is incorporated in the District's *Administrative Code, Article 17, Water Shortage Response Policies and Procedures* (refer to **Appendix I** for the current policy) and is updated as needed to comply with state regulations. The District's Code is in the process of being updated to reflect the six shortage levels and associated actions included in this WSCP. The revised Code is expected to be adopted by the end of 2021. The Code is designed to establish priorities and restrictions during various types of water shortages, including 10% to greater than 50% reductions in water supply. The Code specifies watering restrictions for outside irrigation (including golf course, park, school, agriculture, and commercial uses), mobile equipment washing, pool refilling, over-irrigation, and hardscape maintenance.

As shown in **Table 7-2**, the District's water shortage contingency plan includes six drought stages: Levels 1 – 6. As mentioned in the preceding section, the District sets drought response levels in accordance with drought response levels determined by the Water Authority and defined in the Water Authority's *Water Shortage and Drought Response Plan*. The District is in the process of updating its *Water Shortage Response Policies and Procedures*, which is expected to be completed in by the end of 2021, from four to six stages to align its plan with the Water Authority's levels and to comply with CWC Section 10632(a)(3)(A). Upon activation of the Water Authority's drought response levels, its Board of Directors will set forth a drought level, and the Water Authority will encourage its member agencies to adopt similar drought levels.

The District's water shortage response levels and implications of each level are discussed below and are summarized in **Table 7-2** and **Table 7-3**. The legal authorities of the District are outlined in Section 7.9.

Water Shortage Response Level 1

Level 1 may apply when there is a reasonable probability that there will be water supply shortages and that a consumer demand reduction of up to 10% is required. At this stage restrictions are voluntary, and the District would increase its public education and outreach efforts to encourage

customers to take actions to encourage water conservation. A Level 1 condition is declared by the General Manager upon a written determination of the existence of the facts and circumstances supporting the determination. Some voluntary measures under Level 1 include stop hosing down paved surfaces, stop runoff from landscape irrigation, wash vehicles with a hand-held hose/shut-off nozzle or at a commercial site with recirculated water, require restaurant water refills only upon request, provide hotel laundering only upon request, and use non-potable water for construction purposes when available.

Water Shortage Response Level 2

Level 2 may apply when a consumer demand reduction of up to 20% is necessary. At this stage, all of the voluntary water use reduction measures in Level 1 become mandatory and additional mandatory water use restrictions are implemented. At this stage, customers are also required to sign up for the District's AMI Customer Portal (including alerts and leak notifications), repair all leaks within five days of notification, and stop operating ornamental fountains or similar decorative water features unless recycled water is used. The Level 2 condition shall be declared by the District's Board of Directors. Under Level 2 conditions, the District will implement water waste monitoring and may implement drought rates.

Water Shortage Response Level 3

Level 3 represents an increased shortage up to 30% due to drought or other supply reductions. At this stage, Level 1 and Level 2 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 3 restrictions include limiting residential and commercial landscape irrigation to three (3) assigned days per week (no more than once per week November through May), limiting lawn watering to no more than 10 minutes per water station per assigned day, repairing leaks within 72 hours of notification, and stopping all vehicle washing except at commercial car washes that recirculate water or by high pressure/low volume wash systems. Under Level 3 conditions, the District will continue water waste monitoring and may implement drought rates.

Water Shortage Response Level 4

Level 4 is implemented when a consumer demand reduction of up to 40% is necessary. At this stage, Level 1 through Level 3 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 4 restrictions include further limiting residential and commercial landscape irrigation to two (2) assigned days per week (no more than once per week November through May), repairing leaks within 48 hours of notification, and stopping filling or refilling of ornamental lakes and ponds (except to the extent needed to sustain aquatic life).

Under Level 4 conditions, the District may establish a water allocation for any property served by the District. The District will also begin to implement water waste enforcement and assess penalties and fines for violations. Restrictions and prohibitions against specific water use practices associated with each level, and penalties for violation, are presented in **Table 7-3**.

Water Shortage Response Level 5

Level 5 is implemented when a consumer demand reduction of up to 50% is necessary. At this stage, Level 1 through Level 4 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 5 restrictions include stopping

all landscape irrigation with the exception of crops and landscape products of commercial growers and nurseries and other listed exceptions (trees and shrubs watered by bucket / hand-held hose / positive shut-off nozzle / low-volume non-spray irrigation, fire protection, erosion control, rare or essential plant materials, public parks / day care centers / school grounds / cemeteries / golf course greens not exceeding (2) days per week, livestock water, public works projects, and actively irrigated environmental mitigation projects) and repairing leaks within 24 hours of notification.

During Level 5 conditions, the District will suspend new potable water services and new temporary or permanent meters within the District's service area (except for specific circumstances) and will also suspend consideration of annexations to its service area. Under Level 4 or Level 5, the District may establish a water allocation for any property served by the District. Under Level 5 conditions, the District will also continue implementing water waste enforcement and assessing penalties and fines for violations.

Water Shortage Response Level 6

Level 6 is implemented when a consumer demand reduction of greater than 50% is necessary. At this stage, Level 1 through Level 5 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 6 restrictions include further limiting the exceptions to landscape irrigation prohibitions to only exclude crops and landscape products of commercial growers and nurseries and other listed exceptions (fire protection, erosion control, rare or essential plant materials, livestock water, public works projects, and actively irrigated environmental mitigation projects).

During Level 6 conditions, the District will maintain its suspension of new potable water services and new temporary or permanent meters within the District's service area (except for specific circumstances) and consideration of annexations to its service area. Under Level 4 through Level 6, the District may establish a water allocation for any property served by the District. Under Level 6 conditions, the District will also continue implementing water waste enforcement and assessing penalties and fines for violations.

Table 7-2: Stages of Water Shortage Contingency Plan

DWR Table 8-1: Stages of Water Shortage Contingency Plan		
Stage	**Percent Supply Reduction**	**Shortage Response Actions**
1	Up to 10%	Includes voluntary water shortage actions to achieve demand reductions, such as providing refills at restaurants and laundering at hotels upon request only.
2	Up to 20%	Mandates the voluntary actions included under Level 1 and additional measures focused on reducing outdoor water use such as requiring customers to sign up for an AMI Customer Portal (including alerts and leak notifications).
3	Up to 30%	Includes mandatory Level 1 and 2 actions and additional actions focused on reducing outdoor water use such as limiting landscape irrigation for residential and commercial properties to assigned days per week and imposing time limits for lawn watering with sprinklers.
4	Up to 40%	Includes mandatory Level 1, 2, and 3 actions and additional actions focused on reducing outdoor water use such as further limiting the number of assigned days per for residential and commercial landscape irrigation and preventing filling/refilling of ornamental lakes or ponds (except to sustain aquatic life). The District may also establish a water allocation policy for properties served.
5	Up to 50%	Includes mandatory Level 1, 2, 3, and 4 actions and additional actions focused on reducing outdoor water use such as prohibiting

		all landscape irrigation (with exceptions for commercial growers, nurseries, and other listed uses). The District will also suspend new potable water services, new temporary and permanent meters, and considerations of annexation to the service area (with noted exceptions).
6	Above 50%	Includes mandatory Level 1, 2, 3, 4, and 5 actions and additional actions focused on reducing outdoor water use such as expanding prohibitions on all landscape irrigation by removing several exclusions permitted under Level 5.

Table 7-3: Restrictions and Prohibitions

DWR Table 8-2: Restrictions and Prohibitions on End Uses				
Stage	**Restrictions and Prohibitions on End Users[1]**	**Shortage Gap Reduction (% reduction)**	**Additional Explanation or Reference**	**Penalty, Charge, or Other Enforcement?**
1	Other - Prohibit use of potable water for washing hard surfaces	1%		No
1	Landscape - Restrict or prohibit runoff from landscape irrigation	0.1%		No
1	Landscape - Limit landscape irrigation to specific times	4%	Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only. Nursery and commercial growers irrigate before 10 a.m. and after 6 p.m. only.	No
1	Other	0.1%	Vehicles must be washed using a bucket, hand-held hose with positive shut-off nozzle, or at a commercial site that recirculated water.	No
1	CII - Restaurants may only serve water upon request	0.1%		No
1	CII - Lodging establishment must offer opt out of linen service	0.1%		No
1	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	1%	Repair all leaks within 5 days of detection or notification by the District	No
1	Other - Prohibit use of potable water for construction and dust control	< 0.1%	When recycled/non-potable water is available	No
1	Other	Variable	Comply with any mandatory regulations established by any State agency governing the use of water	No
1	Water Features - Restrict water use for decorative water features, such as fountains	1%	Stop operation unless recycled water is used.	No
1	Expand public information campaign	4%		No

DWR Table 8-2: Restrictions and Prohibitions on End Uses				
Stage	**Restrictions and Prohibitions on End Users[1]**	**Shortage Gap Reduction (% reduction)**	**Additional Explanation or Reference**	**Penalty, Charge, or Other Enforcement?**
1	Implement or modify drought rate structure or surcharge	2%	May implement drought rate structure	No
2	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	1%	Repair all leaks within 5 days of detection or notification by the District	Yes
2	Other - Prohibit use of potable water for washing hard surfaces	1%		Yes
2	Landscape - Restrict or prohibit runoff from landscape irrigation	0.1%		Yes
2	Other	1%	Vehicles must be washed using a bucket, hand-held hose with positive shut-off nozzle, or at a commercial site that recirculated water.	Yes
2	CII - Restaurants may only serve water upon request	0.1%		Yes
2	CII - Lodging establishment must offer opt out of linen service	0.1%		Yes
2	Other - Prohibit use of potable water for construction and dust control	< 0.1%	When recycled/non-potable water is available	Yes
2	Other	Variable	Comply with any mandatory regulations established by any State agency governing the use of water	Yes
2	Water Features - Restrict water use for decorative water features, such as fountains	2%	Stop operation unless recycled water is used.	Yes
2	Expand public information campaign	4%		Yes
2	Implement or modify drought rate structure or surcharge	2%	May implement drought rate structure	Yes
2	Other	Variable	Customers must sign-up for AMI Customer Portal including alerts and leak notifications.	Yes
3	Landscape - Limit landscape irrigation to specific days	9%	No more than 3 assigned days per week (no more than once per week November to May)	Yes
3	Landscape - Other landscape restriction or prohibition	4%	Limit watering using sprinklers to no more than 10 minutes per watering station per assigned day.	Yes
3	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	1%	Repair all leaks within 72 hours of detection or notification by the District.	Yes

DWR Table 8-2: Restrictions and Prohibitions on End Uses				
Stage	**Restrictions and Prohibitions on End Users[1]**	**Shortage Gap Reduction (% reduction)**	**Additional Explanation or Reference**	**Penalty, Charge, or Other Enforcement?**
3	Landscape - Limit landscape irrigation to specific times	4%	Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only. Nursery and commercial growers irrigate before 10 a.m. and after 6 p.m. only.	Yes
4	Landscape - Limit landscape irrigation to specific days	18%	No more than 2 assigned days per week (no more than once per week November to May)	Yes
4	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Repair all leaks within 48 hours of detection or notification by the District.	Yes
4	Water Features - Restrict water use for decorative water features, such as fountains	2%	Stop filling or refilling ornamental lakes or ponds, except to the extent needed to sustain aquatic life.	Yes
4	Other	Variable	May establish a water allocation policy	Yes
5	Landscape - Prohibit all landscape irrigation	23%	With the exception of crops and landscape products of commercial growers and nurseries and other noted exceptions (trees and shrubs watered by bucket / hand-held hose / positive shut-off nozzle / low-volume non-spray irrigation, fire protection, erosion control, rare or essential plant materials, public parks / day care centers / school grounds / cemeteries / golf course greens not exceeding (2) days per week, livestock water, public works projects, and actively irrigated environmental mitigation projects).	Yes
5	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	5%	Repair all leaks within 24 hours of detection or notification by the District	Yes
5	Moratorium or Net Zero Demand Increase on New Connections	Variable	Suspend new potable water services and new temporary and permanent meters unless the District provides a program to offset new potable water demands.	Yes
5	Other	< .01%	Suspend considerations of annexations to the service area.	Yes

DWR Table 8-2: Restrictions and Prohibitions on End Uses				
Stage	**Restrictions and Prohibitions on End Users[1]**	**Shortage Gap Reduction (% reduction)**	**Additional Explanation or Reference**	**Penalty, Charge, or Other Enforcement?**
6	Landscape - Prohibit all landscape irrigation	27%	With the exception of crops and landscape products of commercial growers and nurseries and other noted exceptions (fire protection, erosion control, rare or essential plant materials, livestock water, public works projects, and actively irrigated environmental mitigation projects	Yes

[1]Mandatory water shortage restrictions enforced in previous stages also apply to the current stage unless the current stage includes an equivalent action to reflect stricter measures, in which case the stricter measure would apply.

7.5 Compliance and Enforcement

Penalties for violations of the drought response stages include notification and warning, installation of a flow restriction device, and discontinuing service, depending on the water restriction stage and number of violations, as authorized in the District's *Administrative Code, Article 17, Water Shortage Response Policies and Procedures* (see **Appendix I**). Customers can report any water waste observed within the District using the *Water Waste Concern Report Form* on its Water Conservation webpage (https://www.sfidwater.org/FormCenter/Conservation-8/Water-Waste-Concern-Report-Form-52).

Table 7-3 indicates that Levels 2 through 6 are associated with enforcement actions that are levied when customers violate the water use restrictions described under each of the Drought Condition Level restrictions. The penalties associated with each violation are presented in **Table 7-4**. For a willful and excessive violation, a misdemeanor punishable by $1,000 and 30 days in jail could be issued, as authorized in California Water Code Section 377.

The District implements additional penalties for exceeding water allowance when water allocations have been implemented. Any potable water used in excess of set allocations is subject to a civil administrative penalty of $3.40 per hundred cubic feet of water (hcf) for usage above the allocation up to 115%, and $6.79/hcf for usage over 115% of the allocation. As outlined in Section 7.9, these penalties are up to the discretion of the District.

Table 7-4: Penalties for Violation of Drought Restrictions

Violation	**Penalty**
1st Violation	Door hanger and/or letter of warning
2nd Violation	$250
3rd Violation	$500
Each additional violation	$1,000

7.6 Communication Protocols

Upon a water shortage declaration action by the General Manager (Level 1) or by the Board of Directors (Levels 2-6), the District will expand its public information campaign to notify the public of the water shortage rules and regulations. The District would need to provide notice of the water shortage rules and regulations to all residents and businesses within its service area in Rancho Santa Fe, Fairbanks Ranch, and the Cities of Solana Beach and Del Mar, in addition to its customers of record, through a variety of media and communications methods, such as print or internet.

Upon declaration of a Level 1 shortage, the General Manager may publish a notice of the determination in one or more newspapers, including a newspaper of general circulation within the District. Upon declaration of a Level 2-6 shortage or Water Shortage Emergency, the District shall coordinate with the communities within its service area (Rancho Santa Fe, Fairbanks Ranch, and the Cities of Solana Beach and Del Mar) and publish a copy or summary of the resolution in a newspaper used for publication of official notices at least one time within five (5) days of the declaration. If the District establishes a water allocation under Water Shortage Response Levels 4-6, the District shall provide notice of the allocation by including it in the regular billing statement for water service fees or charges or by any other mailing to the address to which the SFID customarily mails the billing statement for fees or charges for ongoing water service. Upon declaration of any water shortage condition level, SFID may post notice on its website.

If possible, the District should activate its public information campaign prior to a formal water shortage declaration to provide customers with as much advance notice as possible. The District could continually update its webpage to notify residents of current and planned shortages and modify and expand the webpage, as necessary. The District could also increase its public outreach by contacting large water users and businesses that are most likely to be seriously affected directly in writing and/or providing public notifications for non-English speakers.

Since the District aligns its water shortage response levels with the Water Authority, any public outreach and messaging campaigns conducted by the Water Authority will also benefit the District as it triggers different levels.

7.7 Consumption Reduction Methods

In addition to water use restrictions and prohibitions, the District implements consumption reduction methods to reduce water demands within its service area. The actions taken by the District to reduce demands are provided in **Table 7-5.** A detailed description of the District's consumption reduction methods is provided in *Chapter 8 Demand Management Measures.*

Table 7-5: Stages of WSCP – Supply Augmentation and Other Actions

DWR Table 8-3: Supply Augmentation and Other Actions			
Stage	**Consumption Reduction Methods by Water Supplier**	**Shortage Gap Reduction (volume units)**	**Additional Explanation or Reference**
All Levels	Expand Public Information Campaign	4%	
All Levels	Offer Water Use Surveys	Variable	
All Levels	Provide Rebates on Plumbing Fixtures and Devices	Variable	
All Levels	Provide Rebates for Landscape Irrigation Efficiency	Variable	
All Levels	Provide Rebates for Turf Replacement	Variable	
All Levels	Reduce System Water Loss	1%	
Levels 1 and 2	Implement or Modify Drought Rate Structure or Surcharge	2%	
Levels 5 and 6	Moratorium or Net Zero Demand Increase on New Connections	Variable	Suspends new potable water services and new temporary and permanent meters unless the District provides a program to offset new potable water demands.
Levels 4, 5, and 6	Other	Variable	Upon declaration of a Water Shortage Emergency, the District may establish a water allocation for any property it serves.
Levels 5 and 6	Other	< 0.1%	Upon declaration of a Water Shortage Emergency, the District may suspend consideration of annexations to its service area.

7.8 Determining Water Shortage Reductions

The methods for determining actual water use reductions are implemented on an ongoing basis. All water received from the Water Authority is metered and monitored. Additionally, the District has meters in place that measure and record the water used by each connection within its service area. When water use restrictions are in place, and specifically when water allocations have been implemented, the District closely monitors water use to ensure compliance with restrictions and to verify that customers are not exceeding their set allocations. Because the District collects water use data on a regularly scheduled basis, it can calculate a baseline to compare to current water use during times of drought, which can then be used to estimate actual reductions in water use. If the trend in consumption is such that demand is greater than anticipated supply, the Board of Directors should be notified so that corrective action (such as increased publicity and enforcement or consideration of declaring the next higher stage) can be taken. As the District's customers continue to reduce demands, demand hardening can occur, which may decrease the amount of extraordinary conservation savings that could be achieved in the future. As the Levels 1-6 are implemented in the state of drought, it may be difficult to increasingly achieve water conservation targets due to demand hardening.

Refinement Procedures

The *Water Shortage Response Policies and Procedures* and this WSCP are both living documents and will need to be responsive to the effectiveness of conservation measures in the midst of a water shortage. The District will analyze monthly monitoring data and convene the Board of Directors to determine if adaptive measures need to be taken to achieve the necessary shortage reduction levels. In the case that the measures are not working as desired, the District will add new actions or refine current actions to achieve greater savings. Measures from a higher stage could be adopted into the current stage, such as requiring leak repairs within 72 hours for Stage 2 rather than five days. When updates are needed, the District will coordinate with Rancho Santa Fe and the Cities of Del Mar and Solana Beach to refine the plan and provide updated information and measures to the Board of Directors for approval.

7.9 Legal Authorities

The District has the legal authority to implement and enforce its WSCP. California Constitution Article X, Section 2 and Water Code section 100 provide that water must be put to beneficial use, the waste or unreasonable use or unreasonable method of us of water shall be prevented, and the conservation of water is to be exercised with a view of the reasonable and beneficial use thereof in the interest of the people and the public welfare. Sections of Water Code Chapter 3 commencing with Section 350 of Division 1, provide the authority for the governing body of a water agency to declare a water shortage and to adopt and enforce water conservation restrictions. (Wat. Code §§ 350-359, 375-378.0.)

If necessary, the District shall declare a water shortage emergency in accordance with Water Code Chapter 3 of Division 1. Once having declared a water shortage, the District is provided with broad powers to implement and enforce regulations and restrictions for managing a water shortage. For example: Water Code section 375(a) provides:

> Notwithstanding any other provision of the law, any public entity which supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of the public entity may, by ordinance or resolution adopted by a majority of the members of the governing body after holding a public hearing upon notice and making appropriate findings of necessity for the adoption of a water conservation program, adopt and enforce a water conservation program to reduce the quantity of water used by those persons for the purpose of conserving the water supplies of the public entity. (Water Code Section 375(a).)

CWC Section 375(b) grants the District with the authority to set prices to encourage water conservation.

Under California law, including CWC Chapters 3.3 and 3.5 of Division 1, Parts 2.55 and 2.6 of Division 6, Division 13, and Article X, Section 2 of the California Constitution, the District is authorized to implement the water shortage actions outlined in this WSCP and in the District's *Water Shortage Response Policies and Procedures*. In water shortage cases, shortage response actions to be implemented will be at the discretion of the District and will be based on an assessment of the supply shortage, customer response, and need for demand reductions as outlined in this WSCP and the District's adopted *Water Shortage Response Policies and Procedures*. The District has included a copy its current (as of April 2021) *Water Shortage Response Policies and Procedures* in **Appendix I**.

It is noted that upon proclamation by the Governor of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions, the state will defer to implementation of locally adopted water shortage contingency plans to the extent practicable. The District will coordinate with regional and local water suppliers for which it provides water supply services for possible proclamation of a local emergency as necessary under California Government Code, California Emergency Services Act (Article 2, Section 8558).

7.10 Financial Consequences

In the event of a water shortage emergency, the District's *Water Shortage Response Policies and Procedures* would be activated to respond to the applicable level of the shortage. With the activation of the District's drought policies, the drought response stage water conservation measures would go into effect and the District would be operating with reduced water sales. The amount of decreased water sales would depend on the drought response stage under which the District would be operating.

With the implementation of the water conservation measures associated with the drought response levels, the District may incur additional expenses. Some of these additional expenditures may come from increased staffing, increased staff time needed to implement measures, or increased costs of new supplies, transfers, or exchanges (by either the District or the Water Authority). Increased expenses may be recovered by implementing demand reduction rates (drought rates), volumetric penalties, and civil penalties. When allocations are implemented, any person that uses water in excess of the allocation shall be subject to a volumetric penalty for each billing unit of water in excess of the allocation, as described in Section 7.4.

The price of water is increasing, both as a commodity and with an overall decrease in available supplies. If necessary, the District's water rates would be adjusted in response to the increasing cost of water. Adjustments to the District's rate structure may offset potential losses in revenue due to reduced sales.

In 2020 the District Board of Directors modified its Reserve Funds Policy, which updated reserve level funding ranges to ensure the District has sufficient resources available to meet capital obligations and unforeseen operating impacts, among others. In addition to this Policy, the District has a comprehensive budget development process and rate modeling capabilities that enable the District to effectively balance revenue and expenditure requirements. The District also ensures undertaking a comprehensive cost-of-service process every 3 to 5 years to ensure that water rates are sufficient to meet current operational and capital demands.