

I hereby certify that the following agenda was posted at least 72 hours prior to the time of the meeting so noticed below at 24251 Los Alisos Boulevard, Lake Forest, California.



DENNIS P. CAFFERTY, Secretary of the
El Toro Water District and the Board of
Directors thereof



AGENDA

EL TORO WATER DISTRICT

**REGULAR MEETING OF THE
BOARD OF DIRECTORS
AND
PUBLIC HEARING**

March 24, 2022

7:30 a.m.

Members of the public who wish to comment on any item within the jurisdiction of the District or on any item on the agenda, may attend the meeting in person at the District's office or may observe and address the Meeting by joining at this link: <https://us02web.zoom.us/j/85649922548>. (Meeting ID: 856 4992 2548).

Members of the public who wish only to listen to the telephonic meeting may dial in at the following numbers (669) 900-6833 or (346) 248-7799 with the same Meeting ID noted above. Please be advised the Meeting is being recorded.

CALL MEETING TO ORDER – President Freshley

PLEDGE OF ALLEGIANCE – President Freshley

ORAL COMMUNICATIONS/PUBLIC COMMENTS

Members of the public may address the Board at this time or they may reserve this opportunity with regard to an item on the agenda, until said item is discussed by the Board. Comments on other items will be heard at the time set aside for "COMMENTS REGARDING NON-AGENDA ITEMS." The public may identify themselves when called on and limit their comments to three minutes.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize items which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present, or, if less than two-thirds of the Board members are present, a unanimous vote of those members present.)

ACWA JPIA PRESENTATION

Mr. Andy Sells, Chief Executive Officer, Adrienne Beatty, Assistant Executive Officer, and Cathy Green, Executive Committee Member will present the District with a refund check from ACWA JPIA.

1. CONSENT CALENDAR

(All matters under the Consent Calendar will be approved by one motion unless a Board member or a member of the public requests separate action or discussion on a specific item)

- a. Consider approving the minutes of the February 24, 2022 Board meeting.
- b. Consider approving the Directors and General Manager to attend the ACWA Spring Conference May 1-5, 2022 in Sacramento, Ca.

Recommended Action: The Board will be requested to approve the subject minutes and conference.

APPROVAL OF ITEMS REMOVED FROM TODAY'S CONSENT CALENDAR

The Board will discuss items removed from today's Consent Calendar requiring further discussion.

Recommended Action: The Board will be requested to approve the items removed from today's Consent Calendar.

2. **Adoption of an amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan)** (Reference Material Included)

Prior to opening the Public Hearing, staff will review and comment on an amendment to the District's Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan). Legal Notice of the Public Hearing was published in compliance with applicable legal noticing requirements.

3. **Adoption of ETWD Water Shortage Contingency Response Ordinance 2022-1**
(Reference Material Included)

Prior to opening the Public Hearing, staff will review and comment on the necessity and process to replace the District's Water Conservation & Water Supply Shortage Ordinance 2015-3 with the Water Shortage Contingency Response Ordinance 2022-1. Legal Notice of the Public Hearing was published in compliance with applicable legal noticing requirements.

PUBLIC HEARING

4. **Public Hearing Regarding Adoption of an amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).**

At this time the Board will conduct a Public Hearing to receive and consider public input regarding the adoption of an amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).

5. **Public Hearing Regarding Adoption of ETWD Water Shortage Contingency Response Ordinance 2022-1.**

At this time the Board will conduct a Public Hearing to receive and consider public input regarding the adoption of ETWD Water Shortage Contingency Response Ordinance 2022-1.

CLOSE PUBLIC HEARING

REGULAR SESSION – Action Items

6. **Resolution No. 22-3-1 Adopting the Amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan)**
(Reference Material Included)

Staff will review and comment on Resolution No. 22-3-1 which adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).

Recommended Action: Staff recommends that the Board consider adopting Resolution No. 22-3-1 which adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).

RESOLUTION NO. 22-3-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING THE AMENDED WATER SHORTAGE CONTINGENCY PLAN
(APPENDIX H TO THE ETWD 2022 URBAN WATER MANAGEMENT PLAN)

7. **Resolution No. 22-3-2 Adopting the ETWD Water Shortage Contingency Response Ordinance 2022-1** (Reference Material Included)

Staff will review and comment on Resolution No. 22-3-2 which adopts the ETWD Water Shortage Contingency Response Ordinance 2022-1.

Recommended Action: Staff recommends that the Board consider adopting Resolution No. 22-3-2 which adopts the ETWD Water Shortage Contingency Response Ordinance 2022-1.

RESOLUTION NO. 22-3-2

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING THE ETWD WATER SHORTAGE CONTINGENCY
RESPONSE ORDINANCE 2022-1

8. **Resolution No. 22-3-3 Declaring a Level 2 Water Shortage**
(Reference Material Included)

Staff will review and comment on Resolution No. 22-3-3 which declares a Level 2 Water Shortage pursuant to the District's Water Shortage Contingency Plan and Water Shortage Contingency Response Ordinance 2022-1.

Recommended Action: Staff recommends that the Board consider adopting Resolution No. 22-3-3 which declares a Level 2 Water Shortage.

RESOLUTION NO. 22-3-3

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
DECLARING A LEVEL 2 WATER SHORTAGE PURSUANT TO
THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN AND
WATER CONTINGENCY RESPONSE ORDINANCE (ORDINANCE NO. 2022-1)

9. **Director Reports for Meetings Attended** (Oral Report)

GENERAL MANAGER ACTION ITEMS

10. **Nomination of a Candidate to the California Special Districts Association Board of Directors, Southern Network – Seat B** (Reference Material Included)

Staff will comment on the potential nomination of a candidate to the California Special Districts Association Board of Directors, Southern Network, Seat B, and the requirement to submit the nomination by the March 31, 2022 deadline.

Recommended Action: The Board will consider nominating a candidate to the California Special Districts Association Board of Directors, Southern Network, Seat B, and submit the nomination by the March 31, 2022 deadline.

11. **Appointment for the Orange County LAFCO Regular and Alternate Special District Member Seats** (Reference Material Included)

Staff will review the formal notice that the term for the Orange County LAFCO Regular and Alternate Special District Member seats, currently expires June 30, 2022. The appointment process is conducted by mailed ballot. The deadline for submitting Nomination Forms and a Declaration of Qualification to Vote for the seat is due to LAFCO by 3:00 pm on April 22, 2022.

Recommended Action: Staff recommends the Board consider 1) authorizing a member of the Board to vote in the OC LAFCO Special District Selection Committee election, 2) designate a member of the Board as the alternate voting member, 3) to consider nominating Kathryn Freshley for the Alternate Special District member and 4) direct the General Manager to submit the Declaration of Qualification to Vote form and Nomination Form to LAFCO by the April 22, 2022 deadline.

GENERAL MANAGER INFORMATION ITEMS

12. **COVID-19 Update** (Reference Material Included)

Staff will provide an update on the status of the Districts response to the COVID-19 pandemic.

13. **General Manager's Monthly Report** (Reference Material Included)

Staff will review and comment on the General Manager's Monthly Report.

14. **Legislative Reports** (Reference Materials Included)

Staff and General Counsel will review and comment on the Legislative reports.

15. Public Education and Outreach & Water Use Efficiency Reports
(Reference Material Included)

Staff will review and comment on the Public Education and Outreach & Water Use Efficiency Reports.

16. SOCWA Reports (Reference Material Included)

- a. SOCWA Board Meeting – March 3, 2022
- b. SOCWA Engineering Committee Meeting – March 10, 2022
- c. SOCWA All-Hands Meeting – March 11, 2022
- d. SOCWA Finance Committee Meeting – March 15, 2022

17. Municipal Water District Of Orange County (MWDOC) Report
(Reference Material Included)

- a. MWDOC/MET Directors Workshop – March 2, 2022
- b. MWDOC Admin/Finance Committee Meeting – March 9, 2022
- c. MWDOC Planning & Operations Meeting – March 14, 2022
- d. MWDOC Board Meeting – March 16, 2022
- e. MWDOC Managers Meeting – March 17, 2022

18. South Orange County Watershed Management Area (SOCWMA) Reports
(Reference Material Included)

- a. Report on the March 3, 2022 Executive Committee meeting

19. Local Agency Formation Commission (LAFCO) Report

- a. Report on the March 9, 2022 meeting

20. ISDOC Meetings (Reference Material Included)

- a. Report on the March 1, 2022 ISDOC Executive Committee meeting

21. WACO Meetings (Reference Material Included)

- a. Report on the March 4, 2022 WACO meeting
- b. Report on the March 15, 2022 WACO Planning Committee meeting

COMMITTEE AND GENERAL INFORMATION

22. Dates to Remember for March/April (Reference Material Included)

COMMENTS REGARDING NON-AGENDA ITEMS

ATTORNEY REPORT

CLOSED SESSION

At this time the Board will go into Closed Session as follows:

1. Pursuant to Government Code Section 54956.9 (d) (2) to consult with legal counsel and staff – Anticipated Litigation (two matters).

REGULAR SESSION

REPORT ON CLOSED SESSION (Legal Counsel)

Mr. Granito will provide an oral report on the Closed Session.

ADJOURNMENT

The agenda material for this meeting is available to the public at the District's Administrative Office, which is located at 24251 Los Alisos Blvd., Lake Forest, Ca. 92630. If any additional material related to an open session agenda item is distributed to all or a majority of the board of directors after this agenda is posted, such material will be made available for immediate public inspection at the same location.

Request for Disability-Related Modifications or Accommodations

If you require any disability-related accommodation, including auxiliary aids or services, in order to participate in this public meeting, please telephone the District's Recording Secretary, Polly Welsch at (949) 837-7050, extension 225 at least forty-eight (48) hours prior to said meeting. If you prefer, your request may be submitted in writing to El Toro Water District, P.O. Box 4000, Laguna Hills, California 92654, Attention: Polly Welsch.

MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF DIRECTORS
OF THE
EL TORO WATER DISTRICT
February 24, 2022

President Freshley called the meeting of the Board of Directors of the ELTORO WATER DISTRICT to order at 7:30 a.m. on February 24, 2022.

Vice President Havens led in the Pledge of Allegiance to the flag.

Directors KATHRYN FRESHLEY, KAY HAVENS, MIKE GASKINS, JOSE VERGARA, and MARK MONIN participated.

Also present were DENNIS P. CAFFERTY, General Manager, JUDY CIMORELL, Human Resources Manager, JASON HAYDEN, CFO, HANNAH FORD, Engineering Manager, GILBERT J. GRANITO, General Counsel, KEVIN BURTON, IRWD, and POLLY WELSCH, Recording Secretary.

Oral Communications/Public Comments

There were no comments.

Items Received Too Late to be Agendized

President Freshley asked if there were any items received too late to be agendized. Mr. Cafferty replied no.

Presentation of Awards, Recognitions, Certifications, and Introductions

Consent Calendar

President Freshley asked for a Motion.

Motion: Vice President Havens made a Motion, seconded by Director Gaskins and unanimously carried across the Board to approve the Consent Calendar.

Roll Call Vote:

Director Vergara	aye
Director Monin	aye
Director Gaskins	aye
Vice President Havens	aye
President Freshley	aye

SOCWA Effluent Transmission Main Capacity Coordination

Mr. Cafferty stated that IRWD is planning to depart SOCWA as an organization, however they still rely on the Effluent Transmission Main and Ocean Outfall capacity on a day-to-day basis.

Mr. Cafferty stated that IRWD has approached the ETWD to ask about the possibility of ETWD taking over IRWD's capacity in the pipelines, and arranging a contract with the District to facilitate their continued use. He further stated that ETWD would then speak on their behalf at SOCWA meetings.

Mr. Burton of IRWD gave a presentation on IRWD's withdrawal from SOCWA.

Mr. Burton stated that IRWD is one of the smaller member agencies of SOCWA, and their involvement is limited to a portion of a pipeline, by which they get an equal involvement in Board decisions at SOCWA.

Mr. Burton stated that IRWD is not questioning what they pay or how they pay it; they want to step away from a Joint Powers Authority with which they don't feel the need to be involved.

Mr. Burton discussed SOCWA's background and IRWD's current and proposed capacity allocation in SOCWA's Effluent Transmission Main. He further stated that IRWD will fund its portion of the unfunded public pension liability.

Mr. Burton discussed the proposed IRWD/ETWD agreement terms and implementation plan and schedule. He further stated that there is a March 11th all-hands meeting at SOCWA to discuss SMWD's issue and the IRWD issue to talk through the draft agreements.

At approximately 8:15 a.m. Mr. Burton left the meeting.

Director Reports for Meetings Attended

Director Vergara stated that he attended the Lake Forest City Council meetings, the WACO meeting, the WACO Planning Committee meeting, the MWDOC Admin/Finance Committee meeting, the Special Board meeting, the regular Board meetings, the MWDOC Board meeting, the OCWA meeting, the WaterReuse webinar, and the MWDOC Water Policy Forum dinner.

Director Gaskins stated that he attended the RRC meeting, the MWDOC Board meeting, the MWDOC/MET Directors workshop, the Special Board meeting, the regular Board meetings, the WACO meeting, the South Orange County Watershed Management meeting, the MWDOC Admin/Finance Committee meeting, the MWDOC Planning/Operations meeting, the OCWA meeting, and the MWDOC Water Policy Forum dinner.

Vice President Havens stated that she attended the WACO meeting, the MWDOC/MET Directors workshop, the South Orange County Watershed Management meeting, the MWDOC Admin/Finance meeting, the Pres/VP/GM meetings, the OCWA meeting, the Agenda Review, the MWDOC Board meeting, the Special Board meeting, the WaterReuse meeting, and the regular Board meetings.

Director Monin stated that he attended the South Orange County Economic Coalition, ISDOC Executive Committee meeting, the MWDOC/MET Directors workshop, the WACO meeting, the WACO Planning Committee meeting, the Laguna Woods City Council meetings, the Special Board meeting, and the regular Board meetings.

President Freshley stated that she attended the WACO meeting, the RRC meeting, the SOCWA Board meeting, the SOCWA Finance meeting, the MWDOC Board meeting, the MWDOC Board meeting, the MWDOC Water Policy Forum dinner, the meeting with IRWD on the ETM, the Pres/VP/GM meetings, the Laguna Woods City Council meeting, the Laguna Hills City Council meeting, LAFCO, the ACWA Engineering Committee meeting, the OCWA meeting, the Agenda Review meeting, the Special Board meeting, and the regular Board meetings.

General Manager Action Items

COVID-19 Update

Mr. Cafferty stated that the District received the check for the water arrearages program for \$53,000 and is in the process of submitting the application for the wastewater arrearages program and are expecting \$11,000 which will be applied to the delinquencies.

President Freshley asked for a Motion.

Motion: Director Gaskins made a Motion, seconded by Director Monin and unanimously carried across the Board to grant the General Manager discretion to extend the use of Emergency Administrative Leave as necessary up to 160 hours per employee per month until the May 26, 2022 meeting of the Board of Directors.

Roll Call Vote:

Director Vergara	aye
Director Monin	aye
Director Gaskins	aye
Vice President Havens	aye
President Freshley	aye

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty stated that there was previous discussion on the Brown Act AB 361 requirements, and he was under the impression that traditional Brown Act requirements were that we had to have a quorum physically present in the ETWD Board Room. He further stated that in actuality we have to have a quorum in the service area, properly noticed in a publicly accessible location

where the agenda could be posted and noticed on the agenda.

Mr. Cafferty stated that AB 361 removes the need to notice on the agenda the Board members who are participating from home, and a Resolution stating that some can participate from home and some live, and also stating that meeting live presents imminent risk to the attendees.

Director Monin stated that the Customer Service report looks good.

Mr. Cafferty provided a recent update on the Bond issuance and stated that when the period ended we had roughly \$40 million of Bonds available, and we got \$100 million worth of requests, which is a testament to the District.

Mr. Hayden stated that Issue Summary Source of Funds the amount we will pay back is \$40,945,000, which is much less than we will get in proceeds. He further stated that there is a cost for issuance and what we pay the underwriter, and by March 10th the District will receive approximately \$25 million and the Refunding Fund will receive approximately \$24 million used to pay off the SRF loans.

Mr. Hayden stated that page 3 reflects the true interest costs of 3.05% which is better than we expected.

Legislative Reports

There were no comments.

Public Education and Outreach & Water Use Efficiency Reports

Ms. Seitz stated that the newsletter will be delayed until the Water Supply Contingency Plan is discussed.

Ms. Seitz stated that Director Gaskins was on TV-6 in January discussing how ETWD is prepared for emergencies and what residents can do. She further stated that Vice President Havens will be on TV-6 in March and will discuss how ETWD scrubs the water clean with regards to recycled water and how it benefits the LWV residents.

Ms. Seitz stated that MWDOC is partnering with the Wyland Foundation for Earth Month through a community art project which is focused on action and awareness to reduce waterway pollution and promote good water stewardship. She further stated that Wyland has designed the Stella Baby Gray Whale Statuette Kit which artists and groups can paint focusing on the campaign theme. She further stated that the artists and groups have to submit a purpose and sample, and if one is selected in our service area it will be put in a high profile area stating that we are the sponsor, and afterwards the statuette will come back to the District office.

Ms. Seitz stated that MWDOC has budgeted \$10,000 for this project and was planning to cover the whole amount due to the number of agencies participating, but if more agencies participate, ETWD would then sponsor the remaining half which would be approximately \$400.

Ms. Seitz stated that the City of Mission Viejo is bringing back their Earth Day event in April.

Mr. Cafferty stated that Ms. Moore has requested that we help facilitate a panel discussion on part of the Earth Day events, and he has talked to Dan Ferons of SMWD and Fernando Paludi at TCWD and both are willing to

participate.

SOCWA Reports

President Freshley stated that at the SOCWA Board meeting the Director of Engineering had left so there was discussion on how to handle that.

Ms. Ford stated that at the SOCWA Engineering Committee the meeting was short due to the fires in the area happening, and there were no items concerning ETWD.

Mr. Cafferty stated that at the SOCWA Finance meeting they discussed SOCWA's uniform purchasing policy.

Mr. Cafferty stated that on March 11th SOCWA is having an All-Hands meeting to discuss IRWD's withdrawal proposal and San Juan's withdrawal proposal, and they may also discuss an evaluation of the future of SOCWA.

MWDOC Reports

Director Gaskins stated that at the MWDOC/MET Directors workshop there was discussion on budgets, boundary, and reserves. Mr. Cafferty stated that the Reserves issue is at the forefront of MWDOC discussions.

Mr. Cafferty stated that MWDOC's billing mechanism was questioned as they bill based on meter charge.

SOCWMA Reports

Vice President Havens stated that they had a AB 361 meeting, and on March 3rd there is an Executive Committee meeting to discuss the grant schedule and may consider moving \$40,000 to next year's funding.

LAFCO

President Freshley stated that there was an in-person meeting, but the next one may be a zoom meeting. She further stated that they discussed a letter from 3-Arch Bay Community Service District where they responded that it was not the roll of LAFCO regarding issues between residents and their Governance.

President Freshley stated that both her seat and Doug Davert's are up for re-election, and on March 14th agencies will receive notification.

ISDOC

Director Monin stated that re-districting will be discussed, their newsletter advisory committee, and continuing zoom for the next meeting and quarterly luncheon meeting.

WACO

Director Vergara stated that they had a professor from Chapman University speak on Forecasting Changes in Water Supply. He further stated that they will have the California Water Commission coming to speak about allocation of funds for different projects.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for February/March

There were no comments.

Comments Regarding Non-Agenda Items

Mr. Cafferty stated that Director Gaskins had asked about the rate impact associated with the debt service, and it varies by year and starts in the 2024 fiscal year, the combined water and sewer on capital waste is 34 cents annually and will increase by the 2026/27 fiscal year, it's \$1.04 per year per account.

Vice President Havens commended Ms. Ford on her Vice Presidency with OC WaterReuse and the great job helping to chair the meeting.

Recess

At approximately 9:25 a.m. the Board took a short recess.

Regular Session

At approximately 9:35 a.m. the regular session resumed.

Attorney Report

Mr. Granito reported that there is a need for a Closed Session as agendaized for today's meeting.

Closed Session

At approximately 9:45 a.m. the Board went into Closed Session.

Also at this time everyone left the meeting except the Board members and General Manager.

Open Session Report

At approximately 9:50 a.m. the Board returned to regular session, and Ms. Cimorell, Mr. Hayden, and Ms. Welsch returned to the meeting.

Mr. Granito reported that the Board did go into Closed Session with regards to both items on today's Closed Session agenda. Mr. Granito further reported that during the first phase of the Closed Session, General Counsel led a discussion on Item #1, the Kessner litigation. No reportable action was taken.

Mr. Granito further reported that during the second phase of the Closed Session, General Counsel and the General Manager led a discussion on both matters of anticipated litigation. No reportable action was taken.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:00 a.m.

Respectfully submitted,

POLLY WELSCH
Recording Secretary

APPROVED:

KATHRYN FRESHLEY, President of
the El Toro Water District and the
Board of Directors thereof

DENNIS P. CAFFERTY, Secretary
of the El Toro Water District and
the Board of Directors thereof

Polly Welsch

From: ACWA 2022 Spring Conference & Exhibition <events@acwa.com>
Sent: Tuesday, February 8, 2022 3:02 PM
To: Polly Welsch
Subject: Join Us! Spring Conference registration NOW OPEN!



Click [here](#) to view it in your browser.



Connect with California's Water Leaders in Sacramento at ACWA's 2022 Spring Conference & Exhibition

Water industry leaders will join together at ACWA's 2022 Spring Conference & Exhibition at the SAFE Credit Union Convention Center in Sacramento. We invite you to attend to network with the California water community, hear from top officials and industry experts on regulatory, environmental, and economic issues, and learn about innovative products and services in the Exhibit Hall. Also, legal, financial, energy and drinking water sessions will be available for continuing education credits.

Health & Safety - ACWA and the SAFE Credit Union Convention Center are committed to the health and safety of our members, guests, employees, and community. As a recipient of the GBAC Star Facility Accreditation, the SAFE Credit Union Convention Center is implementing the highest standards for cleaning and disinfection to welcome attendees to a safe meeting

destination. ACWA will be following state and local health & safety regulations along with industry duty of care guidelines for meeting and catering planning.

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- [See health & safety attendance requirements](#)
- Registration is required to attend any part of Spring Conference, including the Tuesday, May 3 ACWA Committee meetings.
- On-demand Conference program recordings available
- Group Savings (*register 5, get 1 free*) are also available

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UPCOMING EVENTS

2022 Virtual Legislative Symposium
March 10, 2022
Online Events

[REGISTER](#)

Washington DC2022 Conference
July 12-14, 2022
Washington D.C.

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2022 Fall Conference & Exhibition
Nov. 29- Dec. 1, 2022
Indian Wells, CA

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STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Dennis Cafferty, General Manager

Subject: Water Shortage Contingency Plan

In May of 2021 the District Board of Directors approved Resolution 21-5-4 which adopted the District's Revised Water Shortage Contingency Plan. The Water Shortage Contingency Plan, by regulation, is an appendix to the Urban Water Management Plan which was concurrently adopted by the Board by Resolution 21-5-3 in May of 2021.

The Water Shortage Contingency Plan, approved in May of 2021, defined the following three standard shortage contingency plan levels:

- Up to 20%
- Up to 40%
- Greater than 40%

The Department of Water Resources has established Mandated Shortage Levels that include six different levels. The District Water Shortage Contingency Plan included a crosswalk to define the relationship between the District's three shortage levels and the State's six levels. While the crosswalk ensured compliance with the requirements, staff recognized the benefits of the additional shortage levels and committed to a future amendment to sync the District's Water Shortage Contingency Plan shortage levels with those defined by DWR.

The proposed amendment to the Water Shortage Contingency Plan revises the standard shortage contingency plan levels to include the following six levels, consistent with the State Mandated Shortage levels:

- Up to 10%
- 11% - 20%
- 21% - 30%
- 31% - 40%
- 41% - 50%
- Greater than 50%

The proposed revision aligns the District's water shortage contingency levels with the State and provides greater flexibility in the District's responses to different drought conditions.

In addition to the modification of the shortage contingency plan levels, staff is proposing several other revisions to the District's Water Shortage Contingency Plan:

- Streamlines the language defining the WEROC Emergency Operations Plan (Section 3.4.5.2)
- Provides more detailed discussion of the El Toro Water District Emergency Storage and Emergency Response Plan (Section 3.4.5.3)
- Updates the language defining the Seismic Risk Assessment and Mitigation Plan (Section 3.4.6)
- Provides specific Communication Protocols, aligned with the six shortage contingency plan levels (Section 3.5)
- Updates the Demand Reduction Actions defined in Table 8-2 (Appendix A)
- Adds detail regarding the implementation of the Drought Factor in the calculation of budgets within the District's Water Budget Based Tiered Rate System.

A clean version of the amended Water Shortage Contingency Plan, complete with appendices, and a redline version, identifying the proposed revisions, are attached for reference and review.

Recommendation

Following the Public Hearing staff will recommend the Board consider adopting Resolution 22-3-1 which adopts the amended Water Shortage Contingency Plan.

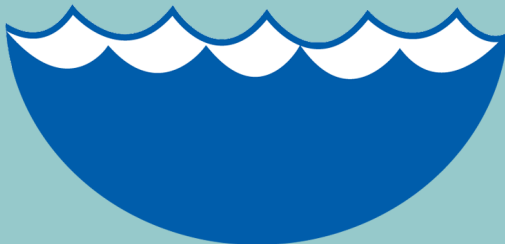


DRAFT

Water Shortage Contingency Plan

March 2022

EL TORO WATER DISTRICT



El Toro Water District

2022 Water Shortage Contingency Plan

DRAFT

March 2022

2022 Water Shortage Contingency Plan

March 2022

Prepared in Partnership With:

Arcadis U.S., Inc.
320 Commerce, Suite 200
Irvine
California 92602
Phone: 714 730 9052
<https://www.arcadis.com>

Prepared For:

El Toro Water District
24251 Aliso Boulevard
Lake Forest
California 92630
Phone: 949 837 0660
<https://etwd.com/>

Maddaus Water Management Inc.
Danville, California 94526
Sacramento, California 95816
www.maddauswater.com

Our Ref:

30055240



Lisa Maddaus, PE
Technical Lead
Maddaus Water Management, Inc.



Sarina Sriboonlue, PE
Project Manager
Arcadis U.S., Inc.

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Acronyms and Abbreviations

%	Percent
AF	Acre-Feet
Annual Assessment	Annual Water Supply and Demand Assessment
CRA	Colorado River Aqueduct
District	El Toro Water District
DRA	Drought Risk Assessment
DVL	Diamond Valley Lake
DWR	California Department of Water Resources
EAP	Emergency Operations Center Actions Plan
EOC	Emergency Operation Center
EOP	Emergency Operations Plan
ERP	Emergency Response Plan
FY	Fiscal Year
HMP	Hazard Mitigation Plan
IRP	Integrated Water Resource Plan
M&I	Municipal and Industrial
MCL	Maximum Contaminant Level
MET	Metropolitan Water District of Southern California
Metropolitan Act	Metropolitan Water District Act
MWDOC	Municipal Water District of Orange County
NIMS	National Incident Management System
OCWD	Orange County Water District
SEMS	California Standardized Emergency Management System
Supplier	Urban Water Supplier
SOCWA	South Orange County Wastewater Authority
SWP	State Water Project
UWMP	Urban Water Management Plan
Water Code	California Water Code
WEROC	Water Emergency Response Organization of Orange County
WSAP	Water Supply Allocation Plan
WSCP	Water Shortage Contingency Plan
WSDM	Water Surplus and Drought Management Plan

1 INTRODUCTION AND WSCP OVERVIEW

The Water Shortage Contingency Plan (WSCP) is a strategic planning document designed to prepare for and respond to water shortages. This WSCP complies with California Water Code (Water Code) Section 10632, which requires that every urban water supplier (Supplier) shall prepare and adopt a WSCP as part of its Urban Water Management Plan (UWMP). This level of detailed planning and preparation is intended to help maintain reliable supplies and reduce the impacts of supply interruptions.

The WSCP is El Toro Water District (District)'s operating manual that is used to prevent catastrophic service disruptions through proactive, rather than reactive, management. A water shortage, when water supply available is insufficient to meet the normally expected customer water use at a given point in time, may occur due to a number of reasons, such as drought, climate change, and catastrophic events. This WSCP provides a structured guide for the District to deal with water shortages, incorporating prescriptive information and standardized action levels, along with implementation actions in the event of a catastrophic supply interruption. This way, if and when shortage conditions arise, the District's governing body, its staff, and the public can easily identify and efficiently implement pre-determined steps to manage a water shortage. A well-structured WSCP allows real-time water supply availability assessment and structured steps designed to respond to actual conditions, to allow for efficient management of any shortage with predictability and accountability.

The WSCP also describes the District's procedures for conducting an Annual Water Supply and Demand Assessment (Annual Assessment) that is required by Water Code Section 10632.1 and is to be submitted to the California Department of Water Resources (DWR) on or before July 1 of each year, or within 14 days of receiving final allocations from the State Water Project (SWP), whichever is later. The District's 2020 WSCP is included as an appendix to its 2020 UWMP which will be submitted to DWR by July 1, 2021. However, this WSCP is created separately from the District's 2020 UWMP and can be amended, as needed, without amending the UWMP. Furthermore, the Water Code does not prohibit a Supplier from taking actions not specified in its WSCP, if needed, without having to formally amend its UWMP or WSCP.

1.1 Water Shortage Contingency Plan Requirements and Organization

The WSCP provides the steps and water shortage response actions to be taken in times of water shortage conditions. The WSCP has prescriptive elements, such as an analysis of water supply reliability; the water shortage response actions for each of the six standard water shortage levels that correspond to water shortage percentages ranging from 10% to greater than 50%; an estimate of potential to close supply gap for each measure; protocols and procedures to communicate identified actions for any current or predicted water shortage conditions; procedures for an Annual Assessment; monitoring and reporting requirements to determine customer compliance; and reevaluation and improvement procedures for evaluating the WSCP.

This WSCP is organized into three main sections, with Section 3 aligned with Water Code Section 16032 requirements.

Section 1 Introduction and WSCP Overview gives an overview of the WSCP fundamentals.

Section 2 Background provides a background on the District's water service area.

Section 3 Water Shortage Contingency Preparedness and Response Planning

Section 3.1 Water Supply Reliability Analysis provides a summary of the water supply analysis and water reliability findings from the 2020 UWMP.

Section 3.2 Annual Water Supply and Demand Assessment Procedures provide a description of procedures to conduct and approve the Annual Assessment.

Section 3.3 Six Standard Water Shortage Stages explains the WSCP's six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, 50, and more than 50% shortages.

Section 3.4 Shortage Response Actions describes the WSCP's shortage response actions that align with the defined shortage levels.

Section 3.5 Communication Protocols addresses communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding any current or predicted shortages and any resulting shortage response actions.

Section 3.6 Compliance and Enforcement describes customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions.

Section 3.7 Legal Authorities is a description of the legal authorities that enable the District to implement and enforce its shortage response actions.

Section 3.8 Financial Consequences of the WSCP provides a description of the financial consequences of and responses for drought conditions.

Section 3.9 Monitoring and Reporting describes monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

Section 3.10 WSCP Refinement Procedures addresses reevaluation and improvement procedures for monitoring and evaluating the functionality of the WSCP.

Section 3.11 Special Water Feature Distinction is a required definition for inclusion in a WSCP per the Water Code.

Section 3.12 Plan Adoption, Submittal, and Implementation provides a record of the process the District followed to adopt and implement its WSCP.

1.2 Integration with Other Planning Efforts

As a retail water supplier in Orange County, the District considered other key entities in the development of this WSCP, including the Municipal Water District of Orange County ([MWDOC] (regional wholesale supplier)), the Metropolitan Water District of Southern California ([MET] (regional wholesaler for Southern California and the direct supplier of imported water to MWDOC)), and the Baker Water Treatment Plant. As a MWDOC member agency, the District also developed this WSCP with input from several coordination efforts led by MWDOC.

Some of the key planning and reporting documents that were used to develop this WSCP are:

- **MWDOC's 2020 UWMP** provides the basis for the projections of the imported supply availability over the next 25 years for the District's service area.
- **MWDOC's 2020 WSCP** provides a water supply availability assessment and structured steps designed to respond to actual conditions that will help maintain reliable supplies and reduce the impacts of supply interruptions.
- **2021 Orange County Water Demand Forecast for MWDOC and Orange County Water District (OCWD) Technical Memorandum (Demand Forecast TM)** provides the basis for water demand projections for MWDOC's member agencies as well as Anaheim, Fullerton, and Santa Ana.
- **MET's 2020 Integrated Water Resources Plan (IRP)** is a long-term planning document to ensure water supply availability in Southern California and provides a basis for water supply reliability in Orange County.

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- **MET's 2020 UWMP** was developed as a part of the 2020 IRP planning process and was used by MWDOC as another basis for the projections of supply capability of the imported water received from MET.
- **MET's 2020 WSCP** provides a water supply assessment and guide for MET's intended actions during water shortage conditions.
- **2020 Local Hazard Mitigation Plan (HMP)** provides the basis for the seismic risk analysis of the water system facilities.
- **Orange County Local Agency Formation Commission's 2020 Municipal Service Review for MWDOC Report** provides a comprehensive service review of the municipal services provided by MWDOC.
- **Water Master Plan and Sewer Master Plan** of the District provide information on water infrastructure planning projects and plans to address any required water system improvements.

2 BACKGROUND INFORMATION

Currently governed by a five-member Board of Directors, the District was formed in 1960 under provisions of California Water District Law, Division 13 of the Water Code of the State of California, commencing with Section 34000 for the purpose of providing water supply for the service area.

2.1 District Service Area

The District encompasses approximately 5,430 acres and is almost entirely developed and encompasses all of the City of Laguna Woods and portions of four other cities: Lake Forest, Aliso Viejo, Laguna Hills, and Mission Viejo.

The District service area ranges in elevation between 230 feet above sea level at its lowest point to 904 feet at its highest. In general, elevations increase from west to east. Interstate 5 bisects the District from north to south, with the higher elevations located on the east side. The District is bordered by the Irvine Ranch Water District to the north, the Laguna Beach County Water District to the west, the Moulton Niguel Water District to the west and south, and the Santa Margarita Water District to the south and east. The District also shares a small border with the Trabuco Canyon Water District in the north.

The District operates and maintains a system that has approximately 9,500 service connections, 12 different pressure zones, 6 reservoirs, 8 pump stations, 19 pressure reducing stations and approximately 180 miles of transmission and distribution pipelines of varying diameters between four inches and 24 inches.

A map of the District's water service area is shown in Figure 2-1.

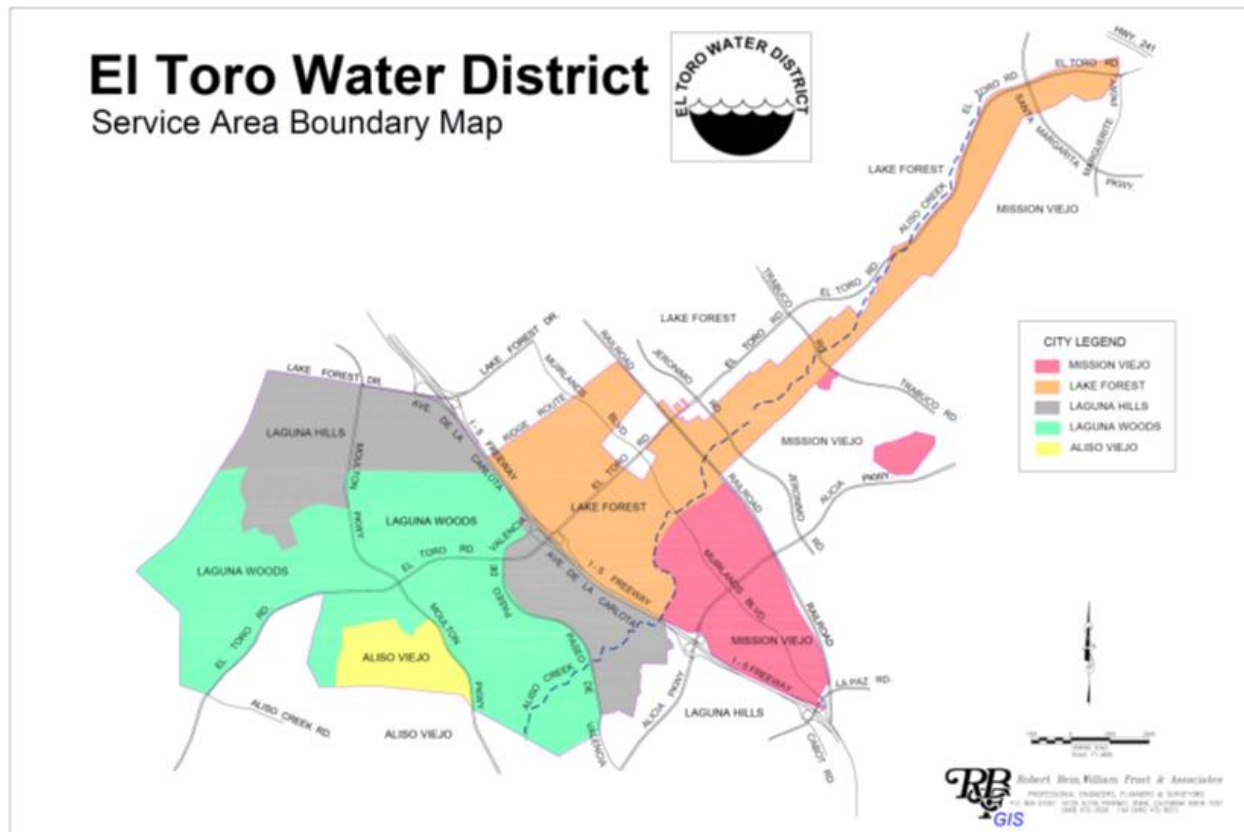


Figure 2-1: District Service Area

Although the District supplements its water supply portfolio with recycled water, the WSCP only applies to its potable water supply. The District is directly involved in wastewater services through its ownership and operation of the wastewater treatment facilities and collection system in its service area. The District operates wastewater treatment facilities and is part of the regional South Orange County Wastewater Authority (SOCWA). Almost all of the wastewater generated within the District's service area is conveyed to its Water Recycling Plant, where it is treated and either used for irrigation or disposed of through SOCWA's effluent transmission main and ocean outfall (ETWD, 2021). The District will determine the recycled water demand reduction actions for recycled water based on the availability of supply and to meet necessary wastewater discharge permit requirements.

2.2 Relationship to Wholesalers

MET: MET is the largest water wholesaler for domestic and municipal uses in California, serving approximately 19 million customers. MET wholesales imported water supplies to 26 member cities and water districts in six Southern California counties. Its service area covers the Southern California coastal plain, extending approximately 200 miles along the Pacific Ocean from the City of Oxnard in the north to the international boundary with Mexico in the south. This encompasses 5,200 square miles and includes portions of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties. Approximately 85% of the population from the aforementioned counties reside within MET's boundaries.

MET is governed by a Board of Directors comprised of 38 appointed individuals with a minimum of one representative from each of MET's 26 member agencies. The allocation of directors and voting rights are determined by each agency's assessed valuation. Each member of the Board shall be entitled to cast one vote for each ten million dollars (\$10,000,000) of assessed valuation of property taxable for district purposes, in accordance with Section 55 of the Metropolitan Water District Act (Metropolitan Act). Directors can be appointed through the chief executive officer of the member agency or by a majority vote of the governing board of the agency. Directors are not compensated by MET for their service.

MET is responsible for importing water into the region through its operation of the Colorado River Aqueduct (CRA) and its contract with the State of California for SWP supplies. Member agencies receive water from MET through various delivery points and pay for service through a rate structure made up of volumetric rates, capacity charges and readiness to serve charges. Member agencies provide estimates of imported water demand to MET annually in April regarding the amount of water they anticipate they will need to meet their demands for the next five years.

MWDOC: In Orange County, MWDOC and the cities of Anaheim, Fullerton, and Santa Ana are MET member agencies that purchase imported water directly from MET. Furthermore, MWDOC purchases both treated potable and untreated water from MET to supplement its retail agencies' local supplies.

The District is one of MWDOC's 28 member agencies receiving imported water from MWDOC. The District's location within MWDOC's service area is shown on Figure 2-2.

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Figure 2-2: Regional Location of the District and Other MWD OC Member Agencies

2.3 Relationship with Wholesaler Water Shortage Planning

The WSCP is designed to be consistent with MET's Water Shortage and Demand Management (WSDM) Plan, MWDOC's Water Supply Allocation Plan (WSAP), and other emergency planning efforts as described below. MWDOC's WSAP is integral to the WSCP's shortage response strategy in the event that MET or MWDOC determines that supply augmentation (including storage) and lesser demand reduction measures would not be sufficient to meet a projected shortage levels needed to meet demands.

2.3.1 MET Water Surplus and Drought Management Plan

MET evaluates the level of supplies available and existing levels of water in storage to determine the appropriate management stage annually. Each stage is associated with specific resource management actions to avoid extreme shortages to the extent possible and minimize adverse impacts to retail customers should an extreme shortage occur. The sequencing outlined in the WSDM Plan reflects anticipated responses towards MET's existing and expected resource mix.

Surplus stages occur when net annual deliveries can be made to water storage programs. Under the WSDM Plan, there are four surplus management stages that provides a framework for actions to take for surplus supplies. Deliveries in Diamond Valley Lake (DVL) and in SWP terminal reservoirs continue through each surplus stage provided there is available storage capacity. Withdrawals from DVL for regulatory purposes or to meet seasonal demands may occur in any stage.

The WSDM Plan distinguishes between shortages, severe shortages, and extreme shortages. The differences between each term are listed below.

- Shortage: MET can meet full-service demands and partially meet or fully meet interruptible demands using stored water or water transfers as necessary.
- Severe Shortage: MET can meet full-service demands only by using stored water, transfers, and possibly calling for extraordinary conservation.
- Extreme Shortage: MET must allocate available supply to full-service customers.

There are six shortage management stages to guide resource management activities. These stages are defined by shortfalls in imported supply and water balances in MET's storage programs. When MET must make net withdrawals from storage to meet demands, it is considered to be in a shortage condition. Figure 2-3 gives a summary of actions under each surplus and shortage stages when an allocation plan is necessary to enforce mandatory cutbacks. The goal of the WSDM plan is to avoid Stage 6, an extreme shortage (MET, 1999).

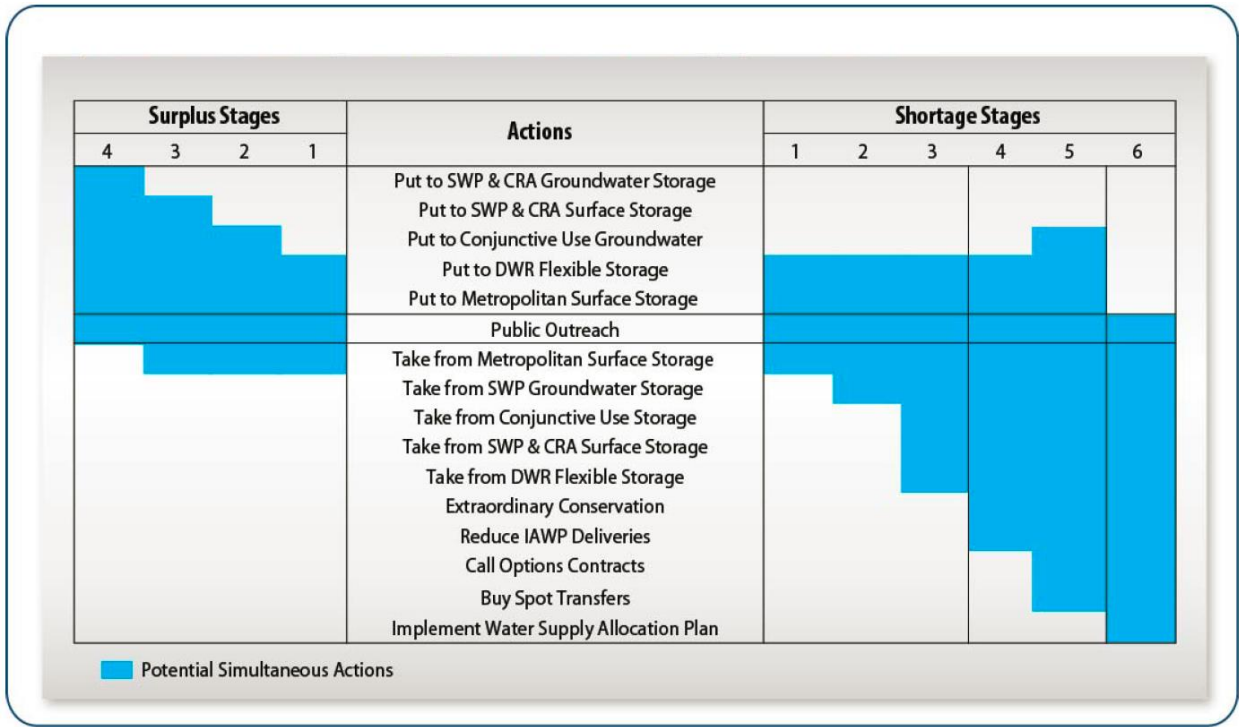


Figure 2-3: Resource Stages, Anticipated Actions, and Supply Declarations

MET’s Board of Directors adopted a Water Supply Condition Framework in June 2008 in order to communicate the urgency of the region’s water supply situation and the need for further water conservation practices. The framework has four conditions, each calling increasing levels of conservation. Descriptions for each of the four conditions are listed below:

- Baseline Water Use Efficiency: Ongoing conservation, outreach, and recycling programs to achieve permanent reductions in water use and build storage reserves.
- Condition 1 Water Supply Watch: Local agency voluntary dry-year conservation measures and use of regional storage reserves.
- Condition 2 Water Supply Alert: Regional call for cities, counties, member agencies, and retail water agencies to implement extraordinary conservation through drought ordinances and other measures to mitigate use of storage reserves.
- Condition 3 Water Supply Allocation: Implement MET’s WSAP.

As noted in Condition 3, should supplies become limited to the point where imported water demands cannot be met, MET will allocate water through the WSAP (MET, 2021a).

2.3.2 MET Water Supply Allocation Plan

MET’s imported supplies have been impacted by a number of water supply challenges as noted earlier. In case of extreme water shortage within the MET service area is the implementation of its WSAP.

MET’s Board of Directors originally adopted the WSAP in February 2008 to fairly distribute a limited amount of water supply and applies it through a detailed methodology to reflect a range of local conditions and needs of the region’s retail water consumers (MET, 2021a).

El Toro Water District 2022 Water Shortage Contingency Plan

The WSAP includes the specific formula for calculating member agency supply allocations and the key implementation elements needed for administering an allocation. MET's WSAP is the foundation for the urban water shortage contingency analysis required under Water Code Section 10632 and is part of MET's 2020 UWMP.

MET's WSAP was developed in consideration of the principles and guidelines in MET's 1999 WSDM Plan with the core objective of creating an equitable "needs-based allocation." The WSAP's formula seeks to balance the impacts of a shortage at the retail level while maintaining equity on the wholesale level for shortages of MET supplies of up to greater than 50%. The formula takes into account a number of factors, such as the impact on retail customers, growth in population, changes in supply conditions, investments in local resources, demand hardening aspects of water conservation savings, recycled water, extraordinary storage and transfer actions, and groundwater imported water needs.

The formula is calculated in three steps: 1) based period calculations, 2) allocation year calculations, and 3) supply allocation calculations. The first two steps involve standard computations, while the third step contains specific methodology developed for the WSAP.

Step 1: Base Period Calculations – The first step in calculating a member agency's water supply allocation is to estimate their water supply and demand using a historical based period with established water supply and delivery data. The base period for each of the different categories of supply and demand is calculated using data from the two most recent non-shortage years.

Step 2: Allocation Year Calculations – The next step in calculating the member agency's water supply allocation is estimating water needs in the allocation year. This is done by adjusting the base period estimates of retail demand for population growth and changes in local supplies.

Step 3: Supply Allocation Calculations – The final step is calculating the water supply allocation for each member agency based on the allocation year water needs identified in Step 2.

In order to implement the WSAP, MET's Board of Directors makes a determination on the level of the regional shortage, based on specific criteria, typically in April. The criteria used by MET includes current levels of storage, estimated water supplies conditions, and projected imported water demands. The allocations, if deemed necessary, go into effect in July of the same year and remain in effect for a 12-month period. The schedule is made at the discretion of the Board of Directors (MET, 2021b).

As demonstrated by the findings in MET's 2020 UWMP both the Water Reliability Assessment and the Drought Risk Assessment (DRA) demonstrate that MET is able to mitigate the challenges posed by hydrologic variability, potential climate change, and regulatory risk on its imported supply sources through the significant storage capabilities it has developed over the last two decades, both dry-year and emergency storage (MET, 2021a).

Although MET's 2020 UWMP forecasts that MET will be able to meet projected imported demands throughout the projected period from 2025 to 2045, uncertainty in supply conditions can result in MET needing to implement its WSAP to preserve dry-year storage and curtail demands (MET, 2021b).

2.3.3 MWDOC Water Supply Allocation Plan

To prepare for the potential allocation of imported water supplies from MET, MWDOC worked collaboratively with its 28 retail agencies to develop its own WSAP that was adopted in January 2009 and amended in 2016. The MWDOC WSAP outlines how MWDOC will determine and implement each of its retail agency's allocation during a time of shortage.

The MWDOC WSAP uses a similar method and approach, when reasonable, as that of the MET's WSAP. However, MWDOC's plan remains flexible to use an alternative approach when MET's method produces a

significant unintended result for the member agencies. The MWDOC WSAP model follows five basic steps to determine a retail agency's imported supply allocation.

Step 1: Determine Baseline Information – The first step in calculating a water supply allocation is to estimate water supply and demand using a historical based period with established water supply and delivery data. The base period for each of the different categories of demand and supply is calculated using data from the last two non-shortage years.

Step 2: Establish Allocation Year Information – In this step, the model adjusts for each retail agency's water need in the allocation year. This is done by adjusting the base period estimates for increased retail water demand based on population growth and changes in local supplies.

Step 3: Calculate Initial Minimum Allocation Based on MET's Declared Shortage Level – This step sets the initial water supply allocation for each retail agency. After a regional shortage level is established, MWDOC will calculate the initial allocation as a percentage of adjusted Base Period Imported water needs within the model for each retail agency.

Step 4: Apply Allocation Adjustments and Credits in the Areas of Retail Impacts and Conservation– In this step, the model assigns additional water to address disparate impacts at the retail level caused by an across-the-board cut of imported supplies. It also applies a conservation credit given to those agencies that have achieved additional water savings at the retail level as a result of successful implementation of water conservation devices, programs and rate structures.

Step 5: Sum Total Allocations and Determine Retail Reliability – This is the final step in calculating a retail agency's total allocation for imported supplies. The model sums an agency's total imported allocation with all of the adjustments and credits and then calculates each agency's retail reliability compared to its Allocation Year Retail Demand.

The MWDOC WSAP includes additional measures for plan implementation, including the following (MWDOC, 2016):

- **Appeal Process** – An appeals process to provide retail agencies the opportunity to request a change to their allocation based on new or corrected information. MWDOC anticipates that under most circumstances, a retail agency's appeal will be the basis for an appeal to MET by MWDOC.
- **Melded Allocation Surcharge Structure** – At the end of the allocation year, MWDOC would only charge an allocation surcharge to each retail agency that exceeded their allocation if MWDOC exceeds its total allocation and is required to pay a surcharge to MET. MET enforces allocations to retail agencies through an allocation surcharge to a retail agency that exceeds its total annual allocation at the end of the 12-month allocation period. MWDOC's surcharge would be assessed according to the retail agency's prorated share (acre-feet over usage) of MWDOC amount with MET. Surcharge funds collected by MET will be invested in its Water Management Fund, which is used to in part to fund expenditures in dry-year conservation and local resource development.
- **Tracking and Reporting Water Usage** – MWDOC will provide each retail agency with water use monthly reports that will compare each retail agency's current cumulative retail usage to their allocation baseline. MWDOC will also provide quarterly reports on its cumulative retail usage versus its allocation baseline.
- **Timeline and Option to Revisit the Plan** – The allocation period will cover 12 consecutive months and the Regional Shortage Level will be set for the entire allocation period. MWDOC only anticipates calling for allocation when MET declares a shortage; and no later than 30 days from MET's declaration will MWDOC announce allocation to its retail agencies.

3 WATER SHORTAGE CONTINGENCY PREPAREDNESS AND RESPONSE PLANNING

The District's WSCP is a detailed guide of how the District intends to act in the case of an actual water shortage condition. The WSCP anticipates a water supply shortage and provides pre-planned guidance for managing and mitigating a shortage. Regardless of the reason for the shortage, the WSCP is based on adequate details of demand reduction and supply augmentation measures that are structured to match varying degrees of shortage will ensure the relevant stakeholders understand what to expect during a water shortage situation.

3.1 Water Supply Reliability Analysis

Per Water Code Section 10632 (a)(1), the WSCP shall provide an analysis of water supply reliability conducted pursuant to Water Code Section 10635, and the key issues that may create a shortage condition when looking at the District's water asset portfolio.

Understanding water supply reliability, factors that could contribute to water supply constraints, availability of alternative supplies, and what effect these have on meeting customer demands provides the District with a solid basis on which to develop appropriate and feasible response actions in the event of a water shortage. In the 2020 UWMP, the District conducted a Water Reliability Assessment to compare the total water supply sources available to the water supplier with long-term projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and a drought lasting five consecutive water years (ETWD, 2021).

The District also conducted a DRA to evaluate a drought period that lasts five consecutive water years starting from the year following when the assessment is conducted. An analysis of both assessments determined that the District is capable of meeting all customers' demands from 2021 through 2045 for a normal year, a single dry year, and a drought lasting five consecutive years with significant imported water supplemental drought supplies from MWDOC/MET and ongoing conservation program efforts. The District receives the majority of its water supply from imported water from MWDOC, as well as supplemental supplies from local recycled water from the District's Water Recycling Plant that add reliability for non-potable demand.

As a result, there is no projected shortage condition due to drought that will trigger customer demand reduction actions until MWDOC notifies the District of insufficient imported supplies. More information is available in the District's 2020 UWMP Sections 6 and 7 (ETWD, 2021).

3.2 Annual Water Supply and Demand Assessment Procedures

Per Water Code Section 10632.1, the District will conduct an Annual Assessment pursuant to subdivision (a) of Section 10632 and by July 1st of each year, beginning in 2022, submit an annual water shortage assessment with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the Supplier's WSCP.

The District must include in its WSCP the procedures used for conducting an Annual Assessment. The Annual Assessment is a determination of the near-term outlook for supplies and demands and how a perceived shortage may relate to WSCP shortage stage response actions in the current calendar year. This determination is based on information available to the District at the time of the analysis. Starting in 2022, the Annual Assessment will be due by July 1 of every year.

This section documents the decision-making process required for formal approval of the District's Annual Assessment determination of water supply reliability each year and the key data inputs and the methodologies

used to evaluate the water system reliability for the coming year, while considering that the year to follow would be considered dry.

3.2.1 Decision-Making Process

The following decision-making process describes the functional steps that the District will take to formally approve the Annual Assessment determination of water supply reliability each year.

3.2.1.1 District Steps to Approve the Annual Assessment Determination

The Annual Assessment will be predicated on the MWDOC Annual Assessment outcomes.

MWDOC surveys its member agencies annually for anticipated water demands and supplies for the upcoming year. MWDOC utilizes this information to plan for the anticipated imported water supplies for the MWDOC service area. This information is then shared and coordinated with MET and is incorporated into their analysis of their service area’s annual imported water needs. Based on the year’s supply conditions and WSDM actions, MET will present a completed Annual Assessment for its member agencies’ review from which they will then seek Board approval in April of each year. Additionally, MET expects that any triggers or specific shortage response actions that result from the Annual Assessment would be approved by their Board at that time. Based upon MET’s Assessment and taking into consideration information provided to MWDOC through the annual survey, MWDOC will provide an anticipated estimate of imported supplies for ETWD to incorporate into the annual supply and demand assessment.

The Annual Assessment findings will determine the approval process. If a shortage is identified, the Annual Assessment will be taken to the ETWD Board of Directors for approval and formally submitted to DWR prior to the July 1 deadline. If no shortage is identified, the Annual Assessment will be approved by the General Manager, or designee, and submitted to DWR prior to the July 1 deadline.

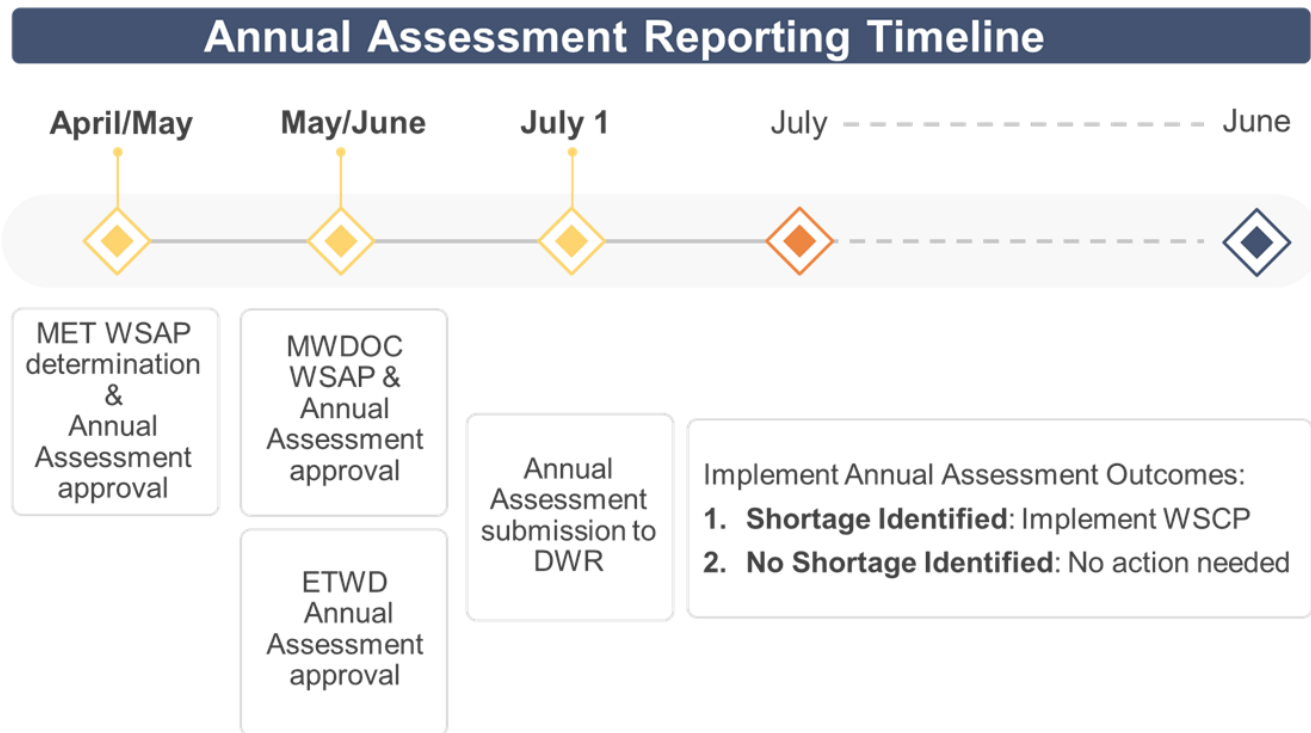


Figure 3-1: Annual Assessment Reporting Timeline

3.2.2 Data and Methodologies

The following paragraphs document the key data inputs and methodologies that are used to evaluate the water system reliability for the coming year, while considering that the year to follow would be considered dry.

3.2.2.1 Assessment Methodology

The District will evaluate water supply reliability for the current year and one dry year for the purpose of the Annual Assessment. The Annual Assessment determination will be based on considerations of unconstrained water demand, local water supplies, MWDOC/MET imported water supplies, planned water use, and infrastructure considerations. The balance between projected local supplies coupled with MET imported supplies and anticipated unconstrained demand will be used to determine what, if any, shortage stage is expected under the WSCP framework as presented in Figure 3-2. The WSCP's standard shortage stages are defined in terms of shortage percentages. Shortage percentages will be calculated by dividing the difference between water supplies and unconstrained demand by total unconstrained demand. This calculation will be performed separately for anticipated current year conditions and for assumed dry year conditions.

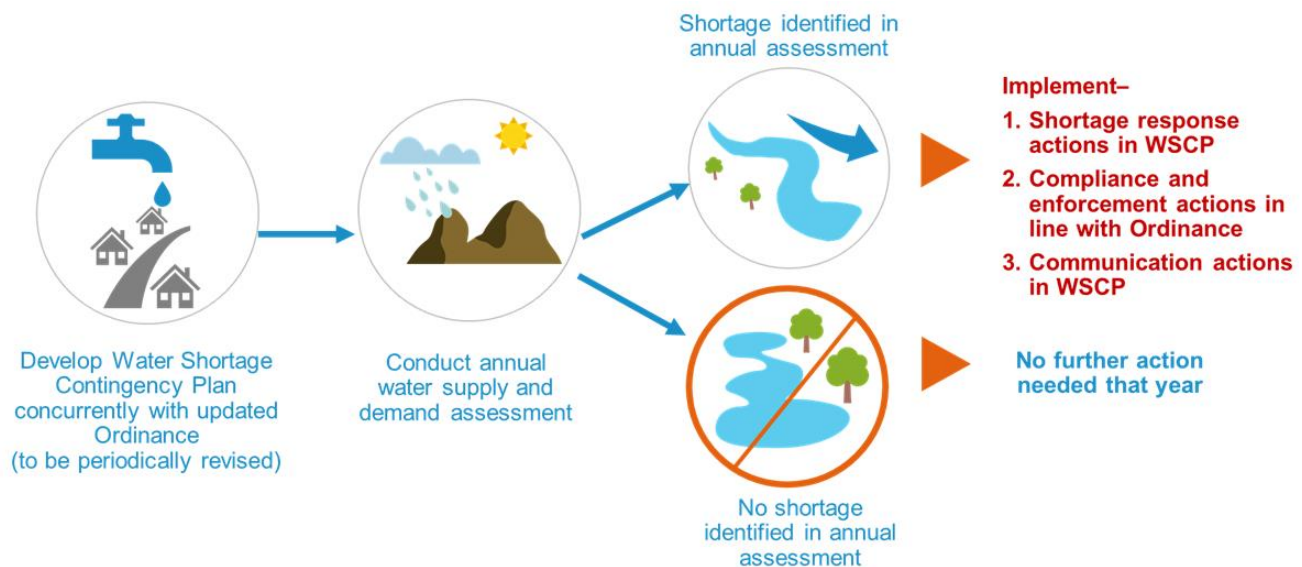


Figure 3-2: Water Shortage Contingency Plan Annual Assessment Framework

3.2.2.2 Locally Applicable Evaluation Criteria

Within Orange County, there are no significant local applicable criteria that directly affect reliability. Through the years, the water agencies in Orange County have made tremendous efforts to integrate their systems to provide flexibility to interchange with different sources of supplies. There are emergency agreements in place to ensure all parts of the County have an adequate supply of water. For the agencies in southern Orange County, most of their demands are met with imported water where their limitation is based on the capacity of their system, which is considered sufficient to meet anticipated demands.

The District will also continue to monitor emerging supply and demand conditions related to supplemental imported water from MWDOC/MET and take appropriate actions consistent with the flexibility and adaptiveness inherent to the WSCP. The District's Annual Assessment was based on the District's service area, water sources, water supply reliability, and water use as described in Water Code Section 10631, including available data from state, regional, or local agency population, land use development, and climate change projections within the service area of the

District. Some conditions that affect MWDOC's wholesale supply and demand, such as groundwater replenishment, surface water and local supply production, can differ significantly from earlier projections throughout the year.

However, if a major earthquake on the San Andreas Fault occurs, it will damage all three key regional water aqueducts and disrupt imported supplies for up to six months. The region would likely impose a water use reduction ranging from 10-25% until the system is repaired. However, MET and MWDOC have taken proactive steps to handle such disruption, such as constructing DVL, which mitigates potential impacts. DVL, along with other local reservoirs, can store a six to twelve-month supply of emergency water (MET, 2021b).

3.2.2.3 Water Supply

As detailed in the Districts 2020 UWMP, the District meets all of its customers' demands with a combination of treated and untreated imported water from MWDOC/MET, local recycled water, and local surface water from Irvine Lake. The District's main source of water supply is imported water, with recycled water and surface water making up the rest of the District's water supply portfolio. In fiscal year (FY) 2019-20, the District relied on 50% treated imported water, 32% untreated imported water, 14% recycled water, and 4% surface water. It is projected that by 2045, the District's water supply portfolio will change to approximately 45% treated imported water, 39% untreated imported water, and 16% recycled water (ETWD, 2021).

3.2.2.4 Unconstrained Customer Demand

The WSCP and Annual Assessment define unconstrained demand as expected water use prior to any projected shortage response actions that may be taken under the WSCP. Unconstrained demand is distinguished from observed demand, which may be constrained by preceding, ongoing, or future actions, such as emergency supply allocations during a multi-year drought. WSCP shortage response actions to constrain demand are inherently extraordinary; routine activities such as ongoing conservation programs and regular operational adjustments are not considered as constraints on demands.

The District's DRA reveals that its supply capabilities are expected to balance anticipated total water use and supply, assuming a five-year consecutive drought from FY 2020-21 through FY 2024-25 (ETWD, 2021). Water demands in a five-year consecutive drought are calculated as a six percent increase in water demand above a normal year for each year of the drought (CDM Smith, 2021).

3.2.2.5 Planned Water Use for Current Year Considering Dry Subsequent Year

Water Code Section 10632(a)(2)(B)(ii) requires the Annual Assessment to determine "current year available supply, considering hydrological and regulatory conditions in the current year and one dry year."

The Annual Assessment will include two separate estimates of the District's annual water supply and unconstrained demand using: 1) current year conditions, and 2) assumed dry year conditions. Accordingly, the Annual Assessment's shortage analysis will present separate sets of findings for the current year and dry year scenarios. The Water Code does not specify the characteristics of a dry year, allowing discretion to the Supplier. The District will use its discretion to refine and update its assumptions for a dry year scenario in each Annual Assessment as information becomes available and in accordance with best management practices.

Supply and demand analyses for the single-dry year case was based on conditions affecting the SWP as this supply availability fluctuates the most among MET's, and therefore MWDOC and the District's, sources of supply. FY 2013-14 was the single driest year for SWP supplies with an allocation of 5% to Municipal and Industrial (M&I) uses. Unique to this year, the 5% SWP allocation was later reduced to 0%, before ending up at its final allocation of 5%, highlighting the stressed water supplies for the year. Furthermore, on January 17, 2014 Governor Brown declared the drought State of Emergency citing 2014 as the driest year in California history. Additionally, within

MWDOC's service area, precipitation for FY 2013-14 was the second lowest on record, with 4.37 inches of rain, significantly impacting water demands.

The water demand forecasting model developed for the Demand Forecast TM isolated the impacts that weather and future climate can have on water demand through the use of a statistical model. The impacts of hot/dry weather conditions are reflected as a percentage increase in water demands from the normal year condition (average of FY 2017-18 and FY 2018-19). For a single dry year condition (FY 2013-14), the model projects a 6% increase in demand for the Orange County Groundwater Basin area where the District's service area is located (CDM Smith, 2021). Detailed information of the model is included in the District's 2020 UWMP.

The District has documented that it is 100% reliable for single dry year demands from 2025 through 2045 with a demand increase of 6% from normal demand with significant reserves held by MET, local groundwater supplies, and water use efficiency (ETWD, 2021).

3.2.2.6 Infrastructure Considerations

The Annual Assessment will include consideration of any 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. MWDOC closely coordinates with MET and its member agencies, including the District, on any planned infrastructure work that may impact water supply availability. Throughout each year, MET regularly carries out preventive and corrective maintenance of its facilities within the MWDOC service area that may require shutdowns to inspect and repair pipelines and facilities and support capital improvement projects. These shutdowns involve a high level of planning and coordination between MWDOC, MWDOC's member agencies, and MET to ensure that major portions of the distribution system are not out of service at the same time. Operational flexibility within MET's system and the cooperation of member agencies allow shutdowns to be successfully completed while continuing to meet all system demands.

Specifically for the District, the Capital Improvement Program is updated annually to maintain existing infrastructure rather than expand to new water supply sources.

3.2.2.7 Other Factors

For the Annual Assessment, any known issues related to water quality would be considered for their potential effects on water supply reliability.

3.3 Six Standard Water Shortage Levels

Per Water Code Section 10632 (a)(3)(A), the District must include the six standard water shortage levels that represent shortages from the normal reliability as determined in the Annual Assessment. The shortage levels have been standardized to provide a consistent regional and statewide approach to conveying the relative severity of water supply shortage conditions. This is an outgrowth of the severe statewide drought of 2013-2016, and the widely recognized public communication and state policy uncertainty associated with the many different local definitions of water shortage levels.

The six standard water shortage levels correspond to progressively increasing estimated shortage conditions (up to 10, 20, 30, 40, 50, and greater than 50% shortage compared to the normal reliability condition) and align with the response actions the Supplier would implement to meet the severity of the impending shortages (Table 3-1).

Table 3-1: Water Shortage Contingency Plan Levels

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions
0	0% (Normal)	A Level 0 Water Supply Shortage – Condition exists when no current supply reductions are anticipated. The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water conservation requirements are in place as stipulated in the District’s Water Shortage Contingency Response Ordinance No. 2022-1.
1	Up to 10%	A Level 1 Water Supply Shortage – Condition exists when the District Board of Directors, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in its Water Shortage Contingency Response Ordinance No. 2022-1. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
2	11% to 20%	A Level 2 Water Supply Shortage – Condition exists when the District Board of Directors, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in its Water Shortage Contingency Response Ordinance No. 2022-1.
3	21% to 30%	A Level 3 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
4	31% to 40%	A Level 4 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions
5	41% to 50%	A Level 5 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
NOTES: The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.		

3.4 Shortage Response Actions

Water Code Section 10632 (a)(4) requires the WSCP to specify shortage response actions that align with the defined shortage levels. The District has defined specific shortage response actions that align with the defined shortage levels in DWR Tables 8-2 and 8-3 (Appendix A). These shortage response actions were developed with consideration to the system infrastructure and operations changes, supply augmentation responses, customer-class or water use-specific demand reduction initiatives, and increasingly stringent water use prohibitions.

3.4.1 Demand Reduction

The demand reduction measures that would be implemented to address shortage levels are described in DWR Table 8-2 (Appendix A). This table indicates which actions align with specific defined shortage levels and estimates the extent to which that action will reduce the gap between supplies and demands. DWR Table 8-2 (Appendix A) demonstrates that the chosen suite of shortage response actions can be expected to deliver the expected outcomes necessary to meet the requirements of a given shortage level (e.g., target of an additional 10% water savings). This table also identifies the enforcement action, if any, associated with each demand reduction measure.

3.4.2 Supply Augmentation

The supply augmentation actions are described in DWR Table 8-3 (Appendix A). These augmentations represent short-term management objectives triggered by the MET's WSDM Plan and do not overlap with the long-term new water supply development or supply reliability enhancement projects. Supply Augmentation is made available to

the District through MWDOC and MET. The District relies on MET's reliability portfolio of water supply programs including existing water transfers, storage and exchange agreements to supplement gaps in the District's supply/demand balance. MET has developed significant storage capacity (over 5 million AF) in reservoirs and groundwater banking programs both within and outside of the Southern California region. Additionally, MET can pursue additional water transfer and exchange programs with other water agencies to help mitigate supply/demand imbalances and provide additional dry-year supply sources.

MWDOC, and in turn its retail agencies, including the District, has access to supply augmentation actions through MET. MET may exercise these actions based on regional need, and in accordance with their WSCP, and may include the use of supplies and storage programs within the Colorado River, SWP, and in-region storage. The District has the ability to augment its supply to reduce the shortage gap by up to 100% by purchasing additional imported water through MWDOC; however, this is subject to rate penalties from MWDOC.

3.4.3 Operational Changes

During shortage conditions, operations may be affected by supply augmentation or demand reduction responses. The District will consider their operational procedures when it completes its Annual Assessment or as needed to identify changes that can be implemented to address water shortage on a short-term basis, such as suspending normal system flushing procedures or other minor changes to increase efficiency and to more effectively distribute available supply across the service area.

3.4.4 Additional Mandatory Restrictions

California Water Code Section 10632(a)(4)(D) calls for "additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions" to be included among the WSCP's shortage response actions. The District has identified additional mandatory restrictions in the Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

3.4.5 Emergency Response Plan (Hazard Mitigation Plan)

A catastrophic water shortage would be addressed according to the appropriate water shortage level and response actions. It is likely that a catastrophic shortage would immediately trigger Shortage Level 6 and response actions have been put in place to mitigate a catastrophic shortage. In addition, there are several plans that address catastrophic failures and align with the WSCP, including MET's WSDM and WSAP and the Water Emergency Response Organization of Orange County (WEROC)'s Emergency Operations Plan (EOP).

3.4.5.1 MET's WSDM and WSAP

MET has comprehensive plans for stages of actions it would undertake to address a catastrophic interruption in water supplies through its WSDM and WSAP. MET also developed an Emergency Storage Requirement to mitigate against potential interruption in water supplies resulting from catastrophic occurrences within the Southern California region, including seismic events along the San Andreas Fault. In addition, MET is working with the state to implement a comprehensive improvement plan to address catastrophic occurrences outside of the Southern California region, such as a maximum probable seismic event in the Sacramento-San Joaquin River Delta that would cause levee failure and disruption of SWP deliveries.

3.4.5.2 Water Emergency Response Organization of Orange County Emergency Operations Plan

In 1983, the Orange County water community identified a need to develop a plan on how agencies would respond effectively to disasters impacting the regional water distribution system. The collective efforts of these agencies resulted in the formation of the Water Emergency Response Organization of Orange County (WEROC) to coordinate emergency response on behalf of all Orange County water and wastewater agencies, develop an emergency plan to respond to disasters, and conduct disaster training exercises for the Orange County water community. WEROC was established with the creation of an indemnification agreement between its member agencies to protect each other against civil liabilities and to facilitate the exchange of resources. WEROC is unique in its ability to provide a single point of contact for representation of all water and wastewater utilities in Orange County during a disaster. This representation is to the county, state, and federal disaster coordination agencies. Within the Orange County Operational Area, WEROC is the recognized contact for emergency response for the water community.

3.4.5.3 El Toro Water District Emergency Storage and Emergency Response Plan

The District maintains several emergency interconnections with neighboring water agencies, to provide mutual aid during times of catastrophic supply interruptions. These agencies include Irvine Ranch Water District, Moulton Niguel Water District, Santa Margarita Water District and Trabuco Canyon Water District. The District also maintains as much as 124 million gallons of storage in the El Toro Reservoir which provides emergency storage within the District. In addition the District owns 11.5 percent of the capacity in the Baker Water Treatment Plant. The District is planning capital projects to increase water supply resiliency should disasters occur and interrupt imported water supplies. The District maintains a set of preparation actions to respond to various sorts of catastrophes. These actions items are listed below.

- **Regional Power Outage:** The District will coordinate with Southern California Edison for schedule of restoration of service. At sites with back-up power generators District staff will check that the generators are functioning and assess their fuel requirements. The District will assess its reservoir levels and coordinate reduction of demand by providing back-up emergency pumps if necessary.
- **Earthquake:** The District will activate its emergency response plan and contact customers directly or through media as needed to curtail demand. The District will initiate mutual aid with WEROC and its neighboring districts, coordinate with the Department of Drinking Water (DDW), and issue health directives if necessary.
- **Facility Failure:** The District will isolate the facility and coordinate water shortage response actions as required. The District will issue appropriate health directives as needed and provide alternative service and initiate repairs or replacement of the facility.
- **Water Supply Interruption:** The District will implement water shortage response actions as appropriate to ensure fire safety and health concerns and use its interconnections and storage if necessary.
- **Water Supply Contamination:** The District will notify the DDW, isolate systems that are contaminated, and issue health directives, as necessary.

3.4.6 Seismic Risk Assessment and Mitigation Plan

California Water Code Section 10632.5(a) requires a WSCP to 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. In August of 2019, the District's Board adopted the Orange County Regional Water and Wastewater Hazard Mitigation Plan, per the requirements of the Federal Disaster Mitigation Act of 2000. The District and eighteen (18) other participating Orange County water and wastewater utilities jointly developed and

adopted the Orange County Regional Water and Wastewater Hazard Mitigation Plan. The Hazard Mitigation Plan evaluates hazards applicable to all water agencies in the Orange County planning area, prioritized based on probability, location, maximum probable extent, and secondary impacts, including seismic vulnerabilities. The Hazard Mitigation Plan is structured to have a base plan and appendices that reflect information that is generic to all participating agencies, such as the planning process, risk assessment, mitigation strategy and plan maintenance. In addition, there are annexes that are specific to each agency, including a description of physical infrastructure assets, potential disaster impacts, and the mitigation goals and actions for each participating agency. The District worked in coordination with the WEROC to develop the regional plan and address the District-specific Annex assessment and mitigation plan. The Hazard Mitigation Plan concludes that earthquake fault rupture and seismic hazards, including ground shaking and liquefaction, are among the highest ranked hazards to the region as a whole because of its long history of earthquakes, with some resulting in considerable damage. A significant earthquake along one of the major faults could cause substantial casualties, extensive damage to infrastructure, fires, damages and outages of water and wastewater facilities, and other threats to life and property. It was determined that the overarching mitigation goals were the same for all Orange County water agencies, and thus, a common set of goals were identified in the regional Hazard Mitigation Plan, which include:

- Goal 1: Minimize vulnerabilities of critical infrastructure to minimize damages and loss of life and injury to human life caused by hazards.
- Goal 2: Minimize security risks to water and wastewater infrastructure.
- Goal 3: Minimize interruption to water and wastewater utilities.
- Goal 4: Improve public outreach, awareness, education, and preparedness for hazards in order to increase community resilience.
- Goal 5: Eliminate or minimize wastewater spills and overflows.
- Goal 6: Protect water quality and supply, critical aquatic resources, and habitat to ensure a safe water supply.
- Goal 7: Strengthen Emergency Response Services to ensure preparedness, response, and recovery during any major or multi-hazard event.

For detailed hazard identification, prioritization, and mitigation strategies, in particular seismic risks and mitigation, refer to the Orange County Regional Water and Wastewater Hazard Mitigation Plan and the ETWD-specific Annex.

3.4.7 Shortage Response Action Effectiveness

For each specific Shortage Response Action identified in the plan, the WSCP also estimates the extent to which that action will reduce the gap between supplies and demands identified in DWR Table 8-2 (Appendix A). To the extent feasible, the District has estimated percentage savings for the chosen suite of shortage response actions, which can be anticipated to deliver the expected outcomes necessary to meet the requirements of a given shortage level.

3.5 Communication Protocols

Timely and effective communication is a key element of the WSCP implementation. In the context of water shortage response, the purpose may be an immediate emergency water shortage situation, such as may result from an earthquake, or a longer-term shortage condition, such as may result from a drought. In an immediate emergency, the District will activate the communication protocols detailed in the Emergency Response Plan. In a longer-term water shortage situation, the District will implement follow the communication protocols described below.

Per the Water Code Section 10632 (a)(5), the District has established communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments regarding any current or predicted shortages as determined by the Annual Assessment described pursuant to Section 10632.1; any shortage response actions triggered or anticipated to be triggered by the Annual Assessment described pursuant to Section 10632.1; and any other relevant communications.

Longer-term water shortage communication protocols are focused on communicating the water shortage contingency planning actions that can be derived from the results of the Annual Assessment, and it would likely trigger based upon the decision-making process in Section 3.2. Following a water shortage level declaration, the District will pursue outreach to inform customers of water shortage levels and definitions, targeted water savings for each drought stage, guidelines that customers are to follow during each stage, and sources of current information on the District's supply and demand response status.

Table 3.2 provides the recommended communication guidelines to help guide customer campaigns during implementation of a water shortage level. It is meant to primarily help inform the public and decision makers about the types of measures the District would take under various water shortage levels and to aid in communications with customers and is not limited to other possible options. Specific circumstances will vary with each shortage and decisions about the most appropriate response should be based on the water supply and demand conditions at the time. These following actions are intended as a list of probable measures for advance preparation purposes rather than set protocols, recognizing that as supply and demand change over time, or as the shortage evolves, the ultimate choice of options and actions to best address the shortage may change.

The District's Public Relations department will lead public information and outreach efforts in close coordination with other MWDOC and MET. The District will share information and provide guidance to its customers as well as monitor the customer response and attitude toward both voluntary and mandatory customer response guidelines. The District's customer outreach is required to successfully achieve targeted water savings during each drought stage.

Table 3-2: Communication Protocols

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
1	<ul style="list-style-type: none"> Initiate public information campaign; produce and distribute fact-based informational materials Announce water supply conditions and emphasize ways to conserve immediately Include increased conservation messages on website and in standard outreach efforts Enhance promotion of ongoing water efficiency programs 	<ul style="list-style-type: none"> Voluntary water conservation requested of all customers Adhere to Permanent Water Conservation Requirements Promote water efficiency programs 	<ul style="list-style-type: none"> District Website Direct Mail (Water Bill Message/inserts) Bill Pay Portal Social Media ETWD Community Advisory Group Meetings Regional School Program Community Events Laguna Woods Village (Television Interviews/Direct Email) Communication with HOAs

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
2	<ul style="list-style-type: none"> Intensify public information campaign conveying mandatory water-use restrictions, supply conditions and ways to save water Provide regular supply condition updates to customers Continue promotion of ongoing water efficiency programs/tools 	<ul style="list-style-type: none"> Encourage customers to stay within their water budget Require leaks to be fixed in 4 days. Intensify promotion of water efficiency programs 	<ul style="list-style-type: none"> Continue use of all tools in prior level Direct communication and educational outreach with customers not in compliance with the Permanent Water Conservation Requirements (Educational door hangers/verbal)
3	<ul style="list-style-type: none"> Expand campaign and messages to raise awareness for more severe water-saving actions/behaviors by customers Conduct specialized outreach to reduce discretionary outdoor water use Conduct outreach to high volume customers Establish targeted and focused social media advertising strategies 	<ul style="list-style-type: none"> Promote water savings programs to help customers identify water savings opportunities Possible implementation or modification of the Drought Factor and/or Water Shortage Rate Surcharge Prohibit car washing except using permitted commercial carwashes Limit outdoor watering to 3 days a week per Table 8.2/Appendix C Require leaks be fixed within 3 days Promote pool and spa requirements 	<ul style="list-style-type: none"> Continue use of all tools in prior levels Direct communication with residential and commercial high-water users Direct mail to customers (postcards/letters) Paid media coverage (print and electronic) Public Service Announcements
4	<ul style="list-style-type: none"> Conduct issue briefings with elected officials and other key civic and business leaders Scale up campaign and frequency of messages to reflect water shortage condition Increase outreach efforts for high volume customers 	<ul style="list-style-type: none"> Limit outdoor watering to 2 days a week per Table 8.2 and Appendix C Require leaks be fixed within 2 days Implement or further reduce Drought Factor and/or Water Shortage Rate Surcharge 	<ul style="list-style-type: none"> Continue use of all tools in prior levels Water waste patrols

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
5	<ul style="list-style-type: none"> Partner with other agencies to expand public information campaign, as available Suspend promotion of long-term water use efficiency programs/tools to focus on imminent needs Emphasize work being done by ETWD to alleviate the impacts of such a severe shortage 	<ul style="list-style-type: none"> Limit outdoor watering to 1 day a week per Table 8.2/Appendix C Require leaks be fixed within 1 day Further reduce Drought Factor and/or increase Water Shortage Rate Surcharge Discourage various water use deemed non-essential 	<ul style="list-style-type: none"> Continue use of all tools in prior levels Neighborhood canvassing Partnerships/ Regional incentives
6	<ul style="list-style-type: none"> Update campaign and messages to reflect likely need to focus water use on health/safety needs 	<ul style="list-style-type: none"> Continue all measures initiated in prior stages as appropriate Further reduce Drought Factor and/or increase Water Shortage Rate Surcharge Prohibit outdoor irrigation per Table 8.2/Appendix C Water use for public health and safety purposes only District may shut off all non-essential water services Customer rationing may be implemented 	<ul style="list-style-type: none"> Continue use of all tools in prior levels

3.6 Compliance and Enforcement

Per the Water Code Section 10632 (a)(6), the District has defined customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions. Communication procedures to ensure customer compliance are described in Section 3.5 and customer enforcement, appeal, and exemption procedures are defined in the District's existing Water Shortage Contingency Response Ordinance 2022-1 (Appendix B). The District intends to update any enforcement procedures in a subsequently adopted ordinance which will supersede the existing ordinance.

3.7 Legal Authorities

Per Water Code Section 10632 (a)(7)(A), the District has provided a description of the legal authorities that empower the District to implement and enforce its shortage response in its Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

Per Water Code Section 10632 (a)(7) (B), the District shall declare a water shortage emergency condition to prevail within the area served by such wholesaler 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.

Per Water Code Section 10632 (a)(7)(C), the District shall coordinate with any agency or county within which it provides water supply services for the possible proclamation of a local emergency under California Government Code, California Emergency Services Act (Article 2, Section 8558). Table 3-3 identifies the contacts for all cities or counties for which the Supplier provides service in the WSCP, along with developed coordination protocols, can facilitate compliance with this section of the Water Code in the event of a local emergency as defined in subpart (c) of Government Code Section 8558.

Table 3-3: Agency Contacts and Coordination Protocols

Contact	Agency	Coordination Protocols
Dennis Wilberg	City of Mission Viejo	call/email
Chris Macon	City of Laguna Woods	call/email
Debra Rose	City of Lake Forest	call/email
Donald White	City of Laguna Hills	call/email
David Doyle	City of Aliso Viejo	call/email

3.8 Financial Consequences of WSCP

Per Water Code Section 10632(a)(8), Suppliers must include a description of the overall anticipated financial consequences to the Supplier of implementing the WSCP. This description must include potential reductions in revenue and increased expenses associated with implementation of the shortage response actions. This should be coupled with an identification of the anticipated mitigation actions needed to address these financial impacts.

During a catastrophic interruption of water supplies, prolonged drought, or water shortage of any kind, the District will experience a reduction in revenue due to reduced water sales. Throughout this period of time, expenditures may increase or decrease with varying circumstances. Expenditures may increase in the event of significant damage to the water system, resulting in emergency repairs. Expenditures may also decrease as less water is pumped through the system, resulting in lower power costs. Water shortage mitigation actions will also impact revenues and require additional costs for drought response activities such as increased staff costs for tracking, reporting, and communications.

The District receives water revenue from a service charge and a commodity charge based on consumption. The service charge recovers costs associated with providing water to the serviced property. The service charge does not vary with consumption and the commodity charge is based on water usage. Rates have been designed to recover the full cost of water service in the charges. Therefore, the total cost of purchasing water would decrease as the usage or sale of water decreases. In the event of a drought emergency, the Water Budget will be raised to a higher tier and the District will impose excessive water use penalties on its customers, which may include an additional administrative penalty or additional costs associated with reduced water revenue, staff time taken for penalty enforcement, and advertising the excessive use penalties. The excessive water use penalties are further described in the District's Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

However, there are significant fixed costs associated with maintaining a minimal level of service. The District will monitor projected revenues and expenditures should an extreme shortage and a large reduction in water sales occur for an extended period of time. To overcome these potential revenue losses and/or expenditure impacts, the District may use reserves. If necessary, the District may reduce expenditures by delaying implementation of its Capital Improvement Program and equipment purchases to reallocate funds to cover the cost of operations and critical maintenance, adjust the work force, implement a drought surcharge, and/or make adjustments to its water rate structure.

Based on current water rates, a volumetric cutback of 50% and above of water sales may lead to a range of reduction in revenues. The impacts to revenues will depend on a proportionate reduction in variable costs related to supply, pumping, and treatment for the specific shortage event. The District could mitigate these impacts by increasing water rate revenues and/or increasing fixed charges.

3.9 Monitoring and Reporting

Per Water Code Section 10632(a)(9), the District is required to provide a description of the monitoring and reporting requirements and procedures that have been implemented to ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

Monitoring and reporting key water use metrics is fundamental to water supply planning and management. Monitoring is also essential in times of water shortage to ensure that the response actions are achieving their intended water use reduction purposes, or if improvements or new actions need to be considered (see Section 3.10). Monitoring for customer compliance tracking is also useful in enforcement actions.

Under normal water supply conditions, potable water import data is reviewed daily. Weekly and monthly reports are prepared and monitored. This data will be used to measure the effectiveness of any water shortage contingency level that may be implemented. As levels of water shortage are declared by MET and MWDOC, the District will follow implementation of those levels as appropriate based on the District's risk profile provided in UWMP Chapter 6 and continue to monitor water demand levels. When MET calls for extraordinary conservation, MET's Drought Program Officer will coordinate public information activities with MWDOC and monitor the effectiveness of ongoing conservation programs.

The District will participate in monthly member agency manager meetings with MWDOC to monitor and discuss monthly water allocation charts. This will enable the District to be aware of import use on a timely basis as a result of specific actions taken responding to the District's WSCP.

3.10 WSCP Refinement Procedures

Per Water Code Section 10632 (a)(10), the District must provide 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.

The District's WSCP is prepared and implemented as an adaptive management plan. The District will use the monitoring and reporting process defined in Section 3.9 to refine the WSCP. In addition, if certain procedural refinements or new actions are identified by District staff, or suggested by customers or other interested parties, the District will evaluate their effectiveness, incorporate them into the WSCP, and implement them quickly at the appropriate water shortage level.

It is envisioned that the WSCP will be periodically re-evaluated to ensure that its shortage risk tolerance is adequate and the shortage response actions are effective and up to date based on lessons learned from implementing the WSCP. The WSCP will be reviewed during the UWMP update cycle to incorporate any updated and potential new information. For example, new supply augmentation actions may be added, and actions that are no longer applicable for reasons such as program expiration will be removed. If revisions to the WSCP are warranted before the UWMP is updated, the WSCP will be updated outside of the UWMP update cycle. In the course of preparing the Annual Assessment each year, District staff may consider the functionality of the overall WSCP and may prepare recommendations for the District General Manager, or designee, if changes are found to be needed.

3.11 Special Water Feature Distinction

Per Water Code Section 10632 (b), the District has defined water features in 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, in the Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

3.12 Plan Adoption, Submittal, and Availability

Per Water Code Section 10632 (a)(c), the District provided notice of the availability of the draft 2020 UWMP and draft 2020 WSCP and notice of the public hearing to consider adoption of the amended WSCP. The public review drafts of the 2020 UWMP and amended 2022 WSCP were posted prominently on the District's [website](#) in advance of their public hearings on May 27, 2021 and March 24, 2022, respectively. Copies of the draft WSCP amendment were also made available for public inspection at the District offices and public hearing notifications were published in local newspapers. A copy of the published Notice of Public Hearing is included in Appendix E.

The District held the public hearing for the amended WSCP on March 24, 2022 at the District Board meeting. The District Board reviewed and approved the 2020 UWMP at its May 27, 2021 meeting and the amended WSCP at its March 24, 2022 meeting after the public hearings. See Appendix F for the resolution approving the amended WSCP.

By July 1, 2021, the District's adopted 2020 UWMP was filed with DWR, California State Library, and the County of Orange. An electronic copy of the revised WSCP will be submitted to DWR within 30 days of its adoption. The District will make the amended WSCP available for public review on its website no later than 30 days after filing with DWR.

Based on DWR's review of the WSCP, the District will make any amendments in its adopted WSCP, as required and directed by DWR.

4 REFERENCES

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Appendix A

DWR Submittal Tables

Table 8-1: Water Shortage Contingency Plan Levels

Table 8-2: Demand Reduction Actions

Table 8-3: Supply Augmentation and Other Actions

Submittal Table 8-1
Water Shortage Contingency Plan Levels

Shortage Level	Percent Shortage Range	Shortage Response Actions (Narrative description)
0	0% (Normal)	A Level 0 Water Supply Shortage – Condition exists when no current supply reductions are anticipated. The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water waste prohibitions are in place as stipulated in the District's Water Shortage Contingency Response Ordinance.
1	Up to 10%	A Level 1 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in this ordinance. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
2	11% to 20%	A Level 2 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in this ordinance.
3	21% to 30%	A Level 3 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
4	31% to 40%	A Level 4 Water Supply Shortage - Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
5	41% to 50%	A Level 5 Water Supply Shortage - Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

NOTES:

The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions Drop down list <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? For Retail Suppliers Only Drop Down List
0	Other - Require recycled water or non-potable water use for soil compaction or dust control at recycled water construction sites	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Recycled water construction sites must use recycled water or non-potable water for soil compaction or dust control at construction sites where there is reasonably available source of recycled or non-potable water approved by the Department of Public Health and appropriate for such use.	No
0	Other - Require automatic shut off hoses at recycled water construction sites	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Water hoses shall be equipped with automatic shut-off nozzles, given such devices are available for the size and type of hoses in use.	No
0	Landscape - Other landscape restriction or prohibition	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Commercial and multifamily and community development or redevelopment are required to install a sensor-based or weather-based irrigation controller.	No
0	Landscape - Limit landscape irrigation to specific times	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Watering or irrigating of lawns, landscaping, and other vegetated areas are prohibited any day of the week between 9:00 a.m. and 6:00 p.m. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or adjusting or repairing an irrigation system for very short periods of time. This does not apply to irrigation systems that use very low-flow drip-type systems. Watering to establish new landscaping within 30 days of completion of installation is exempt.	No
0	Landscape - Restrict or prohibit runoff from landscape irrigation	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	It is prohibited to water lawns, landscaping and vegetated areas that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter, ditch, parking lots, structures, non-irrigated areas or off the property.	No
0	Landscape - Limit landscape irrigation to specific times	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Watering or irrigating of lawns, landscaping, and other vegetated areas is prohibited during rain events and following 48 hours of significant precipitation.	No

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions Drop down list <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? For Retail Suppliers Only Drop Down List
0	Landscape - Other landscape restriction or prohibition	Statewide Prohibition is Required	Irrigating ornamental turf on public street medians is prohibited. This does not apply to irrigation with non-potable water.	No
0	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Leaks, breaks, and other malfunctions must be corrected in no more than five (5) days of District notification.	No
0	Other - Prohibit use of potable water for washing hard surfaces	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	This restriction does not apply to situations where it is necessary to hose or wash down hard or paved surfaces to alleviate safety or sanitary hazards. Only then may the surface be washed with a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing shut off hose nozzle, or a low-volume high-pressure cleaning machine equipped to recycle used water.	No
0	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	Other water feature or swimming pool restriction	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	All decorative water fountains and features must recirculate water or users must secure a waiver from the District.	No
0	CII - Restaurants may only serve water upon request	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	CII - Lodging establishment must offer opt out of linen service	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	CII - Commercial kitchens required to use pre-rinse spray valves	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	Other	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	All new commercial car-wash and laundry facilities and systems must recirculate the wash water or secure a waiver of this requirement from the District.	No

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions Drop down list <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? For Retail Suppliers Only Drop Down List
0	CII - Other CII restriction or prohibition	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Buildings requesting new water service or that are being remodeled are prohibited from installing single-pass systems.	No
1	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 1 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
2	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 2 demand reduction actions, increase messaging frequency, increase public outreach. Direct communication and educational outreach with customers not in compliance with the Permanent Water Conservation Requirements.	Yes
2	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than four (4) days of District notification.	Yes
3	Landscape - Limit landscape irrigation to specific days	5%	Watering or irrigating of lawns, landscaping, and other vegetated areas may only take place no more than three (3) days per week from May to September and no more than two (2) days per week from October to April. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or irrigation systems that exclusively use very-low flow drip type systems.	Yes
3	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than four (3) days of District notification.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions Drop down list <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? For Retail Suppliers Only Drop Down List
3	Water Features - Restrict water use for decorative water features, such as fountains	1%	Filling or refilling of ornamental lakes and ponds is prohibited except for those that sustain aquatic life provided that such life is of significant value and was actively managed in the water feature prior to declaring the shortage.	Yes
3	Other water feature or swimming pool restriction	0-2%	Filling residential swimming pools or outdoor spas is prohibited; refilling more than one (1) foot of water is prohibited. This does not apply to individuals who, due to health reasons or medical conditions, find it necessary to fill or refill their pools or spas or individuals who have not filled their pool in the last 24 months and who adhere to Best Practices for the construction and operation of pools and spas.	Yes
3	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
3	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
3	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 3 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
3	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	1%	-	Yes
3	Other	0-1%	The District may reduce non-potable water allocations in all categories to meet the available water supply.	Yes
4	Landscape - Limit landscape irrigation to specific days	5-10%	Watering or irrigating of lawns, landscaping, and other vegetated areas may only take place no more than two (2) days per week from May to September and no more than two (1) day per week from October to April. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or irrigation systems that exclusively use very-low flow drip type systems.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions <i>Drop down list</i> <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? <i>For Retail Suppliers Only</i> Drop Down List
4	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than three (2) days of District notification.	Yes
4	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
4	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
4	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 4 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
4	Other	0-5%	The District may reduce non-potable water allocations in all categories to meet the available water supply.	Yes
5	Landscape - Prohibit all landscape irrigation	5%	Watering or irrigating of lawns, landscaping, and other vegetated areas may only take place no more than one (1) day per week from May to September and no more than one (1) day per week from October to April. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or irrigation systems that exclusively use very-low flow drip type systems.	Yes
5	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than two (1) days of District notification.	Yes
5	Other water feature or swimming pool restriction	0-1%	Filling residential swimming pools or outdoor spas is prohibited; refilling more than one (1) foot of water is prohibited. This does not apply to individuals who, due to health reasons or medical conditions, find it necessary to fill or refill their pools or spas.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions <i>Drop down list</i> <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? <i>For Retail Suppliers Only</i> Drop Down List
5	Landscape - Other landscape restriction or prohibition	0-2%	No new potable water service, new temporary meters, and statement of immediate ability to serve or provide water service will be issued except under the following circumstances: 1) a valid, unexpired building permit has been issued for the project, 2) the project is necessary to protect the public health, safety, and welfare, or the applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.	Yes
5	Other	0-5%	Customers using over 10,000 units per year are required to submit a Water Conservation Plan and report quarterly progress.	Yes
5	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 5 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
5	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
5	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
6	Landscape - Prohibit all landscape irrigation	5-10%	This does not apply towards the following circumstances: 1) maintenance of vegetation that are watered using a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, 2) maintenance of existing landscape necessary for fire protection, 3) maintenance of existing landscape for soil erosion, and 4) public works projects and actively-irrigated environmental mitigation projects. Agency may shut off all non-essential water service.	Yes
6	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than one (1) days of District notification.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions <i>Drop down list</i> <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? <i>For Retail Suppliers Only</i> Drop Down List
6	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 6 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
6	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
6	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
6	Other	0-70%	Water use for public health and safety purposes only. Customer rationing may be implemented.	Yes
NOTES: The District's Water Shortage Contingency Plan and Table 8-2 only apply to the District's potable water supply.				

Submittal Table 8-3: Supply Augmentation and Other Actions

Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier <i>Drop down list</i> <i>These are the only categories that will be accepted by the WUEdata online submittal tool</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>
1 through 6	Other Purchases	0 - 100%	Additional imported water purchases through MWDOC
1 through 6	Other Purchases	0 - 100%	Additional groundwater pumping in the Orange County Groundwater Basin
NOTES:			

Appendix B

Water Shortage Contingency Response Ordinance 2022-1

EL TORO WATER DISTRICT

WATER SHORTAGE CONTINGENCY RESPONSE ORDINANCE 2022 – 1

(effective March 24, 2022)

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ORDINANCE NO. 2022-1

AN ORDINANCE OF THE BOARD OF DIRECTORS OF EL TORO WATER DISTRICT ESTABLISHING A WATER CONSERVATION & WATER SUPPLY SHORTAGE PROGRAM FOR USERS OF POTABLE WATER PROVIDED BY THE DISTRICT

Section I. Title

**El Toro Water District Water Shortage Contingency Response Ordinance
("Ordinance No. 2022-1")**

Section II. Findings, Determinations and Authority

- 1. Resolution No. 22-2-2** - The recitals, finding and determinations set forth in Resolution No. 22-2-2 are fully incorporated herein as though set forth in full.
- 2. A reliable minimum supply of potable water is essential** to the public health, safety and welfare of the people and economy of Southern California.
- 3. Southern California is a semi-arid region, largely dependent on imported water** supplies from Northern California and the Colorado River along with a limited amount of local water supplies. Population growth, drought, climate change, environmental concerns, government policy changes, restrictions on pumping and other factors in our region, in other parts of the State and in the western U.S. make Southern California highly-susceptible to water supply reliability issues. Southern California experienced significant dry year conditions in 2013-2017, which lead local water agencies, including El Toro Water District (District) to declare water shortage conditions that triggered demand reduction actions.
- 4. Careful water management requires active permanent water conservation requirements** not only in times of drought but at all times. It is essential to ensure a reliable minimum supply of water to meet current and future water supply needs.
- 5. California Constitution Article X, Section 2 and California Water Code Section 100** provide that because of conditions prevailing in the state of California, it is the declared policy of the State that the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable and that the waste and ~~or~~ unreasonable use or ~~unreasonable~~ methods of water use be prevented, and that the conservation of such water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.
- 6. California Water Code Section 10632** had significant updates related to water shortage contingency planning following the modification of the Urban Water Management Planning Act in 2018 that mandate new elements to Urban Water Management Plans and Water Shortage Contingency Plans. These elements include an annual drought risk assessment, State Water Shortage Levels, and statewide water use prohibitions.

7. **The Municipal Water District of Orange County (MWDOC) has adopted a 2020 Urban Water Management Plan and Water Shortage Contingency Plan documents that include water conservation** and additional demand reduction actions in times of shortage as a necessary and effective component of MWDOC's programs to provide a reliable supply of water to meet the needs of MWDOC's 28 member agencies, including the District, with which this Ordinance is consistent.
8. **The imported water supplies in the District and MWDOC are subject to the Water Shortage Allocations** determined by the Metropolitan Water District of Southern California, and subsequently MWDOC will be required to curtail deliveries of imported water based on the Metropolitan Water District of Southern California's Water Shortage Allocation Plan, which will be triggered in a state of shortage.
9. **As of July 2021, both MWDOC and the District are required to prepare an Annual Water Supply and Demand Assessment and Drought Risk Assessment** as part of their Urban Water Management Plan for submission to the California Department of Water Resources (DWR). Annually, by July 1st of each year, beginning the year following the adoption of the 2020 Urban Water Management Plan, MWDOC and the District are required to monitor, report, and if declared a drought emergency according to their adopted Water Shortage Contingency Plans, then notify the Department of Water Resources, in order to comply with the California Water Code 10632.1 reporting requirements.
10. **California Water Code Sections 350, et. seq.,** sets forth the determination and notification procedures for water suppliers seeking to declare a water shortage or a water emergency.
11. **California Water Code Section 353** specifies that a governing body must adopt regulations or restrictions on the delivery and consumption of water within its service area when it declares the existence of an emergency condition.
12. **California Water Code Section 356** allows for the adoption of regulations and restrictions that include discontinuance of service as an enforcement option where a water shortage emergency condition has been declared.
13. **California Water Code Section 370, et. seq.,** authorizes water suppliers to adopt water allocation programs for water users and allocation-based water conservation pricing.
14. **California Water Code Section 375** authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.
15. **California Water Code Section 375 et seq.,** authorizes public water suppliers to establish by Ordinance, the maximum levels of water to be used by customers under emergency supply conditions (which give rise to the utilization of the Drought Factor), and declaring that the customer's excess usage, to be a violation of this Ordinance.
16. **California Water Code Sections 13550 and 13551** declare a statewide policy that the use of potable domestic water for irrigation purposes when reclaimed (recycled) water is available constitutes a waste or unreasonable use of water within the meaning of the State Constitution.

17. The District's Rules and Regulations require that future developments utilize reclaimed (recycled) water wherever economically and technically feasible within the boundaries of the District in order to conserve potable water for the purposes of human consumption and fire protection.

18. The adoption and enforcement of a Water Shortage Contingency Response Ordinance is necessary to manage the District's potable water supply short- and long-term and to minimize and/or avoid the effects of drought and water shortage within the District. Such a program is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare.

19. California Government Code Section 53069.4 authorizes a local public agency to make a violation of an Ordinance, subject to an "administrative fine or penalty". "Penalty", as used throughout this Ordinance is an "Administrative Penalty", authorized pursuant to this section.

Section III. Declaration of Purpose and Intent

1. To minimize or avoid the effect and hardship of potential shortages of **potable water** to the greatest extent possible, this Ordinance establishes means to implement the District's Water Shortage Contingency Plan designed to:

- a. Reduce water consumption (demand) in the long-term through permanent conservation measures and short-term through demand reduction actions in times of drought.
- b. Enable effective potable water supply planning.
- c. Assure reasonable and beneficial use of potable water.
- d. Prevent waste of potable water and maximize efficient use in the District.

2. This Ordinance, in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure (which is subject to the provisions of Proposition 218 and is incorporated into the Cost of Service Rate Study), establishes:

a. Permanent Water Conservation Requirements are designed to alter behaviors related to potable water-use efficiency during non-shortage conditions

b. Six levels of potential response to escalating water supply shortages which the El Toro Water District Board (Board) may implement during times of declared water shortage or water emergency. The ~~three~~ six levels of response consist of ~~expanded~~ increasing water use restrictions, and demand reduction actions, and the possible imposition of water supply shortage allocations through the use of a "drought factor" in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure. ~~which~~ This is a component of the water budget calculation that is an integral part of the District's Water Budget Based Tiered Conservation Rate Structure, which modifies (reduces) the indoor and/or outdoor budget to further encourage conservation in times of water supply shortage emergencies and Administrative Penalties imposed on designated customer categories who exceed their revised water budget.

Section IV. Definitions

1. General

- a. **"The District"** means El Toro Water District.
- b. **"The Board"** means the El Toro Water District Board of Directors.
- c. **"Person"** means any person or persons, corporation, public or private entity, governmental agency or institution, or any other user of water provided by the District.
- d. **"Potable Water"** means water that is suitable for drinking.
- e. **"Recycled Water"** means the reclamation and reuse of non-potable water and/or wastewater for beneficial use, such as irrigation. Also known as "Reclaimed Water."
- f. **"Water Waste"** refers to uses of water that are limited or prohibited under the Ordinance because they exceed necessary or intended use and could reasonably be prevented, such as runoff from outdoor watering.
- g. **"Billing Unit"** is equal to 100 cubic feet (1 CCF) of water, which is 748 gallons. Water use is measured in units of 100-cubic-feet and multiplied by applicable water usage rates for billing. Also known as a "Unit of Water."
- h. **"Undue Hardship"** is a unique circumstance in which a requirement of the Ordinance would result in a disproportionate impact on a water user or property upon which water is used compared to the impact on water users generally or similar properties or classes of water use.
- i. **"Safety and Sanitary Hazard"** is one which presents an immediate and imminent threat to human health (injury).
- j. **"Water Budget Based Tiered Conservation Rate Structure"** ("Tiered Conservation Rate Structure") is a rate structure which provides "water budgets" to each customer based on efficient indoor and outdoor need. Water used in excess of the combined indoor and outdoor budget is billed at a progressively higher rate which is designed to recover the increased cost associated with providing such water and provides a clear indicator regarding inefficient use of potable water. The increased rates and potential Administrative Penalties for utilization of water in excess of budgeted amounts provide financial incentive to stay within assigned budgets and to comply with Permanent Mandatory Water Conservation Measures.
- k. **"Water Supply Shortage Emergency"** means a condition existing within the State, Region and/or the District in which the ordinary water demands and requirements of persons within the District cannot be satisfied without depleting the water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection. A water shortage emergency includes both an immediate emergency, in which the District is unable to meet current water needs of persons within the District, as well as a threatened water shortage, in which the District determines that its future supply of water may not meet an anticipated future demand.

- l. **"Administrative Penalty"** means a financial penalty as authorized by Government Code Section 53069.4 as a result of any person or entity violating the provisions of this Ordinance.
- m. **"MWD OC"** means the Municipal Water District of Orange County.
- n. **"DWR"** means the California Department of Water Resources.
- o. **"UWMP"** means Urban Water Management Plan as required by DWR to satisfy the UWMP Act and subsequent California Water Code Sections 10610 through 10656.
- p. **"WSCP"** means Water Shortage Contingency Plan as required by California Water Code Section 10632.
- q. **"Demand Reduction Actions"** refers to education, incentive or regulatory actions taken by the District to reduce water demand in its service area during times of shortage. Demand reduction actions are pre-planned to prepare for a water shortage were presented in Table 8-2 of the District's WSCP.
- r. **"Annual Water Supply and Demand Assessment"** refers to a determination of the near-term outlook for supplies and demands and how a perceived shortage may relate to the Shortage Level response actions as defined in the WSCP in the current calendar year.
- s. **"Drought Factor"** refers to a variable used in the calculation of both the indoor and outdoor District potable water budget allocations. Normally set at 100%, during emergencies/water supply shortage conditions, the District may use the Drought Factor to reduce water budgets and further encourage conservation.

2. Irrigation

- a. **"Irrigation Controller"** is the part of an automated irrigation system that instructs the valves to open and close to start or stop the flow of water.
 - 1. **"Sensor-based irrigation controller"** operates based on input from a combination of sensors (rain, solar, soil moisture) installed in or around the landscaped area.
 - 2. **"Weather-based irrigation controller"** operates automatically based on evapo-transpiration rates and historic or real-time weather data.
- b. **"Irrigation System"** refers to a manual or automated watering system consisting of pipes, hoses, spray heads and/or sprinkler devices or valves. Also known as a "Landscape Irrigation System."
- c. **"Positive Self-Closing Shut-Off Hose Nozzle"** refers to a water-efficient hose nozzle for residential or commercial hoses that users must press or release to start or stop the flow of water. Also known as an "Automatic Shut-Off Nozzle."
- d. **"Valves"** refer to the part of an irrigation system that opens and closes manually or electronically to start or stop the flow of water.

3. Other

- a. **"Pre-Rinse Kitchen Spray Valves"** refer to highly water-efficient sprayers that commercial kitchens use to rinse dishes in the sink before washing and for other preliminary cleaning purposes.
- b. **"Single-Pass Cooling System"** refers to an air conditioning, refrigeration or other cooling system that removes heat by transferring it to a supply of clean water and dumping the water down the drain - after a single use. This type of cooling system is prohibited given it is extremely water-inefficient compared to systems that recirculate the water.

Section V. Application of Ordinance

1. **The provisions of this Ordinance apply to any person or entity using potable water provided by the District.** This includes individuals, persons, corporations, public or private entities, governmental agencies or institutions, or any other users of District water.
2. **In addition, the provisions of this Ordinance do not apply to the following:**
 - a. **Water use which is immediately necessary to protect public health and safety** or for essential government services, such as police, fire and similar services.
 - b. **Recycled water use for irrigation.** Use of recycled water requires a permit that has specific use restrictions, many of which focus on water efficiency. Given such permits and the interest in promoting the use of recycled water as a means to preserve potable, recycled water is exempt from all requirements of this Ordinance.
 - c. **Water used by nurseries and growers** to sustain plants, trees, shrubs, crops, compost or other landscape vegetation material intended for distribution or commercial sale.
3. **This Ordinance is intended solely to further the beneficial use and conservation of potable water.** It is not intended to implement any provision of federal, state or local statutes, ordinances or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on storm water ordinances or management plans.

Section VI. Permanent Water Conservation Requirements

The District has adopted a Water Shortage Contingency Plan (WSCP) which details demand reduction actions that the District may take to restrict or shall prohibit its customers' consumption of water, including baseline conservation measures to be taken in times of normal water supply. The following Permanent Water Conservation Requirements for potable water, in support of demand reduction actions as called for in the Water Code and WSCP, are permanent and in effect at all times. Violations of this Section constitute waste and an unreasonable use of water.

1. General Restrictions — Residential, Irrigation, Commercial and Public Customers

a. Limits on Outside Watering Hours

- 1. Watering or irrigating is prohibited any day of the week between 9:00 a.m. and 6:00 p.m.**
- 2.** The week includes weekdays and weekends, seven (7) days.
- 3.** This applies to lawns, landscaping and all other vegetated areas.
- 4.** The following are **exempt** from this restriction:
 - a. Watering with a hand-held bucket or similar container.
 - b. Watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Adjusting or repairing an irrigation system for very short periods of time.
 - d. Watering with a drip irrigation system.
 - e. Watering to establish new landscaping within 30 days of completion of installation.

b. No Excessive Water Flow or Runoff: It is prohibited to water lawns, landscaping and vegetated areas in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch, parking lots, structures, non-irrigated areas, or off the property.

c. No Irrigation of Turf on Public Medians: Watering or irrigating of any lawn or turf on street medians with potable water is prohibited.

d. No Irrigation During or After Rainfall: Watering or irrigating any outdoor landscapes with potable water during and within forty eight (48) hours following at least one quarter inch (1/4") of rainfall within a twenty four (24) hour period is prohibited.

e. Obligation to Fix Leaks, Breaks or Malfunctions in lines, fixtures or facilities

- 1.** Excessive use, loss or escape of water through breaks, leaks or malfunctions in the water user's plumbing or distribution system:
 - a. Is prohibited for any period of time after such water waste should have reasonably been discovered and corrected.
 - b. Must be corrected in **no more than five (5) days of District notification.**

f. No Hosing or Washing Down Hard or Paved Surfaces

1. Washing or hosing down hard or paved surfaces with potable water, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys is prohibited.
2. When it is necessary to hose or wash down hard or paved surfaces to alleviate safety or sanitary hazards, the following may be used:
 - a. Hand-held bucket or similar container.
 - b. Hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Low-volume high-pressure cleaning machine equipped to recycle used water.

g. No Hosing or Washing Down Vehicles

1. Using potable water to hose or wash down a motorized or non- motorized vehicle, including but not limited to automobiles, trucks, vans, buses, motorcycles, boats or trailers is prohibited.
2. The following are exempt from this restriction:
 - a. Use of a hand-held bucket or similar container.
 - b. Use of a hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Commercial car washing at facilities using recycled or recirculating water.

h. Re-Circulating Water Required for Decorative Water Fountains and Decorative Water Features Operating a decorative water fountain or other decorative water feature that does not use re-circulated water is prohibited.

i. Swimming Pools and Spa Covers: Property owners who have a swimming pool or spa are encouraged to cover the facilities to minimize water loss due to evaporation.

2. Commercial Food-Serving & Lodging Requirements

a. Drinking Water Served Only Upon Request. Eating or drinking establishments, including but not limited to restaurants, hotels, cafes, bars or other public places where food or drinks are sold, or served or offered for sale, are prohibited from providing drinking water to any person unless requested.

b. Commercial Lodging Establishments Must Provide Option Not Launder Towels/Linens Daily. Hotels, motels and other commercial lodging establishments must provide guests the option of not having their used towels and linens laundered. Lodging establishments must prominently display notice of this option in each room and/or bathroom, using clear and easily understood language.

3. Commercial Kitchen Requirements

- a. **Water-Efficient Pre-Rinse Kitchen Spray Valves.** Food preparation establishments, such as restaurants, cafes and hotels, are prohibited from using non-water efficient pre-rinse commercial dishwashing kitchen spray valves.

4. Commercial Water Recirculation Requirements

- a. **Car Wash System Requirements:** All **new** commercial car-wash systems must install re-circulating water systems.
- b. **No Single-Pass Cooling Systems:** Buildings requesting **new** water service or being **remodeled** are prohibited from installing single-pass systems.

5. Recycled Water Construction Site Requirements

- a. **Recycled or non-potable water** must be used, when available.
- b. **No potable water may be used for soil compaction or dust control** where there is a reasonably-available source of recycled or non-potable water approved by the Department of Public Health and appropriate for such use.
- c. **Water hoses shall be equipped with automatic shut-off nozzles**, given such devices are available for the size and type of hoses in use.

6. Automated Irrigation Control System Requirements for Commercial, Multi-Family and Community Development/Redevelopment Projects

New Commercial, Multi-Family and Community development and/or redevelopment projects that include landscaped open space, park and recreation areas will be required to install a sensor-based or weather-based irrigation controller.

- 7. **Water Waste and Unreasonable Water Use Prohibited..** The waste or unreasonable use or unreasonable method of use of water by any person shall be prohibited at all times.
- 8. **Public Health and Safety.** These regulations shall not be construed to limit water use which is immediately necessary to protect public health and safety for essential government services, such as police, fire and similar services.

Section VII. Standard Water Shortage Levels

The District's Water Shortage Levels are aligned with the six standard State Water Shortage Levels and as defined in MWDOC's and the District's Water Shortage Contingency Plans to comply with California Water Code Section 10632 (a)(3). The shortage levels represent shortages from normal reliability as determined in the Annual Water Supply and Demand Assessment, corresponding to progressive ranges of up to 10, 20, 30, 40,50, and greater than 50 percent shortages. DWR Table 8-1 from the District's Water Shortage Contingency Plan defines the conditions that trigger each Shortage Level and the shortage response actions the District can take. WSCP has more specific demand reduction actions defined by Shortage Level.

**DWR Submittal Table 8-1
Water Shortage Contingency Plan Levels**

Shortage Level	Percent Shortage Range	Shortage Response Actions
0	0% (Normal)	A Level 0 Water Supply Shortage – Condition exists when the no current supply reductions are anticipated. The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water conservation requirements are in place as stipulated in the District’s Water Shortage Contingency Response Ordinance.
1	Up to 10%	A Level 1 Water Supply Shortage – Condition exists when the Board, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in this ordinance. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
2	11% to 20%	A Level 2 Water Supply Shortage – Condition exists when the Board, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in this Ordinance.
3	21% to 30%	A Level 3 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

**DWR Submittal Table 8-1
Water Shortage Contingency Plan Levels**

Shortage Level	Percent Shortage Range	Shortage Response Actions
4	31% to 40%	A Level 4 Water Supply Shortage - Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
5	41% to 50%	A Level 5 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
<p>NOTES: The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.</p>		

The District's Water Shortage Contingency Plan defines the shortage response actions that align with each Level of Water Supply Shortage, along with an estimate of the extent to which the gap between supplies and demand will be reduced.

- a. Locally appropriate supply augmentation actions.
- b. Locally appropriate demand reduction actions to respond to shortages.

- c. Locally appropriate operational changes.
- d. Additional mandatory prohibitions against specific water use practices, in addition to state-mandated prohibitions, as deemed necessary by the District.

Each elevated shortage level will include the elements of the previous shortage level(s) and permanent mandatory water conservation measures as defined in this Ordinance and the District's Water Shortage Contingency Plan. When conditions dictate necessary, an allocation of water supply under a water supply emergency condition that requires actions beyond those defined in the District's Water Shortage Contingency Plan may be required to be implemented.

Section VIII. Other Provisions

1. Customer Water Conservation Plans:

- a. **Customers with high annual water usage.** During Level 1 through Level 6 Water Shortages or Emergencies, the District Board of Directors, at its sole discretion and by written request, may require residential, irrigation, commercial and/or public customers using **ten thousand (10,000) or more billing units per year** to submit a Water Conservation Plan to the District and to submit quarterly progress reports on such plan. The conservation plan must make recommendations for increased water savings through on-site demand reduction actions, including increased use of recycled water or other sources of supply based on feasibility. Quarterly progress reports must include status on implementation of recommendations.

2. Recycled Water To Replace Potable Water

- a. **Future Developments.** When available, the District requires the use of recycled water in future developments.
- b. **New Water Service:** Prior to the connection of any new water service, the District will determine whether recycled water is appropriate and available to meet the requirements of the new service request. Recycled water must be utilized to the extent feasible, as determined by the District.
- c. **Transition from Potable Water:** The District may prohibit the use of potable water in certain instances - if the District determines that a specified use for potable water could be achieved with recycled water as a cost-effective alternative and the customer is given a reasonable time to make the conversion, as determined by the District's General Manager.

Section IX. Declaration & Notification of Water Supply Shortages or Emergencies

- 1. **Declaration of a Level 1 through Level 6 Water Supply Shortage or Emergency:** The District Board of Directors may declare a Level 1 through Level 6 Water Supply Shortage Level or Emergency in accordance with the procedures specified in Water Code Sections 351 and 352 (Public Hearing, Notice and Publication). Thereafter, penalties and violations under Section XI apply.

2. Notification of Declared Water Supply Shortages Emergency

The District must publish a copy of the water shortage/emergency resolution in a newspaper used for the publication of official notices within the jurisdiction of the District within fifteen (15) days of the date that a Water Supply Shortage or Emergency is declared.

3. Authorization of Adjusting the Drought Factor

During a Level 3, 4, 5 or 6 Water Shortage Emergency, the Board may authorize the adjustment of an indoor and/or outdoor drought factor that will reduce the indoor and/or outdoor water budget. This adjustment may impact the customer where water use is above the water budget allocation, which leads to entering into higher tiers on an accelerated basis. The additional amount paid in higher tiers, as a result of a reduction in indoor and/or outdoor budgets, is deemed an Administrative Penalty, authorized pursuant to California Government Code Section 53069.4. Refer to the WSCP, Appendix E.

4. Authorization of a Water Shortage Rate Surcharge

During a Level 3, 4, 5 or 6 Water Shortage Emergency, any water customer subject to water budgets pursuant to the District's Tiered Conservation Rate Structure who willfully use water in excess of their combined Tier 1 and Tier II water budgets shall be in violation of this Ordinance and, upon Board authorization and approval will be subject to a Water Shortage Rate Surcharge in the range of \$2.00 to \$10.00 as determined by the Board by minute order (motion) or Resolution at an open and public meeting, for each ccf of water used in excess of their combined Tier I and Tier II budget.

Section X. Hardship Waiver

- 1. Undue and Disproportionate Hardship:** If, due to unique circumstances, a specific requirement of the Ordinance would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this section.
- 2. Written Finding:** The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship.
 - a. Application for a Waiver:** Application for a waiver must be on a form prescribed by the District.
 - b. Supporting Documentation:** The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.
 - c. Required Findings for Waiver:** Based on the information and supporting documents provided in the application, additional information provided as requested, and water use information for the property as shown by the records of the District, the District **General Manager** in making the waiver determination will take into consideration the following:

1. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;
2. That because of special circumstances applicable to the property or its use, the strict application of this Ordinance would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;
3. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this Ordinance and will not be detrimental to the public interest; and
4. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

d. Approval Authority

1. The District General Manager or his designee(s) must act upon any completed **Application for a Waiver** no later than ten (10) days after receipt by the District.
2. The General **Manager or his designee(s) may approve, conditionally approve, or deny the waiver** and the decision will be final.
3. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise, at the time a waiver is approved, it will apply to the subject property for the duration of the water supply shortage or emergency.

Section XI- Non-Compliance

In order to ensure compliance with State reporting requirements and customer compliance, the District will collect, track, and analyze relevant data per the procedures defined in the District's Water Shortage Contingency Plan.

1. Non-Compliance with Level 0 Permanent Water Conservation Requirements and Level 1 Water Shortage Demand Reduction Actions: The District will issue a written warning and provide information regarding the necessity to comply with all Permanent Water Conservation Requirements.

2. Non-Compliance with Level 2, Level 3, Level 4, Level 5, and Level 6 Permanent Water Conservation Requirements and Demand Reduction Actions.

a. Non-Compliance Charges: The following will apply to persons or entities failing to comply with any provision of the Ordinance for Level 2, Level 3, Level 4, Level 5, and Level 6 3 permanent water conservation requirements and demand reduction actions:

- 1. First Instance of Non-Compliance:** The District will issue a **written warning** and send it along with an explanation of the violation.
- 2. Second Instance of Non-Compliance:** A second instance of noncompliance with the Ordinance within the preceding twelve (12) calendar months is

punishable by a non-compliance charge on the water bill not to exceed **two hundred and fifty dollars (\$250)**.

- 3. Third Instance of Non-Compliance:** A third instance of non-compliance with the Ordinance within the preceding twelve (12) calendar months is punishable by a non-compliance charge on the water bill not to exceed **five hundred dollars (\$500)**.

b. Water Flow Restrictor and/or Termination of Service

- 1. Water Flow Restrictor Device.** In addition to any non-compliance charges, the District may install a water flow restrictor device. If the District determines to install a water flow restrictor, installation of the flow restrictor would follow written notice of intent to the customer and would be in place for a minimum of forty-eight (48) hours.
- 2. Termination of Service:** In addition to any non-compliance charges and the installation of a water flow restrictor, the District may disconnect and/or terminate a customer's water service, pursuant to Water Code Section 356.

3. Costs for Water Flow Restrictors and Service Disconnection

- a. A person or entity in non-compliance with this Ordinance is 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.
- b. The charge for installing and/or removing any flow restricting device must be paid to the District before the device is removed.
- c. Nonpayment will be subject to the same remedies as nonpayment of basic water rate.

- c. Misdemeanor:** Pursuant to Water Code Section 377, any instance of noncompliance with the Ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding one thousand dollars (\$1,000) or by both.

- 3. Separate Offenses:** Each day that a person or entity is non-compliant with the Ordinance is a separate offense.

4. Notice of Non-Compliance/ Appeal and Hearing Process

- a. The District will issue a **Notice of Non-Compliance** by mail or personal delivery before taking enforcement action as defined in the WSCP. The notice will describe the violation and, if applicable, the date by which corrective action must be taken.
- b. A customer may appeal the Notice of Non-Compliance** by filing a written Notice of Appeal with the District no later than the close of business on the 10th day following receipt of the enforcement action. A customer appeal shall state the grounds for the appeal.

1. **Any Notice of Non-Compliance not timely appealed will be final.**
 2. Upon receipt of a timely appeal, **the District will schedule a hearing on the appeal** and mail written notice of the hearing date to the customer at least ten (10) days before the hearing.
 3. The District General Manager or his designee(s) will hear the appeal and issue a written **Notification of Decision** within ten (10) days of the hearing.
- c. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the District **may take appropriate steps to prevent the unauthorized use of water** given the nature and extent of the violations and the current declared water shortage level condition, including restricting the level of water use until the appeal is heard.
- d. Except for violations of this Ordinance subject to excessive water use penalties, if any person fails or refuses to comply with this Ordinance, the District shall provide that person with written notice of the Non-Compliance and opportunity to correct the noncompliance. The written notice shall:
1. Be posted or presented at the site of the Non-Compliance;
 2. State the time, date, and place of the Non-Compliance;
 3. State a general description of the Non-Compliance;
 4. State the means to correct the Non-Compliance;
 5. State a date by which the correction is required; and
 6. State the possible consequences of failing to correct the Non-Compliance.

Section XII. Administrative Penalty Provisions

1. **Administrative Penalty.** Pursuant to the authority provided for in Government Code Section 53069.4, the District finds, adopts and determines that all penalties provided for in this Ordinance No. 2022-1, as a result of any person or entity violating various provisions set forth herein shall constitute an Administrative Penalty.
2. **Notice and Due Process.** Upon the declaration of a Water Supply Shortage or Emergency and publication of the notice required herein, proper notice shall be deemed to have been given to each and every person and/or entity supplied water within the District, and the applicable water shortage.
3. **Collection of Penalties.** Any penalty imposed pursuant to this Ordinance may be collected on a customer's water bill. Any penalty shall be applicable to water used in violation of this Ordinance during the first complete billing cycle after the declaration of the applicable water shortage level.
4. **Notice of Violation.** The receipt of a water bill with any applicable penalties shall serve as notice of violation of this Ordinance.
5. **Appeal Procedures.** Any customer who wishes to appeal the imposition of an Administrative Penalty imposed by the District shall comply with the following procedures:

6. Appeal Request. An Appeal Request form shall be submitted to the District's Customer Service Department.

- (a) Appeal Request forms may be obtained at the District's Main Office or downloaded from the District's website at www.etwd.com.
- (b) An Appeal Request form shall be received by the District no later than thirty (30) calendar days from the date that the Appellant's water bill for the four-week period in which the penalty or penalties were imposed is due.
- (c) Additional Documentation. Additional documentation may be requested at the discretion of the District. Such documentation may include, but is not limited to, school records, driver's licenses, business licenses, lease agreements.
- (d) Site Survey. After an Appeal Request form has been received, a site survey may be required by District staff to verify the irrigated square footage of the property where the water was delivered. The site survey will be at no charge to the person and will require the person who submitted the Appeal Request form to be present.
- (e) District Response. A response to an Appeal Request shall be provided by the District within thirty calendar days from receipt of the Appeal Request form.
- (f) Review of Denial of Appeal Request. If an Appeal Request is denied, the Appeal Request form may be resubmitted by the customer for review by the District's General Manager. The Decision by the District's General Manager shall be final.

7. Use of Penalty Funds Collected. The Board of Directors hereby declares its intent to use penalty funds collected to pay any penalties/charges that may be imposed by the State and/or wholesale water provider of the District for exceeding its baseline water budget allocation and in furtherance of conservation efforts and/or acquisition of supplemental water supplies.

Section XIII. Severability: If any section, subsection, sentence, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of the Ordinance will not be affected. The District Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases thereof is declared invalid.

Section XIV. Effective Date of Ordinance: This Ordinance shall be effective immediately upon adoption.

ADOPTED, SIGNED, AND APPROVED by the following vote this 24th day of March, 2022.

EL TORO WATER DISTRICT

Kathryn Freshley, President
El Toro Water District and the
Board of Directors thereof

ATTEST:

Dennis Cafferty, General Manager/Secretary
El Toro Water District and the
Board of Directors thereof

Appendix C

**Water Shortage Contingency Response Ordinance Provisions
Assigned Outside Watering Days by City Boundary**

Appendix C

ETWD Water Shortage Contingency Response Provisions Assigned Outside Watering Days by City Boundary

	Level 1 Water Supply Shortage - Up to 10% shortage in imported supplies to District	Level 2 Water Supply Shortage - 11 to 20% shortage in imported supplies to District	Level 3 Water Supply Shortage - 21 to 30% shortage in imported supplies to District	Level 4 Water Supply Shortage - 31 to 40% shortage in imported supplies to District	Level 5 Water Supply Shortage - 41 to 50% shortage in imported supplies to District	Level 6 Water Supply Shortage - Greater than 50% shortage in imported supplies to District
City / Municipality	N/A	N/A	Watering limited to: 3 days a week from May – Sept. 2 days a week from Oct. - April	Watering Limited to: 2 days a week from May – Sept. 1 day a week from Oct. - April	Watering Limited to: 1 day a week from May - Sept. 1 day a week from Oct. - April	Watering prohibited (Note exemptions in the District's Water Shortage Contingency Plan)
City of Mission Viejo	N/A	N/A	Monday & Thursday & Saturday or Sunday	Monday or Thursday & Saturday or Sunday	Monday or Thursday	Prohibited – Note Exemptions
City of Aliso Viejo	N/A	N/A	Monday & Thursday & Saturday or Sunday	Monday or Thursday & Saturday or Sunday	Monday or Thursday	Prohibited – Note Exemptions
City of Laguna Woods	N/A	N/A	Tuesday & Friday & Saturday or Sunday	Tuesday or Friday & Saturday or Sunday	Tuesday or Friday	Prohibited – Note Exemptions
City of Laguna Hills	N/A	N/A	Tuesday & Friday & Saturday or Sunday	Tuesday or Friday & Saturday or Sunday	Tuesday or Friday	Prohibited – Note Exemptions
City of Lake Forest	N/A	N/A	Tuesday & Friday & Saturday or Sunday	Tuesday or Friday & Saturday or Sunday	Tuesday or Friday	Prohibited – Note Exemptions

Appendix D

**Water Shortage Contingency Response Ordinance Provisions
Best Practices for the Construction and Operation of Pools and
Spas**

Appendix D

ETWD Water Shortage Contingency Provisions Best Practices for the Construction and Operations of Pools and Spas

Implementation of the following Best Practices is encouraged for the construction and operation of any residential pool or spa installation within the District:

Construction:

- Installation of a pool/spa cover or use of cover elements over 75% of the pool surface to reduce evaporation

Operational:

- Installation of a cartridge filtering system to reduce the waste associated with backwash of filters
- Installation of non-mechanical, sensor-based automatic manual or timer-based fill mechanisms to prevent over-filling and waste
- Showing demonstrable off-sets to long-term water use by pool decking and surrounding landscaping compared to traditional landscape.

Appendix E

**ETWD Water Shortage Contingency Response Provisions
Drought Factor Financial Impact**

Appendix E

ETWD Water Shortage Contingency Response Provisions Drought Factor Financial Impact

The initiation of an indoor and/or outdoor drought factor will have the effect of reducing the indoor and/or outdoor water budget. Such a reduction may impact the total amount paid for water usage since customers may enter more expensive tiers on an accelerated basis. The additional amount paid, as a result of a reduction in indoor and/or outdoor budgets is deemed an Administrative Penalty, authorized pursuant to California Government Code Section 53069.4.

Below are examples of how the introduction of an indoor and/or outdoor drought factor might affect the total amount paid for water use and the amount of the Administrative Penalty.

For purposes of the examples a single-family residence is assumed with the following billing characteristics under normal conditions and under drought conditions with an imposed drought factor:

	Budget in ccf	Drought Factor
<u><i>NORMAL CONDITIONS</i></u>		
Indoor	9	100%
Outdoor	6	100%
<u><i>DROUGHT FACTOR IMPOSED</i></u>		
Indoor	8	80%
Outdoor	3	50%

Given the above, the following examples, based on District rates effective July 1, 2021, assume that 1) the customer does not change their consumption pattern and uses 22 ccf under both Normal and Drought conditions; 2) the customer reduces consumption from 22 ccf to 15 ccf; and 3) the customer reduces consumption to the new budget of 11 ccf.

SCENARIO 1 – RESIDENTIAL CUSTOMER USES 22 ccf DURING THE MONTH UNDER DROUGHT CONDITIONS:

	RATE	Drought Factor: Indoor - 100% Outdoor - 100%			Drought Factor: Indoor - 80% Outdoor - 50%			
		Budget	Actual	Total	Budget	Actual	Total	
Tier I - Indoor Efficient	\$2.72	9	9	\$24.48	8	8	\$21.76	
Tier II - Outdoor Efficient	\$3.11	6	6	\$18.66	3	3	\$9.33	
Tier III - Inefficient	\$6.78		5	\$33.90		4	\$27.12	
Tier IV - Excessive	\$8.52		2	\$17.04		7	\$59.64	
Total			22	\$94.08		22	\$117.85	
							Revised	\$117.85
							Original	(\$94.08)
							Administrative Penalty	\$23.77

SCENARIO 2 – RESIDENTIAL CUSTOMER USES 15 ccf DURING THE MONTH UNDER DROUGHT CONDITIONS:

	RATE	Drought Factor: Indoor - 100% Outdoor - 100%			Drought Factor: Indoor - 80% Outdoor - 50%			
		Budget	Actual	Total	Budget	Actual	Total	
Tier I - Indoor Efficient	\$2.72	9	9	\$24.48	8	8	\$21.76	
Tier II - Outdoor Efficient	\$3.11	6	6	\$18.66	3	3	\$9.33	
Tier III - Inefficient	\$6.78		0	\$0.00		4	\$27.12	
Tier IV - Excessive	\$8.52		0	\$0.00		0	\$0.00	
Total			15	\$43.14		15	\$58.21	
							Revised	\$58.21
							Original	(\$43.14)
							Administrative Penalty	\$15.07

SCENARIO 3 – RESIDENTAL CUSTOMER USES 11 ccf DURING THE MONTH UNDER DROUGHT CONDITIONS:

	RATE	Drought Factor: Indoor - 100% Outdoor - 100%			Drought Factor: Indoor - 80% Outdoor - 50%		
		Budget	Actual	Total	Budget	Actual	Total
Tier I - Indoor Efficient	\$2.72	9	9	\$24.48	8	8	\$21.76
Tier II - Outdoor Efficient	\$3.11	6	2	\$6.22	3	3	\$9.33
Tier III - Inefficient	\$6.78		0	\$0.00		0	\$0.00
Tier IV - Excessive	\$8.52		0	\$0.00		0	\$0.00
Total			11	\$30.70		11	\$31.09
							Revised \$31.09
							Original (\$30.70)
							Administrative Penalty \$0.39

Appendix F

Notice of Public Hearing

The Orange County Register

1771 S. Lewis Street
Anaheim, CA 92805
714-796-2209

5227134

EL TORO WATER DISTRICT
ATTN: GILBER GRANITO
24251 LOS ALISOS BLVD
LAKE FOREST, CA 92630

PROOF OF PUBLICATION

Legal No. **0011522689**

AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA, }
County of Orange } **SS.**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of The Orange County Register, a newspaper of general circulation, published in the city of Santa Ana, County of Orange, and which newspaper has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of November 19, 1905, Case No. A-21046, that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/10/2022

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Executed at Anaheim, Orange County, California, on
Date: March 10, 2022.



Signature

**NOTICE OF PUBLIC HEARING
EL TORO WATER DISTRICT ("ETWD") ADOPTION OF:
(1) AMENDMENT OF APPENDIX H OF ETWD'S 2020
URBAN WATER MANAGEMENT PLAN (2020 WATER SHORTAGE
CONTINGENCY PLAN) AND (2) ETWD's WATER
SHORTAGE CONTINGENCY RESPONSE ORDINANCE NO. 2022-1**

NOTICE IS HEREBY GIVEN that the El Toro Water District ("ETWD") will hold a Public Hearing on March 24, 2022 at 7:30 a.m. or as soon thereafter as the Agenda for ETWD's Regular Board Meeting provides, to consider adoption of ETWD's proposed amended and restated 2020 Water Shortage Contingency Plan ("WSCP"); and ETWD's Water Shortage Contingency Response Ordinance ("Ordinance No. 2022-1"). The Public Hearing/Meeting will be held at ETWD's Administrative Offices located at 24251 Los Alisos Blvd., Lake Forest, CA 92630.

The Public Hearing is being held in accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 through 10657).

The Public Hearing is also being held pursuant to California Water Code Sections 375 through 378 and 350 through 359 which authorizes water suppliers to adopt and enforce comprehensive water conservation regulations, plans, ordinances or resolutions to reduce water consumption and conserve supplies.

The purpose of the Public Hearing is to solicit public comment prior to adoption of the proposed updated WSCP and Ordinance No. 2022-1.

Copies of the proposed WSCP, and Ordinance No. 2022-1 being considered for adoption are available for public inspection on ETWD's website, <https://etwd.com> and/or at ETWD's Administrative Offices.

Members of the public who wish to comment during the Public Hearing may do so by attending the Public Hearing/Meeting in person or they may observe and address the Public Hearing/Meeting by joining this link:

<https://us02web.zoom.us/j/85377324270>. (ID: 853 7732 4270).

Members of the public who wish only to listen to the telephonic Public Hearing/Meeting may dial in at the following numbers (669) 900-6833 or (346) 248-7799 with the same ID noted above. Please be advised the Public Hearing/Meeting will be recorded.

For more information, or if you would like assistance in presenting your comments to the Board of Directors at the Public Hearing, please contact (Polly Welsch, Executive Assistant to Board and General Manager) at (949) 837-7050, ext. 225 or via email at pwelsch@etwd.com.

Publish: Orange County Register-March 10, 2022 11522689

The Orange County Register

1771 S. Lewis Street
Anaheim, CA 92805
714-796-2209

5227134

EL TORO WATER DISTRICT
ATTN: GILBER GRANITO
24251 LOS ALISOS BLVD
LAKE FOREST, CA 92630

AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA, }
County of Orange } SS.

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of The Orange County Register, a newspaper of general circulation, published in the city of Santa Ana, County of Orange, and which newspaper has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of November 19, 1905, Case No. A-21046, that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/17/2022

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Executed at Anaheim, Orange County, California, on
Date: March 17, 2022.



Signature

PROOF OF PUBLICATION

Legal No. **0011522738**

**NOTICE OF PUBLIC HEARING
EL TORO WATER DISTRICT ("ETWD")
ADOPTION OF:
(1) AMENDMENT OF APPENDIX H OF
ETWD'S 2020
URBAN WATER MANAGEMENT PLAN (2020
WATER SHORTAGE
CONTINGENCY PLAN) AND (2) ETWD'S
WATER
SHORTAGE CONTINGENCY RESPONSE
ORDINANCE NO. 2022-1**

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<https://us02web.zoom.us/j/85377324270>. (ID: 853 7732 4270).

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For more information, or if you would like assistance in presenting your comments to the Board of Directors at the Public Hearing, please contact (Polly Welsch, Executive Assistant to Board and General Manager) at (949) 837-7050, ext. 225 or via email at pwelsch@etwd.com.

Publish: Orange County Register- March 17, 2022
11522738

Appendix G

Adopted WSCP Resolution

RESOLUTION NO. 22-3-1

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT ADOPTING THE AMENDED
WATER SHORTAGE CONTINGENCY PLAN
(APPENDIX H TO THE ETWD 2022 URBAN WATER MANAGEMENT PLAN)**

WHEREAS, the general welfare of the people in the El Toro Water District ("District") requires that the water available to the District be utilized in a manner which maximizes beneficial use and that the waste and unreasonable use, or unreasonable method of use of water be prevented;

WHEREAS, pursuant to Section 34000 *et seq.* of the Water Code of the State of California, the District has the authority to adopt rules and regulations for the provision of water service and facilities;

WHEREAS, the District held a noticed public hearing on March 24, 2022 in accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 through 10657) to consider public comments regarding the adoption of the amended Water Shortage Contingency Plan in the form and content attached to this Resolution and marked Exhibit "A" entitled "amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan"; and

NOW, THEREFORE, BE IT RESOLVED, that the El Toro Water District hereby adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan) which is attached hereto, marked Exhibit "A", and by this reference is incorporated herein as though set forth in full.

ADOPTED, SIGNED AND APPROVED this 24th day of March, 2022.

KATHRYN FRESHLEY, President
El Toro Water District and of the
Board of Directors thereof

ATTEST

DENNIS P. CAFFERTY, Secretary
El Toro Water District and of the
Board of Directors thereof

El Toro Water District

**~~2020~~2022 Water Shortage
Contingency Plan**

DRAFT

~~June~~March ~~2021~~2022

~~2020-2022~~ Water Shortage Contingency Plan

~~June-March~~ ~~2024-2022~~

Prepared in Partnership WithBy:

Arcadis U.S., Inc.
320 Commerce, Suite 200
Irvine
California 92602
Phone: 714 730 9052
<https://www.arcadis.com>

Prepared For:

El Toro Water District
24251 Aliso Boulevard
Lake Forest
California 92630
Phone: 949 837 0660
<https://etwd.com/>

Maddaus Water Management Inc.
Danville, California 94526
Sacramento, California 95816
www.maddauswater.com

Our Ref:

30055240



Lisa Maddaus, PE
Technical Lead
Maddaus Water Management, Inc.



Sarina Sriboonlue, PE
Project Manager
Arcadis U.S., Inc.

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~~Appendix C.~~ ~~Appendix F.~~ Notice of Public Hearing

~~Appendix D.~~ ~~Appendix G.~~ Adopted WSCP Resolution

Acronyms and Abbreviations

%	Percent
AF	Acre-Feet
Annual Assessment	Annual Water Supply and Demand Assessment
CRA	Colorado River Aqueduct
District	El Toro Water District
DRA	Drought Risk Assessment
DVL	Diamond Valley Lake
DWR	California Department of Water Resources
EAP	Emergency Operations Center Actions Plan
EOC	Emergency Operation Center
EOP	Emergency Operations Plan
ERP	Emergency Response Plan
FY	Fiscal Year
HMP	Hazard Mitigation Plan
IRP	Integrated Water Resource Plan
M&I	Municipal and Industrial
MCL	Maximum Contaminant Level
MET	Metropolitan Water District of Southern California
Metropolitan Act	Metropolitan Water District Act
MWDOC	Municipal Water District of Orange County
NIMS	National Incident Management System
OCWD	Orange County Water District
SEMS	California Standardized Emergency Management System
Supplier	Urban Water Supplier
SOCWA	South Orange County Wastewater Authority
SWP	State Water Project
UWMP	Urban Water Management Plan
Water Code	California Water Code
WEROC	Water Emergency Response Organization of Orange County
WSAP	Water Supply Allocation Plan
WSCP	Water Shortage Contingency Plan
WSDM	Water Surplus and Drought Management Plan

1 INTRODUCTION AND WSCP OVERVIEW

The Water Shortage Contingency Plan (WSCP) is a strategic planning document designed to prepare for and respond to water shortages. This WSCP complies with California Water Code (Water Code) Section 10632, which requires that every urban water supplier (Supplier) shall prepare and adopt a WSCP as part of its Urban Water Management Plan (UWMP). This level of detailed planning and preparation is intended to help maintain reliable supplies and reduce the impacts of supply interruptions.

The WSCP is El Toro Water District (District)'s operating manual that is used to prevent catastrophic service disruptions through proactive, rather than reactive, management. A water shortage, when water supply available is insufficient to meet the normally expected customer water use at a given point in time, may occur due to a number of reasons, such as drought, climate change, and catastrophic events. This WSCP provides a structured guide for the District to deal with water shortages, incorporating prescriptive information and standardized action levels, along with implementation actions in the event of a catastrophic supply interruption. This way, if and when shortage conditions arise, the District's governing body, its staff, and the public can easily identify and efficiently implement pre-determined steps to manage a water shortage. A well-structured WSCP allows real-time water supply availability assessment and structured steps designed to respond to actual conditions, to allow for efficient management of any shortage with predictability and accountability.

The WSCP also describes the District's procedures for conducting an Annual Water Supply and Demand Assessment (Annual Assessment) that is required by Water Code Section 10632.1 and is to be submitted to the California Department of Water Resources (DWR) on or before July 1 of each year, or within 14 days of receiving final allocations from the State Water Project (SWP), whichever is later. The District's 2020 WSCP is included as an appendix to its 2020 UWMP which will be submitted to DWR by July 1, 2021. However, this WSCP is created separately from the District's 2020 UWMP and can be amended, as needed, without amending the UWMP. Furthermore, the Water Code does not prohibit a Supplier from taking actions not specified in its WSCP, if needed, without having to formally amend its UWMP or WSCP.

1.1 Water Shortage Contingency Plan Requirements and Organization

The WSCP provides the steps and water shortage response actions to be taken in times of water shortage conditions. The WSCP has prescriptive elements, such as an analysis of water supply reliability; the water shortage response actions for each of the six standard water shortage levels that correspond to water shortage percentages ranging from 10% to greater than 50%; an estimate of potential to close supply gap for each measure; protocols and procedures to communicate identified actions for any current or predicted water shortage conditions; procedures for an Annual Assessment; monitoring and reporting requirements to determine customer compliance; and reevaluation and improvement procedures for evaluating the WSCP.

This WSCP is organized into three main sections, with Section 3 aligned with Water Code Section 16032 requirements.

Section 1 Introduction and WSCP Overview gives an overview of the WSCP fundamentals.

Section 2 Background provides a background on the District's water service area.

Section 3 Water Shortage Contingency Preparedness and Response Planning

Section 3.1 Water Supply Reliability Analysis provides a summary of the water supply analysis and water reliability findings from the 2020 UWMP.

Section 3.2 Annual Water Supply and Demand Assessment Procedures provide a description of procedures to conduct and approve the Annual Assessment.

Section 3.3 Six Standard Water Shortage Stages explains the WSCP's six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, 50, and more than 50% shortages.

Section 3.4 Shortage Response Actions describes the WSCP's shortage response actions that align with the defined shortage levels.

Section 3.5 Communication Protocols addresses communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding any current or predicted shortages and any resulting shortage response actions.

Section 3.6 Compliance and Enforcement describes customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions.

Section 3.7 Legal Authorities is a description of the legal authorities that enable the District to implement and enforce its shortage response actions.

Section 3.8 Financial Consequences of the WSCP provides a description of the financial consequences of and responses for drought conditions.

Section 3.9 Monitoring and Reporting describes monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

Section 3.10 WSCP Refinement Procedures addresses reevaluation and improvement procedures for monitoring and evaluating the functionality of the WSCP.

Section 3.11 Special Water Feature Distinction is a required definition for inclusion in a WSCP per the Water Code.

Section 3.12 Plan Adoption, Submittal, and Implementation provides a record of the process the District followed to adopt and implement its WSCP.

1.2 Integration with Other Planning Efforts

As a retail water supplier in Orange County, the District considered other key entities in the development of this WSCP, including the Municipal Water District of Orange County ([MWDOC] (regional wholesale supplier)), the Metropolitan Water District of Southern California ([MET] (regional wholesaler for Southern California and the direct supplier of imported water to MWDOC)), and the Baker Water Treatment Plant. As a MWDOC member agency, the District also developed this WSCP with input from several coordination efforts led by MWDOC.

Some of the key planning and reporting documents that were used to develop this WSCP are:

- **MWDOC's 2020 UWMP** provides the basis for the projections of the imported supply availability over the next 25 years for the District's service area.
- **MWDOC's 2020 WSCP** provides a water supply availability assessment and structured steps designed to respond to actual conditions that will help maintain reliable supplies and reduce the impacts of supply interruptions.
- **2021 Orange County Water Demand Forecast for MWDOC and Orange County Water District (OCWD) Technical Memorandum (Demand Forecast TM)** provides the basis for water demand projections for MWDOC's member agencies as well as Anaheim, Fullerton, and Santa Ana.
- **MET's 2020 Integrated Water Resources Plan (IRP)** is a long-term planning document to ensure water supply availability in Southern California and provides a basis for water supply reliability in Orange County.

- **MET's 2020 UWMP** was developed as a part of the 2020 IRP planning process and was used by MWDOC as another basis for the projections of supply capability of the imported water received from MET.
- **MET's 2020 WSCP** provides a water supply assessment and guide for MET's intended actions during water shortage conditions.
- **2020 Local Hazard Mitigation Plan (HMP)** provides the basis for the seismic risk analysis of the water system facilities.
- **Orange County Local Agency Formation Commission's 2020 Municipal Service Review for MWDOC Report** provides a comprehensive service review of the municipal services provided by MWDOC.
- **Water Master Plan and Sewer Master Plan** of the District provide information on water infrastructure planning projects and plans to address any required water system improvements.

2 BACKGROUND INFORMATION

Currently governed by a five-member Board of Directors, the District was formed in 1960 under provisions of California Water District Law, Division 13 of the Water Code of the State of California, commencing with Section 34000 for the purpose of providing water supply for the service area.

2.1 District Service Area

The District encompasses approximately 5,430 acres and is almost entirely developed and encompasses all of the City of Laguna Woods and portions of four other cities: Lake Forest, Aliso Viejo, Laguna Hills, and Mission Viejo.

The District service area ranges in elevation between 230 feet above sea level at its lowest point to 904 feet at its highest. In general, elevations increase from west to east. Interstate 5 bisects the District from north to south, with the higher elevations located on the east side. The District is bordered by the Irvine Ranch Water District to the north, the Laguna Beach County Water District to the west, the Moulton Niguel Water District to the west and south, and the Santa Margarita Water District to the south and east. The District also shares a small border with the Trabuco Canyon Water District in the north.

The District operates and maintains a system that has approximately 9,500 service connections, 12 different pressure zones, 6 reservoirs, 8 pump stations, 19 pressure reducing stations and approximately 180 miles of transmission and distribution pipelines of varying diameters between four inches and 24 inches.

A map of the District's water service area is shown in [Figure 2-1](#).

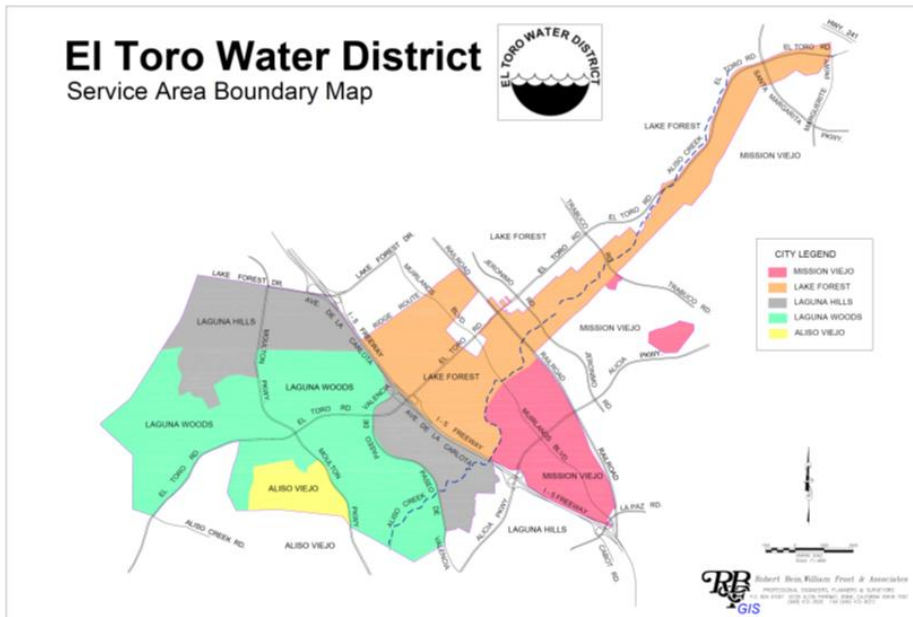


Figure 2-~~114~~: District Service Area

Although the District supplements its water supply portfolio with recycled water, the WSCP only applies to its potable water supply. The District is directly involved in wastewater services through its ownership and operation of the wastewater treatment facilities and collection system in its service area. The District operates wastewater treatment facilities and is part of the regional South Orange County Wastewater Authority (SOCWA). Almost all of the wastewater generated within the District's service area is conveyed to its Water Recycling Plant, where it is treated and either used for irrigation or disposed of through SOCWA's effluent transmission main and ocean outfall (ETWD, 2021). The District will determine the recycled water demand reduction actions for recycled water based on the availability of supply and to meet necessary wastewater discharge permit requirements.

2.2 Relationship to Wholesalers

MET: MET is the largest water wholesaler for domestic and municipal uses in California, serving approximately 19 million customers. MET wholesales imported water supplies to 26 member cities and water districts in six Southern California counties. Its service area covers the Southern California coastal plain, extending approximately 200 miles along the Pacific Ocean from the City of Oxnard in the north to the international boundary with Mexico in the south. This encompasses 5,200 square miles and includes portions of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties. Approximately 85% of the population from the aforementioned counties reside within MET's boundaries.

MET is governed by a Board of Directors comprised of 38 appointed individuals with a minimum of one representative from each of MET's 26 member agencies. The allocation of directors and voting rights are determined by each agency's assessed valuation. Each member of the Board shall be entitled to cast one vote for each ten million dollars (\$10,000,000) of assessed valuation of property taxable for district purposes, in accordance with Section 55 of the Metropolitan Water District Act (Metropolitan Act). Directors can be appointed through the chief executive officer of the member agency or by a majority vote of the governing board of the agency. Directors are not compensated by MET for their service.

MET is responsible for importing water into the region through its operation of the Colorado River Aqueduct (CRA) and its contract with the State of California for SWP supplies. Member agencies receive water from MET through various delivery points and pay for service through a rate structure made up of volumetric rates, capacity charges and readiness to serve charges. Member agencies provide estimates of imported water demand to MET annually in April regarding the amount of water they anticipate they will need to meet their demands for the next five years.

MWDOC: In Orange County, MWDOC and the cities of Anaheim, Fullerton, and Santa Ana are MET member agencies that purchase imported water directly from MET. Furthermore, MWDOC purchases both treated potable and untreated water from MET to supplement its retail agencies' local supplies.

The District is one of MWDOC's 28 member agencies receiving imported water from MWDOC. The District's location within MWDOC's service area is shown on ~~Figure 2-2~~~~Figure 2-2~~~~Figure 2-2~~.



2.3 Relationship with Wholesaler Water Shortage Planning

The WSCP is designed to be consistent with MET's Water Shortage and Demand Management (WSDM) Plan, MWDOC's Water Supply Allocation Plan (WSAP), and other emergency planning efforts as described below. MWDOC's WSAP is integral to the WSCP's shortage response strategy in the event that MET or MWDOC determines that supply augmentation (including storage) and lesser demand reduction measures would not be sufficient to meet a projected shortage levels needed to meet demands.

2.3.1 MET Water Surplus and Drought Management Plan

MET evaluates the level of supplies available and existing levels of water in storage to determine the appropriate management stage annually. Each stage is associated with specific resource management actions to avoid extreme shortages to the extent possible and minimize adverse impacts to retail customers should an extreme shortage occur. The sequencing outlined in the WSDM Plan reflects anticipated responses towards MET's existing and expected resource mix.

Surplus stages occur when net annual deliveries can be made to water storage programs. Under the WSDM Plan, there are four surplus management stages that provides a framework for actions to take for surplus supplies. Deliveries in Diamond Valley Lake (DVL) and in SWP terminal reservoirs continue through each surplus stage provided there is available storage capacity. Withdrawals from DVL for regulatory purposes or to meet seasonal demands may occur in any stage.

The WSDM Plan distinguishes between shortages, severe shortages, and extreme shortages. The differences between each term are listed below.

- Shortage: MET can meet full-service demands and partially meet or fully meet interruptible demands using stored water or water transfers as necessary.
- Severe Shortage: MET can meet full-service demands only by using stored water, transfers, and possibly calling for extraordinary conservation.
- Extreme Shortage: MET must allocate available supply to full-service customers.

There are six shortage management stages to guide resource management activities. These stages are defined by shortfalls in imported supply and water balances in MET's storage programs. When MET must make net withdrawals from storage to meet demands, it is considered to be in a shortage condition. [Figure 2-3](#) [Figure 2-3](#) gives a summary of actions under each surplus and shortage stages when an allocation plan is necessary to enforce mandatory cutbacks. The goal of the WSDM plan is to avoid Stage 6, an extreme shortage (MET, 1999).

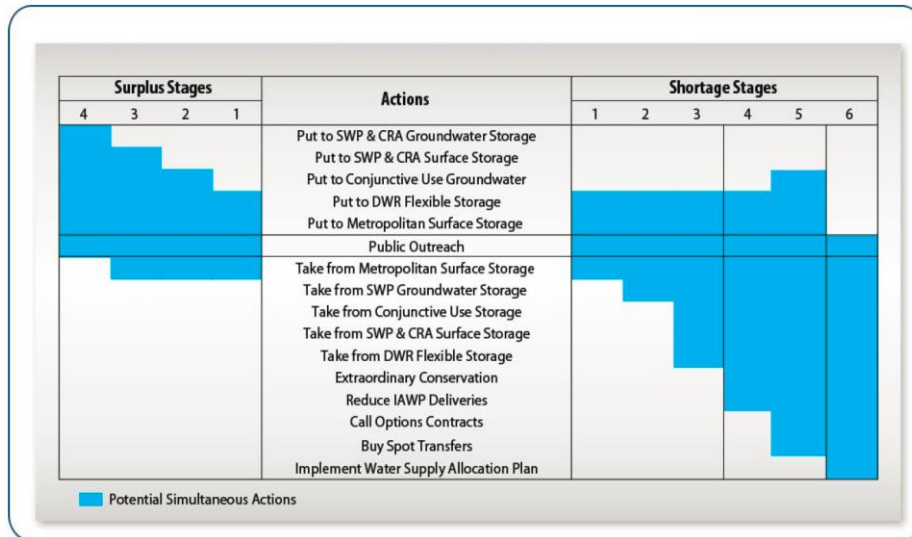


Figure 2-3: Resource Stages, Anticipated Actions, and Supply Declarations

MET's Board of Directors adopted a Water Supply Condition Framework in June 2008 in order to communicate the urgency of the region's water supply situation and the need for further water conservation practices. The framework has four conditions, each calling increasing levels of conservation. Descriptions for each of the four conditions are listed below:

- Baseline Water Use Efficiency: Ongoing conservation, outreach, and recycling programs to achieve permanent reductions in water use and build storage reserves.
- Condition 1 Water Supply Watch: Local agency voluntary dry-year conservation measures and use of regional storage reserves.
- Condition 2 Water Supply Alert: Regional call for cities, counties, member agencies, and retail water agencies to implement extraordinary conservation through drought ordinances and other measures to mitigate use of storage reserves.
- Condition 3 Water Supply Allocation: Implement MET's WSAP.

As noted in Condition 3, should supplies become limited to the point where imported water demands cannot be met, MET will allocate water through the WSAP (MET, 2021a).

2.3.2 MET Water Supply Allocation Plan

MET's imported supplies have been impacted by a number of water supply challenges as noted earlier. In case of extreme water shortage within the MET service area is the implementation of its WSAP.

MET's Board of Directors originally adopted the WSAP in February 2008 to fairly distribute a limited amount of water supply and applies it through a detailed methodology to reflect a range of local conditions and needs of the region's retail water consumers (MET, 2021a).

The WSAP includes the specific formula for calculating member agency supply allocations and the key implementation elements needed for administering an allocation. MET's WSAP is the foundation for the urban water shortage contingency analysis required under Water Code Section 10632 and is part of MET's 2020 UWMP.

MET's WSAP was developed in consideration of the principles and guidelines in MET's 1999 WSDM Plan with the core objective of creating an equitable "needs-based allocation." The WSAP's formula seeks to balance the impacts of a shortage at the retail level while maintaining equity on the wholesale level for shortages of MET supplies of up to greater than 50%. The formula takes into account a number of factors, such as the impact on retail customers, growth in population, changes in supply conditions, investments in local resources, demand hardening aspects of water conservation savings, recycled water, extraordinary storage and transfer actions, and groundwater imported water needs.

The formula is calculated in three steps: 1) based period calculations, 2) allocation year calculations, and 3) supply allocation calculations. The first two steps involve standard computations, while the third step contains specific methodology developed for the WSAP.

Step 1: Base Period Calculations – The first step in calculating a member agency's water supply allocation is to estimate their water supply and demand using a historical based period with established water supply and delivery data. The base period for each of the different categories of supply and demand is calculated using data from the two most recent non-shortage years.

Step 2: Allocation Year Calculations – The next step in calculating the member agency's water supply allocation is estimating water needs in the allocation year. This is done by adjusting the base period estimates of retail demand for population growth and changes in local supplies.

Step 3: Supply Allocation Calculations – The final step is calculating the water supply allocation for each member agency based on the allocation year water needs identified in Step 2.

In order to implement the WSAP, MET's Board of Directors makes a determination on the level of the regional shortage, based on specific criteria, typically in April. The criteria used by MET includes current levels of storage, estimated water supplies conditions, and projected imported water demands. The allocations, if deemed necessary, go into effect in July of the same year and remain in effect for a 12-month period. The schedule is made at the discretion of the Board of Directors (MET, 2021b).

As demonstrated by the findings in MET's 2020 UWMP both the Water Reliability Assessment and the Drought Risk Assessment (DRA) demonstrate that MET is able to mitigate the challenges posed by hydrologic variability, potential climate change, and regulatory risk on its imported supply sources through the significant storage capabilities it has developed over the last two decades, both dry-year and emergency storage (MET, 2021a).

Although MET's 2020 UWMP forecasts that MET will be able to meet projected imported demands throughout the projected period from 2025 to 2045, uncertainty in supply conditions can result in MET needing to implement its WSAP to preserve dry-year storage and curtail demands (MET, 2021b).

2.3.3 MWDOC Water Supply Allocation Plan

To prepare for the potential allocation of imported water supplies from MET, MWDOC worked collaboratively with its 28 retail agencies to develop its own WSAP that was adopted in January 2009 and amended in 2016. The MWDOC WSAP outlines how MWDOC will determine and implement each of its retail agency's allocation during a time of shortage.

The MWDOC WSAP uses a similar method and approach, when reasonable, as that of the MET's WSAP. However, MWDOC's plan remains flexible to use an alternative approach when MET's method produces a

significant unintended result for the member agencies. The MWDOC WSAP model follows five basic steps to determine a retail agency's imported supply allocation.

Step 1: Determine Baseline Information – The first step in calculating a water supply allocation is to estimate water supply and demand using a historical based period with established water supply and delivery data. The base period for each of the different categories of demand and supply is calculated using data from the last two non-shortage years.

Step 2: Establish Allocation Year Information – In this step, the model adjusts for each retail agency's water need in the allocation year. This is done by adjusting the base period estimates for increased retail water demand based on population growth and changes in local supplies.

Step 3: Calculate Initial Minimum Allocation Based on MET's Declared Shortage Level – This step sets the initial water supply allocation for each retail agency. After a regional shortage level is established, MWDOC will calculate the initial allocation as a percentage of adjusted Base Period Imported water needs within the model for each retail agency.

Step 4: Apply Allocation Adjustments and Credits in the Areas of Retail Impacts and Conservation– In this step, the model assigns additional water to address disparate impacts at the retail level caused by an across-the-board cut of imported supplies. It also applies a conservation credit given to those agencies that have achieved additional water savings at the retail level as a result of successful implementation of water conservation devices, programs and rate structures.

Step 5: Sum Total Allocations and Determine Retail Reliability – This is the final step in calculating a retail agency's total allocation for imported supplies. The model sums an agency's total imported allocation with all of the adjustments and credits and then calculates each agency's retail reliability compared to its Allocation Year Retail Demand.

The MWDOC WSAP includes additional measures for plan implementation, including the following (MWDOC, 2016):

- **Appeal Process** – An appeals process to provide retail agencies the opportunity to request a change to their allocation based on new or corrected information. MWDOC anticipates that under most circumstances, a retail agency's appeal will be the basis for an appeal to MET by MWDOC.
- **Melded Allocation Surcharge Structure** – At the end of the allocation year, MWDOC would only charge an allocation surcharge to each retail agency that exceeded their allocation if MWDOC exceeds its total allocation and is required to pay a surcharge to MET. MET enforces allocations to retail agencies through an allocation surcharge to a retail agency that exceeds its total annual allocation at the end of the 12-month allocation period. MWDOC's surcharge would be assessed according to the retail agency's prorated share (acre-feet over usage) of MWDOC amount with MET. Surcharge funds collected by MET will be invested in its Water Management Fund, which is used to in part to fund expenditures in dry-year conservation and local resource development.
- **Tracking and Reporting Water Usage** – MWDOC will provide each retail agency with water use monthly reports that will compare each retail agency's current cumulative retail usage to their allocation baseline. MWDOC will also provide quarterly reports on its cumulative retail usage versus its allocation baseline.
- **Timeline and Option to Revisit the Plan** – The allocation period will cover 12 consecutive months and the Regional Shortage Level will be set for the entire allocation period. MWDOC only anticipates calling for allocation when MET declares a shortage; and no later than 30 days from MET's declaration will MWDOC announce allocation to its retail agencies.

3 WATER SHORTAGE CONTINGENCY PREPAREDNESS AND RESPONSE PLANNING

The District's WSCP is a detailed guide of how the District intends to act in the case of an actual water shortage condition. The WSCP anticipates a water supply shortage and provides pre-planned guidance for managing and mitigating a shortage. Regardless of the reason for the shortage, the WSCP is based on adequate details of demand reduction and supply augmentation measures that are structured to match varying degrees of shortage will ensure the relevant stakeholders understand what to expect during a water shortage situation.

3.1 Water Supply Reliability Analysis

Per Water Code Section 10632 (a)(1), the WSCP shall provide an analysis of water supply reliability conducted pursuant to Water Code Section 10635, and the key issues that may create a shortage condition when looking at the District's water asset portfolio.

Understanding water supply reliability, factors that could contribute to water supply constraints, availability of alternative supplies, and what effect these have on meeting customer demands provides the District with a solid basis on which to develop appropriate and feasible response actions in the event of a water shortage. In the 2020 UWMP, the District conducted a Water Reliability Assessment to compare the total water supply sources available to the water supplier with long-term projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and a drought lasting five consecutive water years (ETWD, 2021).

The District also conducted a DRA to evaluate a drought period that lasts five consecutive water years starting from the year following when the assessment is conducted. An analysis of both assessments determined that the District is capable of meeting all customers' demands from 2021 through 2045 for a normal year, a single dry year, and a drought lasting five consecutive years with significant imported water supplemental drought supplies from MWDOC/MET and ongoing conservation program efforts. The District receives the majority of its water supply from imported water from MWDOC, as well as supplemental supplies from local recycled water from the District's Water Recycling Plant that add reliability for non-potable demand.

As a result, there is no projected shortage condition due to drought that will trigger customer demand reduction actions until MWDOC notifies the District of insufficient imported supplies. More information is available in the District's 2020 UWMP Sections 6 and 7 (ETWD, 2021).

3.2 Annual Water Supply and Demand Assessment Procedures

Per Water Code Section 10632.1, the District will conduct an Annual Assessment pursuant to subdivision (a) of Section 10632 and by July 1st of each year, beginning in 2022, submit an annual water shortage assessment with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the Supplier's WSCP.

The District must include in its WSCP the procedures used for conducting an Annual Assessment. The Annual Assessment is a determination of the near-term outlook for supplies and demands and how a perceived shortage may relate to WSCP shortage stage response actions in the current calendar year. This determination is based on information available to the District at the time of the analysis. Starting in 2022, the Annual Assessment will be due by July 1 of every year.

This section documents the decision-making process required for formal approval of the District's Annual Assessment determination of water supply reliability each year and the key data inputs and the methodologies

used to evaluate the water system reliability for the coming year, while considering that the year to follow would be considered dry.

3.2.1 Decision-Making Process

The following decision-making process describes the functional steps that the District will take to formally approve the Annual Assessment determination of water supply reliability each year.

3.2.1.1 District Steps to Approve the Annual Assessment Determination

The Annual Assessment will be predicated on the MWDOC Annual Assessment outcomes.

MWDOC surveys its member agencies annually for anticipated water demands and supplies for the upcoming year. MWDOC utilizes this information to plan for the anticipated imported water supplies for the MWDOC service area. This information is then shared and coordinated with MET and is incorporated into their analysis of their service area's annual imported water needs. Based on the year's supply conditions and WSDM actions, MET will present a completed Annual Assessment for its member agencies' review from which they will then seek Board approval in April of each year. Additionally, MET expects that any triggers or specific shortage response actions that result from the Annual Assessment would be approved by their Board at that time. Based upon MET's Assessment and taking into consideration information provided to MWDOC through the annual survey, MWDOC will provide an anticipated estimate of imported supplies for ETWD to incorporate into the annual supply and demand assessment.

The Annual Assessment findings will determine the approval process. If a shortage is identified, the Annual Assessment will be taken to the ETWD Board of Directors for approval and formally submitted to DWR prior to the July 1 deadline. If no shortage is identified, the Annual Assessment will be approved by the General Manager, or designee, and submitted to DWR prior to the July 1 deadline.

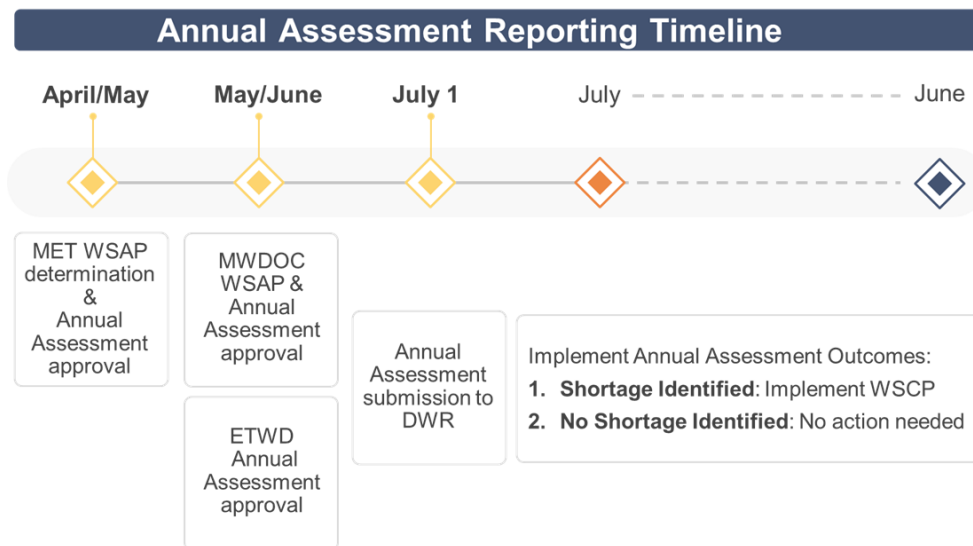


Figure 3-~~144~~: Annual Assessment Reporting Timeline

3.2.2 Data and Methodologies

The following paragraphs document the key data inputs and methodologies that are used to evaluate the water system reliability for the coming year, while considering that the year to follow would be considered dry.

3.2.2.1 Assessment Methodology

The District will evaluate water supply reliability for the current year and one dry year for the purpose of the Annual Assessment. The Annual Assessment determination will be based on considerations of unconstrained water demand, local water supplies, MWDOC/MET imported water supplies, planned water use, and infrastructure considerations. The balance between projected local supplies coupled with MET imported supplies and anticipated unconstrained demand will be used to determine what, if any, shortage stage is expected under the WSCP framework as presented in ~~Figure 3-2~~~~Figure 3-2~~~~Figure 3-2~~. The WSCP's standard shortage stages are defined in terms of shortage percentages. Shortage percentages will be calculated by dividing the difference between water supplies and unconstrained demand by total unconstrained demand. This calculation will be performed separately for anticipated current year conditions and for assumed dry year conditions.

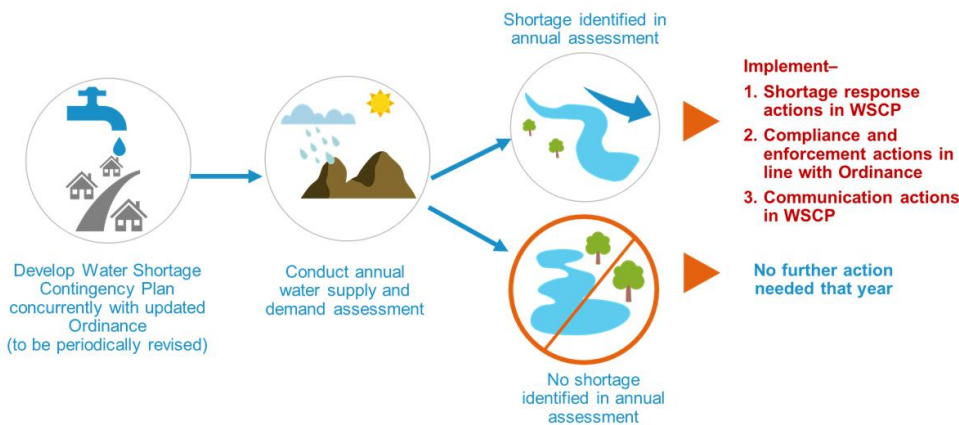


Figure 3-~~222~~: Water Shortage Contingency Plan Annual Assessment Framework

3.2.2.2 Locally Applicable Evaluation Criteria

Within Orange County, there are no significant local applicable criteria that directly affect reliability. Through the years, the water agencies in Orange County have made tremendous efforts to integrate their systems to provide flexibility to interchange with different sources of supplies. There are emergency agreements in place to ensure all parts of the County have an adequate supply of water. For the agencies in southern Orange County, most of their demands are met with imported water where their limitation is based on the capacity of their system, which is considered sufficient to meet anticipated demands.

The District will also continue to monitor emerging supply and demand conditions related to supplemental imported water from MWDOC/MET and take appropriate actions consistent with the flexibility and adaptiveness inherent to the WSCP. The District's Annual Assessment was based on the District's service area, water sources, water supply

reliability, and water use as described in Water Code Section 10631, including available data from state, regional, or local agency population, land use development, and climate change projections within the service area of the District. Some conditions that affect MWDOC's wholesale supply and demand, such as groundwater replenishment, surface water and local supply production, can differ significantly from earlier projections throughout the year.

However, if a major earthquake on the San Andreas Fault occurs, it will damage all three key regional water aqueducts and disrupt imported supplies for up to six months. The region would likely impose a water use reduction ranging from 10-25% until the system is repaired. However, MET and MWDOC have taken proactive steps to handle such disruption, such as constructing DVL, which mitigates potential impacts. DVL, along with other local reservoirs, can store a six to twelve-month supply of emergency water (MET, 2021b).

3.2.2.3 Water Supply

As detailed in the Districts 2020 UWMP, the District meets all of its customers' demands with a combination of treated and untreated imported water from MWDOC/MET, local recycled water, and local surface water from Irvine Lake. The District's main source of water supply is imported water, with recycled water and surface water making up the rest of the District's water supply portfolio. In fiscal year (FY) 2019-20, the District relied on 50% treated imported water, 32% untreated imported water, 14% recycled water, and 4% surface water. It is projected that by 2045, the District's water supply portfolio will change to approximately 45% treated imported water, 39% untreated imported water, and 16% recycled water (ETWD, 2021).

3.2.2.4 Unconstrained Customer Demand

The WSCP and Annual Assessment define unconstrained demand as expected water use prior to any projected shortage response actions that may be taken under the WSCP. Unconstrained demand is distinguished from observed demand, which may be constrained by preceding, ongoing, or future actions, such as emergency supply allocations during a multi-year drought. WSCP shortage response actions to constrain demand are inherently extraordinary; routine activities such as ongoing conservation programs and regular operational adjustments are not considered as constraints on demands.

The District's DRA reveals that its supply capabilities are expected to balance anticipated total water use and supply, assuming a five-year consecutive drought from FY 2020-21 through FY 2024-25 (ETWD, 2021). Water demands in a five-year consecutive drought are calculated as a six percent increase in water demand above a normal year for each year of the drought (CDM Smith, 2021).

3.2.2.5 Planned Water Use for Current Year Considering Dry Subsequent Year

Water Code Section 10632(a)(2)(B)(ii) requires the Annual Assessment to determine "current year available supply, considering hydrological and regulatory conditions in the current year and one dry year."

The Annual Assessment will include two separate estimates of the District's annual water supply and unconstrained demand using: 1) current year conditions, and 2) assumed dry year conditions. Accordingly, the Annual Assessment's shortage analysis will present separate sets of findings for the current year and dry year scenarios. The Water Code does not specify the characteristics of a dry year, allowing discretion to the Supplier. The District will use its discretion to refine and update its assumptions for a dry year scenarios in each Annual Assessment as information becomes available and in accordance with best management practices.

Supply and demand analyses for the single-dry year case was based on conditions affecting the SWP as this supply availability fluctuates the most among MET's, and therefore MWDOC and the District's, sources of supply. FY 2013-14 was the single driest year for SWP supplies with an allocation of 5% to Municipal and Industrial (M&I) uses. Unique to this year, the 5% SWP allocation was later reduced to 0%, before ending up at its final allocation

of 5%, highlighting the stressed water supplies for the year. Furthermore, on January 17, 2014 Governor Brown declared the drought State of Emergency citing 2014 as the driest year in California history. Additionally, within MWDOC's service area, precipitation for FY 2013-14 was the second lowest on record, with 4.37 inches of rain, significantly impacting water demands.

The water demand forecasting model developed for the Demand Forecast TM isolated the impacts that weather and future climate can have on water demand through the use of a statistical model. The impacts of hot/dry weather conditions are reflected as a percentage increase in water demands from the normal year condition (average of FY 2017-18 and FY 2018-19). For a single dry year condition (FY 2013-14), the model projects a 6% increase in demand for the Orange County Groundwater Basin area where the District's service area is located (CDM Smith, 2021). Detailed information of the model is included in the District's 2020 UWMP.

The District has documented that it is 100% reliable for single dry year demands from 2025 through 2045 with a demand increase of 6% from normal demand with significant reserves held by MET, local groundwater supplies, and water use efficiency (ETWD, 2021).

3.2.2.6 Infrastructure Considerations

The Annual Assessment will include consideration of any 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. MWDOC closely coordinates with MET and its member agencies, including the District, on any planned infrastructure work that may impact water supply availability. Throughout each year, MET regularly carries out preventive and corrective maintenance of its facilities within the MWDOC service area that may require shutdowns to inspect and repair pipelines and facilities and support capital improvement projects. These shutdowns involve a high level of planning and coordination between MWDOC, MWDOC's member agencies, and MET to ensure that major portions of the distribution system are not out of service at the same time. Operational flexibility within MET's system and the cooperation of member agencies allow shutdowns to be successfully completed while continuing to meet all system demands.

Specifically for the District, the Capital Improvement Program is updated annually to maintain existing infrastructure rather than expand to new water supply sources.

3.2.2.7 Other Factors

For the Annual Assessment, any known issues related to water quality would be considered for their potential effects on water supply reliability.

3.3 Six Standard Water Shortage Levels

Per Water Code Section 10632 (a)(3)(A), the District must ~~define the water shortage levels that represent shortages from the normal reliability as determined in the Annual Assessment; include the six standard water shortage levels that represent shortages from the normal reliability as determined in the Annual Assessment. The shortage levels have been standardized to provide a consistent regional and statewide approach to conveying the relative severity of water supply shortage conditions. This is an outgrowth of the severe statewide drought of 2013-2016, and the widely recognized public communication and state policy uncertainty associated with the many different local definitions of water shortage levels.~~

The six standard water shortage levels correspond to progressively increasing estimated shortage conditions (up to 10, 20, 30, 40, 50, and greater than 50% shortage compared to the normal reliability condition) and align with

El Toro Water District ~~2020-2022~~ Water Shortage Contingency Plan

the response actions the Supplier would implement to meet the severity of the impending shortages ([Table 3-1](#) ~~Table 3-1~~).

The Water Code provides an option for suppliers to align with six standard water shortage levels; however, the District has selected to retain its existing water shortage levels as defined in District Code ([Table 3-1](#)). [Table 3-2](#) shows the District's water shortage levels in relationship to the six standard water shortage levels prescribed by statute. This crosswalk is intended to clearly translate the District's water shortage levels to those mandated by statute.

Field Code Changed

Field Code Changed

Table 3-~~14~~4: Water Shortage Contingency Plan Levels

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions
<u>0</u>	<u>0% (Normal)</u>	A Level 0 Water Supply Shortage – Condition exists when the District notifies its water users that no current supply reductions are anticipated in this year . The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water waste prohibitions <u>conservation requirements</u> are in place as stipulated in the District's Water Shortage Contingency Response Ordinance No. 202 24 -1.
<u>1</u>	<u>Up to 10%</u>	A Level 1 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in its Water Shortage Contingency Response Ordinance No. 202 24 -1. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
<u>2</u>	<u>11% to 20%</u>	A Level 2 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in its Water Shortage Contingency Response Ordinance No. 202 24 -1.
<u>3</u>	<u>21% to 30%</u>	A Level 3 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions
4	31% to 40%	A Level 4 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
5	41% to 50%	A Level 5 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
NOTES: The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.		

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions
1	Up to 20%	A Level 1 Water Supply Shortage Emergency shall be initiated only after the District Board of Directors holds a Public Hearing during which, at its sole discretion, determines and declares that a further additional reduction in consumer demand is necessary due to drought or water supply cutbacks in order to make more efficient use of water and appropriately respond to existing water conditions.

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions
2	Up to 40%	A Level 2 Water Supply Shortage Emergency shall be initiated only after the District Board of Directors holds a Public Hearing during which, at its sole discretion, determines and declares that a further additional reduction in consumer demand is necessary due to drought or water supply cutbacks in order to make more efficient use of water and appropriately respond to existing water conditions.
3	Greater than 40%	A Level 3 Water Supply Shortage Emergency shall be initiated only after the District Board of Directors holds a Public Hearing during which, at its sole discretion, determines and declares that a further additional reduction in consumer demand is necessary due to drought or water supply cutbacks in order to make more efficient use of water and appropriately respond to existing water conditions.
NOTES:		

Table 3-2: Relationship Between the District's Water Shortage Levels and Mandated Shortage Levels

Relationship Between ETWD's Water Shortage Levels and Mandated Shortage Levels (DWR Table 8-1)			
El Toro Water District Water Shortage Levels		Mandated Shortage Levels	
Shortage Level	Percent Shortage Range	Shortage Level	Percent Shortage Range
Permanent Water Conservation Requirements	0%	N/A	0%
1	Up to 20%	1	Up to 10%
		2	10-20%
2	20-40%	3	20-30%
		4	30-40%

Relationship Between ETWD's Water Shortage Levels and Mandated Shortage Levels (DWR Table 8-1)			
El Toro Water District Water Shortage Levels		Mandated Shortage Levels	
Shortage Level	Percent Shortage Range	Shortage Level	Percent Shortage Range
3	>40%	5	40—50%
		6	>50%

3.4 Shortage Response Actions

Water Code Section 10632 (a)(4) requires the WSCP to specify shortage response actions that align with the defined shortage levels. The District has defined specific shortage response actions that align with the defined shortage levels in DWR Tables 8-2 and 8-3 (Appendix A). These shortage response actions were developed with consideration to the system infrastructure and operations changes, supply augmentation responses, customer-class or water use-specific demand reduction initiatives, and increasingly stringent water use prohibitions.

3.4.1 Demand Reduction

The demand reduction measures that would be implemented to address shortage levels are described in DWR Table 8-2 (Appendix A). This table indicates which actions align with specific defined shortage levels and estimates the extent to which that action will reduce the gap between supplies and demands. DWR Table 8-2 (Appendix A) demonstrates ~~to the that that the chosen~~ suite of shortage response actions can be expected to deliver the expected outcomes necessary to meet the requirements of a given shortage level (e.g., target of an additional 10% water savings). This table also identifies the enforcement action, if any, associated with each demand reduction measure.

3.4.2 Supply Augmentation

The supply augmentation actions are described in DWR Table 8-3 (Appendix A). These augmentations represent short-term management objectives triggered by the MET's WSDM Plan and do not overlap with the long-term new water supply development or supply reliability enhancement projects. Supply Augmentation is made available to the District through MWDOC and MET. The District relies on MET's reliability portfolio of water supply programs including existing water transfers, storage and exchange agreements to supplement gaps in the District's supply/demand balance. MET has developed significant storage capacity (over 5 million AF) in reservoirs and groundwater banking programs both within and outside of the Southern California region. Additionally, MET can pursue additional water transfer and exchange programs with other water agencies to help mitigate supply/demand imbalances and provide additional dry-year supply sources.

MWDOC, and in turn its retail agencies, including the District, has access to supply augmentation actions through MET. MET may exercise these actions based on regional need, and in accordance with their WSCP, and may include the use of supplies and storage programs within the Colorado River, SWP, and in-region storage. The District has the ability to augment its supply to reduce the shortage gap by up to 100% by purchasing additional imported water through MWDOC; however, this is subject to rate penalties from MWDOC.

3.4.3 Operational Changes

During shortage conditions, operations may be affected by supply augmentation or demand reduction responses. The District will consider their operational procedures when it completes its Annual Assessment or as needed to identify changes that can be implemented to address water shortage on a short-term basis, such as suspending normal system flushing procedures or other minor changes to increase efficiency and to more effectively distribute available supply across the service area.

3.4.4 Additional Mandatory Restrictions

California Water Code Section 10632(a)(4)(D) calls for "additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions" to be included among the WSCP's shortage response actions. The District has identified additional mandatory restrictions in the Water ~~Conservation and Water Supply~~ Shortage [Contingency Response](#) Ordinance ~~2015-320224-1~~ (Appendix B).

3.4.5 Emergency Response Plan (Hazard Mitigation Plan)

A catastrophic water shortage would be addressed according to the appropriate water shortage level and response actions. It is likely that a catastrophic shortage would immediately trigger Shortage Level ~~3-6 (equivalent to mandated Level 6)~~ and response actions have been put in place to mitigate a catastrophic shortage. In addition, there are several plans that address catastrophic failures and align with the WSCP, including MET's WSDM and WSAP and the Water Emergency Response Organization of Orange County (WEROC)'s Emergency Operations Plan (EOP).

3.4.5.1 MET's WSDM and WSAP

MET has comprehensive plans for stages of actions it would undertake to address a catastrophic interruption in water supplies through its WSDM and WSAP. MET also developed an Emergency Storage Requirement to mitigate against potential interruption in water supplies resulting from catastrophic occurrences within the Southern California region, including seismic events along the San Andreas Fault. In addition, MET is working with the state to implement a comprehensive improvement plan to address catastrophic occurrences outside of the Southern California region, such as a maximum probable seismic event in the Sacramento-San Joaquin River Delta that would cause levee failure and disruption of SWP deliveries.

3.4.5.2 Water Emergency Response Organization of Orange County Emergency Operations Plan

In 1983, the Orange County water community identified a need to develop a plan on how agencies would respond effectively to disasters impacting the regional water distribution system. The collective efforts of these agencies resulted in the formation of the Water Emergency Response Organization of Orange County (WEROC) to coordinate emergency response on behalf of all Orange County water and wastewater agencies, develop an emergency plan to respond to disasters, and conduct disaster training exercises for the Orange County water community. WEROC was established with the creation of an indemnification agreement between its member agencies to protect each other against civil liabilities and to facilitate the exchange of resources. WEROC is unique in its ability to provide a single point of contact for representation of all water and wastewater utilities in Orange County during a disaster. This representation is to the county, state, and federal disaster coordination agencies. Within the Orange County Operational Area, WEROC is the recognized contact for emergency response for the water community ~~including the District~~.

As a member of WEROC, the District will follow WEROC's EOP in the event of an emergency and coordinate with WEROC to assess damage, initiate repairs, and request and coordinate mutual aid resources in the event that the District is unable to provide the level of emergency response support required by the situation.

The EOP defines the actions to be taken by WEROC Emergency Operations Center (EOC) staff to reduce the loss of water and wastewater infrastructure; to respond effectively to a disaster; and to coordinate recovery operations in the aftermath of any emergency involving extensive damage to Orange County water and wastewater utilities. The EOP includes activation notification protocol that will be used to contact partner agencies to inform them of the situation, activation status of the EOC, known damage or impacts, or resource needs. The EOP is a standalone document that is reviewed annually and approved by the Board every three years.

WEROC is organized on the basis that each member agency is responsible for developing its own EOP in accordance with the California Standardized Emergency Management System (SEMS), National Incident Management System (NIMS), and Public Health Security and Bioterrorism Preparedness and Response Act of 2002 to meet specific emergency needs within its service area.

The WEROC EOC is responsible for assessing the overall condition and status of the Orange County regional water distribution and wastewater collection systems including MET facilities that serve Orange County. The EOC can be activated during an emergency situation that can result from both natural and man-made causes, and can be activated through automatic, manual, or standby for activation.

WEROC recognized four primary phases of emergency management, which include:

- **Preparedness:** Planning, training, and exercises that are conducted prior to an emergency to support and enhance response to an emergency or disaster.
- **Response:** Activities and programs designed to address the immediate and short-term effects of the onset of an emergency or disaster that helps to reduce effects to water infrastructure and speed recovery. This includes alert and notification, EOC activation, direction and control, and mutual aid.
- **Recovery:** This phase involved restoring systems to normal, in which short-term recovery actions are taken to assess the damage and return vital life-support systems to minimum operating standards, while long-term recovery actions have the potential to continue for many years.
- **Mitigation/Prevention:** These actions prevent the occurrence of an emergency or reduce the area's vulnerability in ways that minimize the adverse impacts of a disaster or emergency. MWDOC's HMP outlines threats and identifies mitigation projects.

The EOC Action Plans (EAP) provide frameworks for EOC staff to respond to different situations with the objectives and steps required to complete them, which will in turn serve the WEROC member agencies. In the event of an emergency which results in a catastrophic water shortage, the District will declare a water shortage condition of Level 2 or 3 for the impacted area depending on the severity of the event, and coordination with WEROC is anticipated to begin at Level 2 (standardized Level 4) or greater (WEROC, 2018).

3.4.5.3 El Toro Water District Emergency Storage and Emergency Response Plan

The District will also refer to its current American Water Infrastructure Act Risk and Resilience Assessment and Emergency Response Plan in the event of a catastrophic supply interruption. The District maintains several emergency interconnections with neighboring water agencies, to provide mutual aid during times of catastrophic supply interruptions. These agencies include Irvine Ranch Water District, Moulton Niguel Water District, Santa Margarita Water District and Trabuco Canyon Water District. The District also maintains as much as 124 million gallons of storage in the El Toro Reservoir which provides emergency storage within the District. In addition the District owns 11.5 percent of the capacity in the Baker Water Treatment Plant. The District is planning capital projects to increase water supply resiliency should disasters occur and interrupt imported water supplies. The

District maintains a set of preparation actions to respond to various sorts of catastrophes. These actions items are listed below.

- Regional Power Outage: The District will coordinate with Southern California Edison for schedule of restoration of service. At sites with back-up power generators District staff will check that the generators are functioning and assess their fuel requirements. The District will assess its reservoir levels and coordinate reduction of demand by providing back-up emergency pumps if necessary.
- Earthquake: The District will activate its emergency response plan and contact customers directly or through media as needed to curtail demand. The District will initiate mutual aid with WEROC and its neighboring districts, coordinate with the Department of Drinking Water (DDW), and issue health directives if necessary.
- Facility Failure: The District will isolate the facility and coordinate water shortage response actions as required. The District will issue appropriate health directives as needed and provide alternative service and initiate repairs or replacement of the facility.
- Water Supply Interruption: The District will implement water shortage response actions as appropriate to ensure fire safety and health concerns and use its interconnections and storage if necessary.
- Water Supply Contamination: The District will notify the DDW, isolate systems that are contaminated, and issue health directives, as necessary.

3.4.6 Seismic Risk Assessment and Mitigation Plan

Per the Water Code Section 10632.5, Suppliers are required to assess seismic risk to water supplies as part of their WSCP. The plan also must include the mitigation plan for the seismic risk(s). Given the great distances that imported supplies travel to reach Orange County, the region is vulnerable to interruptions along hundreds of miles of aqueducts, pipelines and other facilities associated with delivering the supplies to the region. Additionally, the infrastructure in place to deliver supplies are susceptible to damage from earthquakes and other disasters.

In lieu of conducting a seismic risk assessment specific to the District's 2020 UWMP, the District has included the previously prepared regional HMP by MWDQC as the regional imported water wholesaler that is required under the federal Disaster Mitigation Act of 2000 (Public Law 106-390).

MWDQC's HMP identified that the overarching goals of the HMP were the same for all of its member agencies, which include:

- ~~Goal 1: Minimize vulnerabilities of critical infrastructure to minimize damages and loss of life and injury to human life caused by hazards.~~
- ~~Goal 2: Minimize security risks to water and wastewater infrastructure.~~
- ~~Goal 3: Minimize interruption to water and wastewater utilities.~~
- ~~Goal 4: Improve public outreach, awareness, education, and preparedness for hazards in order to increase community resilience.~~
- ~~Goal 5: Eliminate or minimize wastewater spills and overflows.~~
- ~~Goal 6: Protect water quality and supply, critical aquatic resources, and habitat to ensure a safe water supply.~~
- ~~Goal 7: Strengthen Emergency Response Services to ensure preparedness, response, and recovery during any major or multi-hazard event.~~

MWDQC's HMP evaluates hazards applicable to all jurisdictions in its entire planning area, prioritized based on probability, location, maximum probable extent, and secondary impacts. The identification of hazards is highly dependent on the location of facilities within the District's jurisdiction and takes into consideration the history of

the hazard and associated damage, information provided by agencies specializing in a specific hazard, and relies upon the District's expertise and knowledge.

Earthquake fault rupture and seismic hazards, including ground shaking and liquefaction, are among the highest ranked hazards to the region as a whole because of its long history of earthquakes, with some resulting in considerable damage. A significant earthquake along one of the major faults could cause substantial casualties, extensive damage to infrastructure, fires, damages and outages of water and wastewater facilities, and other threats to life and property.

Nearly all of Orange County is at risk of moderate to extreme ground shaking, with liquefaction possible throughout much of Orange County but the most extensive liquefaction zones occur in coastal areas. Based on the amount of seismic activity that occurs within the region, there is no doubt that communities within Orange County will continue to experience future earthquake events, and it is a reasonable assumption that a major event will occur within a 30-year timeframe.

The mitigation actions identify the hazard, proposed mitigation action, location/facility, local planning mechanism, risk, cost, timeframe, possible funding sources, status, and status rationale, as applicable. Mitigation actions for MWDOC's member agencies for seismic risks may include (MWDOC, 2019):

- Secure above ground assets in all buildings, booster stations, pressure reducing stations, emergency interties, water systems, and pipelines.
- Conduct assessment of infrastructure to ensure seismic retrofitting is in place.
- Replace aging infrastructure throughout the District.
- Install backup power for critical facilities to ensure operability during emergency events.
- Enhance emergency operability by implementing communication infrastructure improvements.

California Water Code Section 10632.5(a) requires a WSCP to 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. In August of 2019, the District's Board adopted the Orange County Regional Water and Wastewater Hazard Mitigation Plan, per the requirements of the Federal Disaster Mitigation Act of 2000. The District and eighteen (18) other participating Orange County water and wastewater utilities jointly developed and adopted the Orange County Regional Water and Wastewater Hazard Mitigation Plan. The Hazard Mitigation Plan evaluates hazards applicable to all water agencies in the Orange County planning area, prioritized based on probability, location, maximum probable extent, and secondary impacts, including seismic vulnerabilities. The Hazard Mitigation Plan is structured to have a base plan and appendices that reflect information that is generic to all participating agencies, such as the planning process, risk assessment, mitigation strategy and plan maintenance. In addition, there are annexes that are specific to each agency, including a description of physical infrastructure assets, potential disaster impacts, and the mitigation goals and actions for each participating agency. The District worked in coordination with the WEROC to develop the regional plan and address the District-specific Annex assessment and mitigation plan. The Hazard Mitigation Plan concludes that earthquake fault rupture and seismic hazards, including ground shaking and liquefaction, are among the highest ranked hazards to the region as a whole because of its long history of earthquakes, with some resulting in considerable damage. A significant earthquake along one of the major faults could cause substantial casualties, extensive damage to infrastructure, fires, damages and outages of water and wastewater facilities, and other threats to life and property. It was determined that the overarching mitigation goals were the same for all Orange County water agencies, and thus, a common set of goals were identified in the regional Hazard Mitigation Plan, which include:

- Goal 1: Minimize vulnerabilities of critical infrastructure to minimize damages and loss of life and injury to human life caused by hazards.
- Goal 2: Minimize security risks to water and wastewater infrastructure.

- [Goal 3: Minimize interruption to water and wastewater utilities.](#)
- [Goal 4: Improve public outreach, awareness, education, and preparedness for hazards in order to increase community resilience.](#)
- [Goal 5: Eliminate or minimize wastewater spills and overflows.](#)
- [Goal 6: Protect water quality and supply, critical aquatic resources, and habitat to ensure a safe water supply.](#)
- [Goal 7: Strengthen Emergency Response Services to ensure preparedness, response, and recovery during any major or multi-hazard event.](#)

[For detailed hazard identification, prioritization, and mitigation strategies, in particular seismic risks and mitigation, refer to the Orange County Regional Water and Wastewater Hazard Mitigation Plan and the ETWD-specific Annex.](#)

3.4.7 Shortage Response Action Effectiveness

For each specific Shortage Response Action identified in the plan, the WSCP also estimates the extent to which that action will reduce the gap between supplies and demands identified in DWR Table 8-2 (Appendix A). To the extent feasible, the District has estimated percentage savings for the chosen suite of shortage response actions, which can be anticipated to deliver the expected outcomes necessary to meet the requirements of a given shortage level.

3.5 Communication Protocols

Timely and effective communication is a key element of the WSCP implementation. In the context of water shortage response, the purpose may be an immediate emergency water shortage situation, such as may result from an earthquake, or a longer-term shortage condition, such as may result from a drought. In an immediate emergency, the District will activate the communication protocols detailed in the Emergency Response Plan. In a longer-term water shortage situation, the District will implement follow the communication protocols described below.

Per the Water Code Section 10632 (a)(5), the District has established communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments regarding any current or predicted shortages as determined by the Annual Assessment described pursuant to Section 10632.1; any shortage response actions triggered or anticipated to be triggered by the Annual Assessment described pursuant to Section 10632.1; and any other relevant communications.

Longer-term water shortage communication protocols are focused on communicating the water shortage contingency planning actions that can be derived from the results of the Annual Assessment, and it would likely trigger based upon the decision-making process in Section 3.2. ~~Prior to~~[Following](#) a water shortage level declaration, the District will pursue outreach to inform customers of water shortage levels and definitions, targeted water savings for each drought stage, guidelines that customers are to follow during each stage, and sources of current information on the District's supply and demand response status.

[Table 3.2 provides the recommended communication guidelines to help guide customer campaigns during implementation of a water shortage level. It is meant to primarily help inform the public and decision makers about the types of measures the District would take under various water shortage levels and to aid in communications with customers and is not limited to other possible options. Specific circumstances will vary with each shortage and decisions about the most appropriate response should be based on the water supply and](#)

demand conditions at the time. These following actions are intended as a list of probable measures for advance preparation purposes rather than set protocols, recognizing that as supply and demand change over time, or as the shortage evolves, the ultimate choice of options and actions to best address the shortage may change. The type and degree of communication will vary with each shortage level in order to inform stakeholders of the current water shortage level status and associated shortage response actions, as defined in Section 3.4.1. Predefined communication objectives and tools will ensure the District's ability to message necessary events and information to ensure compliance with shortage response actions. These communication objectives and tools are summarized in Table 3-2.

The District's Public Relations department will lead public information and outreach efforts in close coordination with other MWDOC and MET. The District will share information and provide guidance to its customers as well as monitor the customer response and attitude toward both voluntary and mandatory customer response guidelines. The District's customer outreach is required to successfully achieve targeted water savings during each drought stage.

Table 3-2: Communication Protocols

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
1	<ul style="list-style-type: none"> Initiate public information campaign; produce and distribute fact-based informational materials Announce water supply conditions and emphasize ways to conserve immediately Include increased conservation messages on website and in standard outreach efforts Enhance promotion of ongoing water efficiency programs 	<ul style="list-style-type: none"> Voluntary water conservation requested of all customers Adhere to Permanent Water Conservation Requirements Promote water efficiency programs 	<ul style="list-style-type: none"> District Website Direct Mail (Water Bill Message/inserts) Bill Pay Portal Social Media ETWD Community Advisory Group Meetings Regional School Program Community Events Laguna Woods Village (Television Interviews/Direct Email) Communication with HOAs
2	<ul style="list-style-type: none"> Intensify public information campaign conveying mandatory water-use restrictions, supply conditions and ways to save water Provide regular supply condition updates to customers Continue promotion of ongoing water efficiency programs/tools 	<ul style="list-style-type: none"> Encourage customers to stay within their water budget Require leaks to be fixed in 4 days. Encourage household to fix leaks Intensify promotion of water efficiency programs Promote pool and spa requirements 	<ul style="list-style-type: none"> Continue use of all tools in prior level Direct communication and educational outreach with customers not in compliance with the Permanent Water Conservation Requirements (Educational door hangers/verbal)

<u>Level</u>	<u>Communication Protocols</u>	<u>Customer Demand Reduction</u> <u>Action Examples</u>	<u>Communication Tools</u>
<u>3</u>	<ul style="list-style-type: none"> Expand campaign and messages to raise awareness for more severe water-saving actions/behaviors by customers Conduct specialized outreach to reduce discretionary outdoor water use Conduct outreach to high volume customers Establish targeted and focused social media advertising strategies 	<ul style="list-style-type: none"> Promote water savings programs to help customers identify water savings opportunities Possibly promote any implementation or modification of the Drought Factor and/or Water Shortage Rate Surcharge Prohibit car washing except using permitted commercial carwashes Limit outdoor watering to 3 days a week per Table 8.2/Appendix C Require leaks be fixed within 3 days Promote pool and spa requirements 	<ul style="list-style-type: none"> Continue use of all tools in prior levels Direct communication with residential and commercial high-water users Direct mail to customers (postcards/letters) Paid media coverage (print and electronic) Public Service Announcements
<u>4</u>	<ul style="list-style-type: none"> Conduct issue briefings with elected officials and other key civic and business leaders Scale up campaign and frequency of messages to reflect water shortage condition Increase outreach efforts for high volume customers 	<ul style="list-style-type: none"> Limit outdoor watering to 2 days a week per Table 8.2 and Appendix C Require leaks be fixed within 2 days Implement or further reduce Drought Factor and/or Water Shortage Rate Surcharge 	<ul style="list-style-type: none"> Continue use of all tools in prior levels Water waste patrols
<u>5</u>	<ul style="list-style-type: none"> Partner with other agencies to expand public information campaign, as available Suspend promotion of long-term water use efficiency programs/tools to focus on imminent needs Emphasize work being done by ETWD to alleviate the impacts of such a severe shortage 	<ul style="list-style-type: none"> Limit outdoor watering to 1 day a week per Table 8.2/Appendix C Require leaks be fixed within 1 day Further reduce Drought Factor and/or increase Water Shortage Rate Surcharge Discourage various water use deemed non-essential 	<ul style="list-style-type: none"> Continue use of all tools in prior levels Neighborhood canvassing Partnerships/ Regional incentives

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
6	<ul style="list-style-type: none"> Update campaign and messages to reflect likely need to focus water use on health/safety needs 	<ul style="list-style-type: none"> Continue all measures initiated in prior stages as appropriate Further reduce Drought Factor and/or increase Water Shortage Rate Surcharge Prohibit outdoor irrigation per Table 8.2/Appendix C Water use for public health and safety purposes only District may shut off all non-essential water services Customer rationing may be implemented 	<ul style="list-style-type: none"> Continue use of all tools in prior levels

Table 3-23: Communication Procedures

Shortage level	Communication Objectives	Communication Tools
1	Compliance with shortage response actions, 20% 10% reduction in water use	Water Bill Communications Water Bill Insert Communication Water Bill Pay Portal Communication Information on Website Homepage Social Media Outreach Educational Outreach—Local Events, Laguna Woods Television Director Interviews, ETWD Community Advisory Group Meetings, Regional School Program and Laguna Woods Village Direct Email Communications

Shortage level	Communication Objectives	Communication Tools
<u>2</u>	<u>Compliance with shortage response actions, 20% reduction in water use</u>	<u>Water Bill Communications</u> <u>Water Bill Insert Communication</u> <u>Water Bill Pay Portal Communication</u> <u>Information on Website Homepage</u> <u>Social Media Outreach</u> <u>Educational Outreach—Local Events, Laguna Woods Television Director Interviews, ETWD Community Advisory Group Meetings, Regional School Program and Laguna Woods Village Direct Email Communications</u>
<u>23</u>	<u>Compliance with storage shortage response actions, 40%30% reduction in water use</u>	<u>Presence at Local Events</u> <u>Direct Mailings to Homes and Businesses</u> <u>Direct Communication with High Water Users</u> <u>Communication with Commercial Users</u> <u>Local Media Coverage (print and electronic)</u> <u>Public Service Announcements</u>
<u>4</u>	<u>Compliance with shortage response actions, 40% reduction in water use</u>	<u>Presence at Local Events</u> <u>Direct Mailings to Homes and Businesses</u> <u>Direct Communication with High Water Users</u> <u>Communication with Commercial Users</u> <u>Local Media Coverage (print and electronic)</u> <u>Public Service Announcements</u>
<u>35</u>	<u>Compliance with shortage response actions, >40%<u>50%</u> reduction in water use</u>	<u>Water Waste Patrols</u> <u>Neighborhood Canvassing</u> <u>Partnerships/Regional Initiatives</u>
<u>6</u>	<u>Compliance with shortage response actions, >50% reduction in water use</u>	<u>Water Waste Patrols</u> <u>Neighborhood Canvassing</u> <u>Partnerships/Regional Initiatives</u>

3.6 Compliance and Enforcement

Per the Water Code Section 10632 (a)(6), the District has defined customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions. Communication procedures to ensure customer compliance are described in Section 3.5 and customer enforcement, appeal, and exemption procedures are defined in the District's existing Water [Conservation and Water Supply](#) Shortage [Contingency Response](#) Ordinance ~~2015-320224-1~~ (Appendix B). The District intends to update any enforcement procedures in a subsequently adopted ordinance which will supersede the existing ordinance.

3.7 Legal Authorities

Per Water Code Section 10632 (a)(7)(A), the District has provided a description of the legal authorities that empower the District to implement and enforce its shortage response in its Water [Conservation and Water Supply](#) Shortage [Contingency Response](#) Ordinance ~~2015-320224-1~~ (Appendix B).

Per Water Code Section 10632 (a)(7) (B), the District shall declare a water shortage emergency condition to prevail within the area served by such wholesaler 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.

Per Water Code Section 10632 (a)(7)(C), the District shall coordinate with any agency or county within which it provides water supply services for the possible proclamation of a local emergency under California Government Code, California Emergency Services Act (Article 2, Section 8558). ~~Table 3-3~~~~Table 3-3~~~~Table 3-3~~ identifies the contacts for all cities or counties for which the Supplier provides service in the WSCP, along with developed coordination protocols, can facilitate compliance with this section of the Water Code in the event of a local emergency as defined in subpart (c) of Government Code Section 8558.

Table 3-~~3334~~: Agency Contacts and Coordination Protocols

Contact	Agency	Coordination Protocols
Dennis Wilberg	City of Mission Viejo	call/email
Chris Macon	City of Laguna Woods	call/email
Debra Rose	City of Lake Forest	call/email
Donald White	City of Laguna Hills	call/email
David Doyle	City of Aliso Viejo	call/email

3.8 Financial Consequences of WSCP

Per Water Code Section 10632(a)(8), Suppliers must include a description of the overall anticipated financial consequences to the Supplier of implementing the WSCP. This description must include potential reductions in

revenue and increased expenses associated with implementation of the shortage response actions. This should be coupled with an identification of the anticipated mitigation actions needed to address these financial impacts.

During a catastrophic interruption of water supplies, prolonged drought, or water shortage of any kind, the District will experience a reduction in revenue due to reduced water sales. Throughout this period of time, expenditures may increase or decrease with varying circumstances. Expenditures may increase in the event of significant damage to the water system, resulting in emergency repairs. Expenditures may also decrease as less water is pumped through the system, resulting in lower power costs. Water shortage mitigation actions will also impact revenues and require additional costs for drought response activities such as increased staff costs for tracking, reporting, and communications.

The District receives water revenue from a service charge and a commodity charge based on consumption. The service charge recovers costs associated with providing water to the serviced property. The service charge does not vary with consumption and the commodity charge is based on water usage. Rates have been designed to recover the full cost of water service in the charges. Therefore, the total cost of purchasing water would decrease as the usage or sale of water decreases. In the event of a drought emergency, the Water Budget will be raised to a higher tier and the District will impose excessive water use penalties on its customers, which may include an additional administrative penalty or additional costs associated with reduced water revenue, staff time taken for penalty enforcement, and advertising the excessive use penalties. The excessive water use penalties are further described in the District's Water [Conservation and Water Supply Shortage Contingency Response Ordinance 2015-320221-1](#) (Appendix B).

However, there are significant fixed costs associated with maintaining a minimal level of service. The District will monitor projected revenues and expenditures should an extreme shortage and a large reduction in water sales occur for an extended period of time. To overcome these potential revenue losses and/or expenditure impacts, the District may use reserves. If necessary, the District may reduce expenditures by delaying implementation of its Capital Improvement Program and equipment purchases to reallocate funds to cover the cost of operations and critical maintenance, adjust the work force, implement a drought surcharge, and/or make adjustments to its water rate structure.

Based on current water rates, a volumetric cutback of 50% and above of water sales may lead to a range of reduction in revenues. The impacts to revenues will depend on a proportionate reduction in variable costs related to supply, pumping, and treatment for the specific shortage event. The District could mitigate these impacts by increasing water rate revenues and/or increasing fixed charges.

3.9 Monitoring and Reporting

Per Water Code Section 10632(a)(9), the District is required to provide a description of the monitoring and reporting requirements and procedures that have been implemented to ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

Monitoring and reporting key water use metrics is fundamental to water supply planning and management. Monitoring is also essential in times of water shortage to ensure that the response actions are achieving their intended water use reduction purposes, or if improvements or new actions need to be considered (see Section 3.10). Monitoring for customer compliance tracking is also useful in enforcement actions.

Under normal water supply conditions, potable water import data is reviewed daily. Weekly and monthly reports are prepared and monitored. This data will be used to measure the effectiveness of any water shortage contingency level that may be implemented. As levels of water shortage are declared by MET and MWDOC, the District will follow implementation of those levels as appropriate based on the District's risk profile provided in UWMP Chapter 6 and continue to monitor water demand levels. When MET calls for extraordinary conservation,

MET's Drought Program Officer will coordinate public information activities with MWDOC and monitor the effectiveness of ongoing conservation programs.

The District will participate in monthly member agency manager meetings with MWDOC to monitor and discuss monthly water allocation charts. This will enable the District to be aware of import use on a timely basis as a result of specific actions taken responding to the District's WSCP.

3.10 WSCP Refinement Procedures

Per Water Code Section 10632 (a)(10), the District must provide 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.

The District's WSCP is prepared and implemented as an adaptive management plan. The District will use the monitoring and reporting process defined in Section 3.9 to refine the WSCP. In addition, if certain procedural refinements or new actions are identified by District staff, or suggested by customers or other interested parties, the District will evaluate their effectiveness, incorporate them into the WSCP, and implement them quickly at the appropriate water shortage level.

It is envisioned that the WSCP will be periodically re-evaluated to ensure that its shortage risk tolerance is adequate and the shortage response actions are effective and up to date based on lessons learned from implementing the WSCP. The WSCP will be reviewed during the UWMP update cycle to incorporate any updated and potential new information. For example, new supply augmentation actions may be added, and actions that are no longer applicable for reasons such as program expiration will be removed. ~~However, if~~ revisions to the WSCP are warranted before the UWMP is updated, the WSCP will be updated outside of the UWMP update cycle. In the course of preparing the Annual Assessment each year, District staff may consider the functionality of the overall WSCP and may prepare recommendations for the District General Manager, or designee, if changes are found to be needed.

3.11 Special Water Feature Distinction

Per Water Code Section 10632 (b), the District has defined water features in 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, in the Water ~~Conservation and Water Supply~~ Shortage ~~Contingency Response~~ Ordinance ~~2015-320221-1~~ (Appendix B).

3.12 Plan Adoption, Submittal, and Availability

Per Water Code Section 10632 (a)(c), the District provided notice of the availability of the draft 2020 UWMP and draft 2020 WSCP and notice of the public hearing to consider adoption of the ~~amended~~ WSCP. The public review draft~~s~~ of the 2020 UWMP ~~and amended 2022 WSCP and the 2020 WSCP were~~ posted prominently on the District's ~~website~~ in advance of their ~~public hearings~~ on May 27, 2021 ~~and March 24, 2022, respectively.~~ Copies of the draft WSCP ~~amendment~~ were also made available for public inspection at the District ~~Clerk's and Utilities~~ Department offices and public hearing notifications were published in local newspapers. A copy of the published Notice of Public Hearing is included in Appendix ~~EC~~.

The District held the public hearing for the ~~draft 2020 UWMP and draft~~amended WSCP on ~~May 27~~March 24, 2022 at the District Board meeting. The District Board reviewed and approved the 2020 UWMP ~~and the WSCP~~ at its

El Toro Water District ~~2020-2022~~ Water Shortage Contingency Plan

May 27, 2021 meeting ~~after the public hearing~~ and the amended WSCP at its ~~March 24, 2022~~ meeting after the public hearings. See Appendix ~~ED~~ for the resolution approving the ~~amended~~ WSCP.

By July 1, 2021, the District's adopted 2020 UWMP ~~and WSCP~~ was filed with DWR, California State Library, and the County of Orange. ~~The District will make the WSCP available for public review on its website no later than 30 days after filing with DWR. An electronic copy of the revised WSCP will be submitted to DWR within 30 days of its adoption. The District will make the amended WSCP available for public review on its website no later than 30 days after filing with DWR.~~

Based on DWR's review of the WSCP, the District will make any amendments in its adopted WSCP, as required and directed by DWR.

~~If the District revises its WSCP after UWMP is approved by DWR, then an electronic copy of the revised WSCP will be submitted to DWR within 30 days of its adoption.~~

4 REFERENCES

- CDM Smith. (2021, March 30). *Orange County Water Demand Forecast for MWDOC and OCWD Technical Memorandum*.
- El Toro Water District (ETWD). (2021, July). *2020 Urban Water Management Plan*.
- Metropolitan Water District of Southern California (MET). (2021a, March). *Water Shortage Contingency Plan*.
http://www.mwdh2o.com/PDF_About_Your_Water/Draft_Metropolitan_WSCP_March_2021.pdf
- Metropolitan Water District of Southern California (MET). (2021b, June). *2020 Urban Water Management Plan*.
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http://www.mwdh2o.com/PDF_About_Your_Water/2.4_Water_Supply_Drought_Management_Plan.pdf
- Municipal Water District of Orange County (MWDOC). (2016). *Water Supply Allocation Plan*.
- Municipal Water District of Orange County (MWDOC). (2019, August). *Orange County Regional Water and Wastewater Hazard Mitigation Plan*.
- Water Emergency Response Organization of Orange County (WEROC). (2018, March). *WEROC Emergency Operations Plan (EOP)*.

Appendix A

DWR Submittal Tables

Table 8-1: Water Shortage Contingency Plan Levels

Table 8-2: Demand Reduction Actions

Table 8-3: Supply Augmentation and Other Actions

Appendix B

Water ~~Conservation and Water Supply~~ Shortage Contingency
Response Ordinance ~~2015-3202~~21-1

Appendix C

Water Shortage Contingency Response Ordinance Provisions
Assigned Outside Watering Days by City Boundary

Appendix D

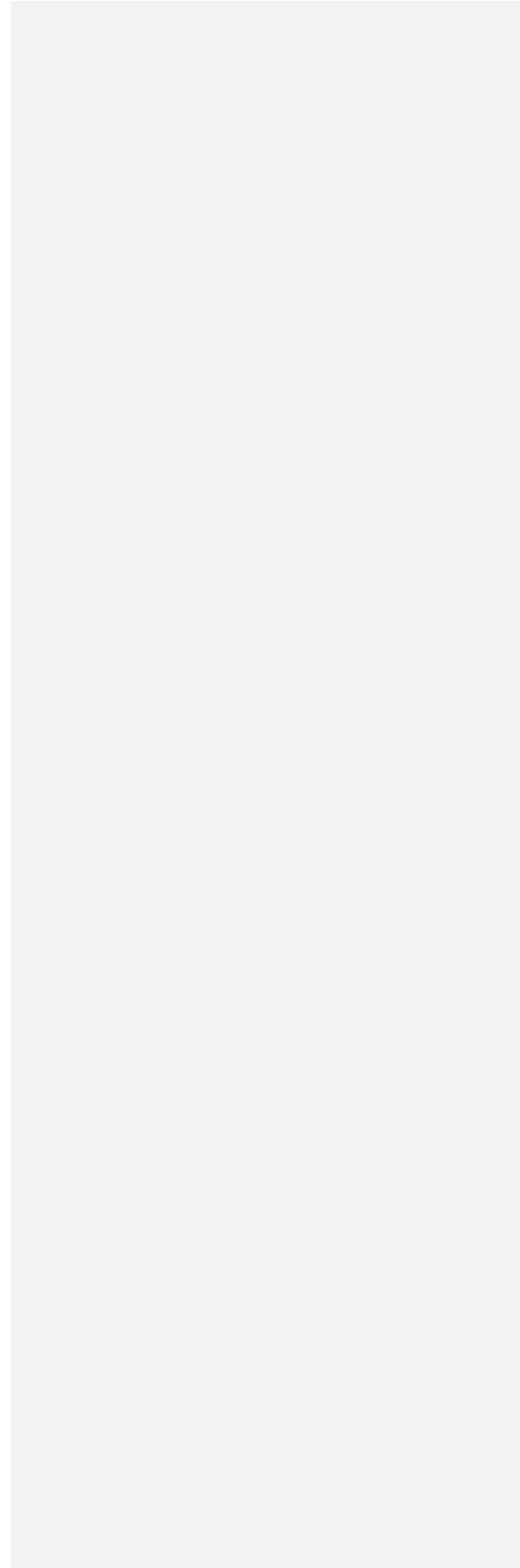
Water Shortage Contingency Response Ordinance Provisions
Best Practices for the Construction and Operation of Pools and
Spas

Appendix E

ETWD Water Shortage Contingency Response Provisions
Drought Factor Financial Impact

Appendix F

Notice of Public Hearing



Appendix G

Adopted WSCP Resolution

Arcadis U.S., Inc.
320 Commerce, Suite 200
Irvine
California 92602
Phone: 714-730-9052
www.arcadis.com

Maddaus Water Management, Inc.
Danville, California 94526
Sacramento, California 95816
www.maddauswater.com

Arcadis. Improving quality of life.



STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Dennis Cafferty, General Manager

Subject: Water Shortage Contingency Response Ordinance 2022-1

The El Toro Water District Water Conservation & Water Supply Shortage Ordinance (Ordinance) was first adopted in 2009 and then updated in 2010 and 2015. The Ordinance included both Permanent Water Conservation Requirements and progressively more stringent conservation measures in direct response to drought conditions and supply shortages.

The Ordinance described three water shortage levels. Proposed revisions to the District's Water Shortage Contingency Plan increased the District's shortage levels from three to six. Similar revisions are therefore required in the Water Shortage Contingency Response Ordinance.

In addition to the definition of the six shortage levels, consistent with the Water Shortage Contingency Plan, the revisions to the Ordinance include the following:

- Additional clarifying language in Section II – Findings, Determinations and Authority
- Additional Definitions in Section IV
- Modifications of Permanent Water Conservation Requirements (Section VI)
- Adds a paragraph describing the Drought Factor (Section IX)
- Details of drought response actions have been deleted and relocated to the Water Shortage Contingency Plan
- An Administrative Penalty, previously included in the deleted response actions, has been renamed as a Water Shortage Rate Surcharge and described in Section IX.

A clean version of the Water Shortage Contingency Response Ordinance 2022-1 is attached.

A redline version, identifying the proposed revisions to the Water Shortage Contingency Response Ordinance 2022-1 is also attached. The redline document identifies deletions as text with a strikeout line and additions as underlined text. All underlined text is new, whether color coded or not.

Recommendation

Following the Public Hearing staff will recommend the Board consider adopting Resolution 22-3-2 which adopts the Water Shortage Contingency Response Ordinance 2022-1 replacing Ordinance 2015-3 in its entirety.

EL TORO WATER DISTRICT

WATER SHORTAGE CONTINGENCY RESPONSE ORDINANCE 2022 – 1

(effective March 24, 2022)

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ORDINANCE NO. 2022-1

AN ORDINANCE OF THE BOARD OF DIRECTORS OF EL TORO WATER DISTRICT ESTABLISHING A WATER CONSERVATION & WATER SUPPLY SHORTAGE PROGRAM FOR USERS OF POTABLE WATER PROVIDED BY THE DISTRICT

Section I. Title

El Toro Water District Water Shortage Contingency Response Ordinance ("Ordinance No. 2022-1")

Section II. Findings, Determinations and Authority

- 1. Resolution No. 22-2-2** - The recitals, finding and determinations set forth in Resolution No. 22-2-2 are fully incorporated herein as though set forth in full.
- 2. A reliable minimum supply of potable water is essential** to the public health, safety and welfare of the people and economy of Southern California.
- 3. Southern California is a semi-arid region, largely dependent on imported water** supplies from Northern California and the Colorado River along with a limited amount of local water supplies. Population growth, drought, climate change, environmental concerns, government policy changes, restrictions on pumping and other factors in our region, in other parts of the State and in the western U.S. make Southern California highly susceptible to water supply reliability issues. Southern California experienced significant dry year conditions in 2013-2017, which lead local water agencies, including El Toro Water District (District) to declare water shortage conditions that triggered demand reduction actions.
- 4. Careful water management requires active permanent water conservation requirements** not only in times of drought but at all times. It is essential to ensure a reliable minimum supply of water to meet current and future water supply needs.
- 5. California Constitution Article X, Section 2 and California Water Code Section 100** provide that because of conditions prevailing in the state of California, it is the declared policy of the State that the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable and that the waste and ~~or~~ unreasonable use or methods of water use be prevented, and that the conservation of such water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.
- 6. California Water Code Section 10632** had significant updates related to water shortage contingency planning following the modification of the Urban Water Management Planning Act in 2018 that mandate new elements to Urban Water Management Plans and Water Shortage Contingency Plans. These elements include an annual drought risk assessment, State Water Shortage Levels, and statewide water use prohibitions.

7. **The Municipal Water District of Orange County (MWDOC) has adopted a 2020 Urban Water Management Plan and Water Shortage Contingency Plan documents that include water conservation** and additional demand reduction actions in times of shortage as a necessary and effective component of MWDOC's programs to provide a reliable supply of water to meet the needs of MWDOC's 28 member agencies, including the District, with which this Ordinance is consistent.
8. **The imported water supplies in the District and MWDOC are subject to the Water Shortage Allocations** determined by the Metropolitan Water District of Southern California, and subsequently MWDOC will be required to curtail deliveries of imported water based on the Metropolitan Water District of Southern California's Water Shortage Allocation Plan, which will be triggered in a state of shortage.
9. **As of July 2021, both MWDOC and the District are required to prepare an Annual Water Supply and Demand Assessment and Drought Risk Assessment** as part of their Urban Water Management Plan for submission to the California Department of Water Resources (DWR). Annually, by July 1st of each year, beginning the year following the adoption of the 2020 Urban Water Management Plan, MWDOC and the District are required to monitor, report, and if declared a drought emergency according to their adopted Water Shortage Contingency Plans, then notify the Department of Water Resources, in order to comply with the California Water Code 10632.1 reporting requirements.
10. **California Water Code Sections 350, et. seq.**, sets forth the determination and notification procedures for water suppliers seeking to declare a water shortage or a water emergency.
11. **California Water Code Section 353** specifies that a governing body must adopt regulations or restrictions on the delivery and consumption of water within its service area when it declares the existence of an emergency condition.
12. **California Water Code Section 356** allows for the adoption of regulations and restrictions that include discontinuance of service as an enforcement option where a water shortage emergency condition has been declared.
13. **California Water Code Section 370, et. seq.**, authorizes water suppliers to adopt water allocation programs for water users and allocation-based water conservation pricing.
14. **California Water Code Section 375** authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.
15. **California Water Code Section 375 et seq.**, authorizes public water suppliers to establish by Ordinance, the maximum levels of water to be used by customers under emergency supply conditions (which give rise to the utilization of the Drought Factor), and declaring that the customer's excess usage, to be a violation of this Ordinance.
16. **California Water Code Sections 13550 and 13551** declare a statewide policy that the use of potable domestic water for irrigation purposes when reclaimed (recycled) water is available constitutes a waste or unreasonable use of water within the meaning of the State Constitution.

- 17. The District's Rules and Regulations** require that future developments utilize reclaimed (recycled) water wherever economically and technically feasible within the boundaries of the District in order to conserve potable water for the purposes of human consumption and fire protection.
- 18. The adoption and enforcement of a Water Shortage Contingency Response Ordinance is necessary to manage the District's potable water supply** short- and long-term and to minimize and/or avoid the effects of drought and water shortage within the District. Such a program is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare.
- 19. California Government Code Section 53069.4** authorizes a local public agency to make a violation of an Ordinance, subject to an "administrative fine or penalty". "Penalty", as used throughout this Ordinance is an "Administrative Penalty", authorized pursuant to this section.

Section III. Declaration of Purpose and Intent

1. To minimize or avoid the effect and hardship of potential shortages of **potable water** to the greatest extent possible, this Ordinance establishes means to implement the District's Water Shortage Contingency Plan designed to:
 - a. Reduce water consumption (demand) in the long-term through permanent conservation measures and short-term through demand reduction actions in times of drought.
 - b. Enable effective potable water supply planning.
 - c. Assure reasonable and beneficial use of potable water.
 - d. Prevent waste of potable water and maximize efficient use in the District.
2. This Ordinance, in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure (which is subject to the provisions of Proposition 218 and is incorporated into the Cost of Service Rate Study), establishes:
 - a. **Permanent Water Conservation Requirements** are designed to alter behaviors related to potable water-use efficiency during non-shortage conditions
 - b. **Six levels of potential response to escalating water supply shortages** which the El Toro Water District Board (Board) may implement during times of declared water shortage or water emergency. The six levels of response consist of increasing water use restrictions, demand reduction actions, and the possible imposition of water supply shortage allocations through the use of a "drought factor" in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure. This is a component of the water budget calculation that is an integral part of the District's Water Budget Based Tiered Conservation Rate Structure, which modifies (reduces) the indoor and/or outdoor budget to further encourage conservation in times of water supply shortage emergencies and Administrative Penalties imposed on designated customer categories who exceed their revised water budget.

Section IV. Definitions

1. General

- a. **"The District"** means El Toro Water District.
- b. **"The Board"** means the El Toro Water District Board of Directors.
- c. **"Person"** means any person or persons, corporation, public or private entity, governmental agency or institution, or any other user of water provided by the District.
- d. **"Potable Water"** means water that is suitable for drinking.
- e. **"Recycled Water"** means the reclamation and reuse of non-potable water and/or wastewater for beneficial use, such as irrigation. Also known as "Reclaimed Water."
- f. **"Water Waste"** refers to uses of water that are limited or prohibited under the Ordinance because they exceed necessary or intended use and could reasonably be prevented, such as runoff from outdoor watering.
- g. **"Billing Unit"** is equal to 100 cubic feet (1 CCF) of water, which is 748 gallons. Water use is measured in units of 100-cubic-feet and multiplied by applicable water usage rates for billing. Also known as a "Unit of Water."
- h. **"Undue Hardship"** is a unique circumstance in which a requirement of the Ordinance would result in a disproportionate impact on a water user or property upon which water is used compared to the impact on water users generally or similar properties or classes of water use.
- i. **"Safety and Sanitary Hazard"** is one which presents an immediate and imminent threat to human health (injury).
- j. **"Water Budget Based Tiered Conservation Rate Structure"** ("Tiered Conservation Rate Structure") is a rate structure which provides "water budgets" to each customer based on efficient indoor and outdoor need. Water used in excess of the combined indoor and outdoor budget is billed at a progressively higher rate which is designed to recover the increased cost associated with providing such water and provides a clear indicator regarding inefficient use of potable water. The increased rates and potential Administrative Penalties for utilization of water in excess of budgeted amounts provide financial incentive to stay within assigned budgets and to comply with Permanent Mandatory Water Conservation Measures.
- k. **"Water Supply Shortage Emergency"** means a condition existing within the State, Region and/or the District in which the ordinary water demands and requirements of persons within the District cannot be satisfied without depleting the water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection. A water shortage emergency includes both an immediate emergency, in which the District is unable to meet current water needs of persons within the District, as well as a threatened water shortage, in which the District determines that its future supply of water may not meet an anticipated future demand.

- l. **"Administrative Penalty"** means a financial penalty as authorized by Government Code Section 53069.4 as a result of any person or entity violating the provisions of this Ordinance.
- m. **"MWD OC"** means the Municipal Water District of Orange County.
- n. **"DWR"** means the California Department of Water Resources.
- o. **"UWMP"** means Urban Water Management Plan as required by DWR to satisfy the UWMP Act and subsequent California Water Code Sections 10610 through 10656.
- p. **"WSCP"** means Water Shortage Contingency Plan as required by California Water Code Section 10632.
- q. **"Demand Reduction Actions"** refers to education, incentive or regulatory actions taken by the District to reduce water demand in its service area during times of shortage. Demand reduction actions are pre-planned to prepare for a water shortage were presented in Table 8-2 of the District's WSCP.
- r. **"Annual Water Supply and Demand Assessment"** refers to a determination of the near-term outlook for supplies and demands and how a perceived shortage may relate to the Shortage Level response actions as defined in the WSCP in the current calendar year.
- s. **"Drought Factor"** refers to a variable used in the calculation of both the indoor and outdoor District potable water budget allocations. Normally set at 100%, during emergencies/water supply shortage conditions, the District may use the Drought Factor to reduce water budgets and further encourage conservation.

2. Irrigation

- a. **"Irrigation Controller"** is the part of an automated irrigation system that instructs the valves to open and close to start or stop the flow of water.
 - 1. **"Sensor-based irrigation controller"** operates based on input from a combination of sensors (rain, solar, soil moisture) installed in or around the landscaped area.
 - 2. **"Weather-based irrigation controller"** operates automatically based on evapo-transpiration rates and historic or real-time weather data.
- b. **"Irrigation System"** refers to a manual or automated watering system consisting of pipes, hoses, spray heads and/or sprinkler devices or valves. Also known as a "Landscape Irrigation System."
- c. **"Positive Self-Closing Shut-Off Hose Nozzle"** refers to a water-efficient hose nozzle for residential or commercial hoses that users must press or release to start or stop the flow of water. Also known as an "Automatic Shut-Off Nozzle."
- d. **"Valves"** refer to the part of an irrigation system that opens and closes manually or electronically to start or stop the flow of water.

3. Other

- a. **"Pre-Rinse Kitchen Spray Valves"** refer to highly water-efficient sprayers that commercial kitchens use to rinse dishes in the sink before washing and for other preliminary cleaning purposes.
- b. **"Single-Pass Cooling System"** refers to an air conditioning, refrigeration or other cooling system that removes heat by transferring it to a supply of clean water and dumping the water down the drain after a single use. This type of cooling system is prohibited given it is extremely water-inefficient compared to systems that re-circulate the water.

Section V. Application of Ordinance

1. **The provisions of this Ordinance apply to any person or entity using potable water provided by the District.** This includes individuals, persons, corporations, public or private entities, governmental agencies or institutions, or any other users of District water.
2. **In addition, the provisions of this Ordinance do not apply to the following:**
 - a. **Water use which is immediately necessary to protect public health and safety** or for essential government services, such as police, fire and similar services.
 - b. **Recycled water use for irrigation.** Use of recycled water requires a permit that has specific use restrictions, many of which focus on water efficiency. Given such permits and the interest in promoting the use of recycled water as a means to preserve potable, recycled water is exempt from all requirements of this Ordinance.
 - c. **Water used by nurseries and growers** to sustain plants, trees, shrubs, crops, compost or other landscape vegetation material intended for distribution or commercial sale.
3. **This Ordinance is intended solely to further the beneficial use and conservation of potable water.** It is not intended to implement any provision of federal, state or local statutes, ordinances or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on storm water ordinances or management plans.

Section VI. Permanent Water Conservation Requirements

The District has adopted a Water Shortage Contingency Plan (WSCP) which details demand reduction actions that the District may take to restrict or shall prohibit its customers' consumption of water, including baseline conservation measures to be taken in times of normal water supply. The following Permanent Water Conservation Requirements for potable water, in support of demand reduction actions as called for in the Water Code and WSCP, are permanent and in effect at all times. Violations of this Section constitute waste and an unreasonable use of water.

1. General Restrictions — Residential, Irrigation, Commercial and Public Customers

a. Limits on Outside Watering Hours

1. **Watering or irrigating is prohibited any day of the week between 9:00 a.m. and 6:00 p.m.**
2. The week includes weekdays and weekends, seven (7) days.
3. This applies to lawns, landscaping and all other vegetated areas.
4. The following are **exempt** from this restriction:
 - a. Watering with a hand-held bucket or similar container.
 - b. Watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Adjusting or repairing an irrigation system for very short periods of time.
 - d. Watering with a drip irrigation system.
 - e. Watering to establish new landscaping within 30 days of completion of installation.

b. No Excessive Water Flow or Runoff: It is prohibited to water lawns, landscaping and vegetated areas in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch, parking lots, structures, non-irrigated areas, or off the property.

c. No Irrigation of Turf on Public Medians: Watering or irrigating of any lawn or turf on street medians with potable water is prohibited.

d. No Irrigation During or After Rainfall: Watering or irrigating any outdoor landscapes with potable water during and within forty eight (48) hours following at least one quarter inch (1/4") of rainfall within a twenty four (24) hour period is prohibited.

e. Obligation to Fix Leaks, Breaks or Malfunctions in lines, fixtures or facilities

1. Excessive use, loss or escape of water through breaks, leaks or malfunctions in the water user's plumbing or distribution system:
 - a. Is prohibited for any period of time after such water waste should have reasonably been discovered and corrected.
 - b. Must be corrected in **no more than five (5) days of District notification.**

f. No Hosing or Washing Down Hard or Paved Surfaces

1. Washing or hosing down hard or paved surfaces with potable water, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys is prohibited.
2. When it is necessary to hose or wash down hard or paved surfaces to alleviate safety or sanitary hazards, the following may be used:
 - a. Hand-held bucket or similar container.
 - b. Hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Low-volume high-pressure cleaning machine equipped to recycle used water.

g. No Hosing or Washing Down Vehicles

1. Using potable water to hose or wash down a motorized or non- motorized vehicle, including but not limited to automobiles, trucks, vans, buses, motorcycles, boats or trailers is prohibited.
2. The following are exempt from this restriction:
 - a. Use of a hand-held bucket or similar container.
 - b. Use of a hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Commercial car washing at facilities using recycled or recirculating water.

h. Re-Circulating Water Required for Decorative Water Fountains and Decorative Water Features Operating a decorative water fountain or other decorative water feature that does not use re-circulated water is prohibited.

i. Swimming Pools and Spa Covers: Property owners who have a swimming pool or spa are encouraged to cover the facilities to minimize water loss due to evaporation.

2. Commercial Food-Serving & Lodging Requirements

- a. Drinking Water Served Only Upon Request.** Eating or drinking establishments, including but not limited to restaurants, hotels, cafes, bars or other public places where food or drinks are sold, or served or offered for sale, are prohibited from providing drinking water to any person unless requested.
- b. Commercial Lodging Establishments Must Provide Option Not Launder Towels/Linens Daily.** Hotels, motels and other commercial lodging establishments must provide guests the option of not having their used towels and linens laundered. Lodging establishments must prominently display notice of this option in each room and/or bathroom, using clear and easily understood language.

3. Commercial Kitchen Requirements

- a. **Water-Efficient Pre-Rinse Kitchen Spray Valves.** Food preparation establishments, such as restaurants, cafes and hotels, are prohibited from using non-water efficient pre-rinse commercial dishwashing kitchen spray valves.

4. Commercial Water Recirculation Requirements

- a. **Car Wash System Requirements:** All **new** commercial car-wash systems must install re-circulating water systems.
- b. **No Single-Pass Cooling Systems:** Buildings requesting **new** water service or being **remodeled** are prohibited from installing single-pass systems.

5. Recycled Water Construction Site Requirements

- a. **Recycled or non-potable water** must be used, when available.
- b. **No potable water may be used for soil compaction or dust control** where there is a reasonably-available source of recycled or non-potable water approved by the Department of Public Health and appropriate for such use.
- c. **Water hoses shall be equipped with automatic shut-off nozzles**, given such devices are available for the size and type of hoses in use.

6. Automated Irrigation Control System Requirements for Commercial, Multi-Family and Community Development/Redevelopment Projects

New Commercial, Multi-Family and Community development and/or redevelopment projects that include landscaped open space, park and recreation areas will be required to install a sensor-based or weather-based irrigation controller.

- 7. **Water Waste and Unreasonable Water Use Prohibited.** The waste or unreasonable use or unreasonable method of use of water by any person shall be prohibited at all times.
- 8. **Public Health and Safety.** These regulations shall not be construed to limit water use which is immediately necessary to protect public health and safety for essential government services, such as police, fire and similar services.

Section VII. Standard Water Shortage Levels

The District's Water Shortage Levels are aligned with the six standard State Water Shortage Levels and as defined in MWD's and the District's Water Shortage Contingency Plans to comply with California Water Code Section 10632 (a)(3). The shortage levels represent shortages from normal reliability as determined in the Annual Water Supply and Demand Assessment, corresponding to progressive ranges of up to 10, 20, 30, 40,50, and greater than 50 percent shortages. DWR Table 8-1 from the District's Water Shortage Contingency Plan defines the conditions that trigger each Shortage Level and the shortage response actions the District can take. WSCP has more specific demand reduction actions defined by Shortage Level.

**DWR Submittal Table 8-1
Water Shortage Contingency Plan Levels**

Shortage Level	Percent Shortage Range	Shortage Response Actions
0	0% (Normal)	A Level 0 Water Supply Shortage – Condition exists when the no current supply reductions are anticipated. The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water conservation requirements are in place as stipulated in the District’s Water Shortage Contingency Response Ordinance.
1	Up to 10%	A Level 1 Water Supply Shortage – Condition exists when the Board, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in this ordinance. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
2	11% to 20%	A Level 2 Water Supply Shortage – Condition exists when the Board, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in this Ordinance.
3	21% to 30%	A Level 3 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

**DWR Submittal Table 8-1
Water Shortage Contingency Plan Levels**

Shortage Level	Percent Shortage Range	Shortage Response Actions
4	31% to 40%	A Level 4 Water Supply Shortage - Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
5	41% to 50%	A Level 5 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
<p>NOTES: The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.</p>		

The District's Water Shortage Contingency Plan defines the shortage response actions that align with each Level of Water Supply Shortage, along with an estimate of the extent to which the gap between supplies and demand will be reduced.

- a. Locally appropriate supply augmentation actions.
- b. Locally appropriate demand reduction actions to respond to shortages.

- c. Locally appropriate operational changes.
- d. Additional mandatory prohibitions against specific water use practices, in addition to state-mandated prohibitions, as deemed necessary by the District.

Each elevated shortage level will include the elements of the previous shortage level(s) and permanent mandatory water conservation measures as defined in this Ordinance and the District's Water Shortage Contingency Plan. When conditions dictate necessary, an allocation of water supply under a water supply emergency condition that requires actions beyond those defined in the District's Water Shortage Contingency Plan may be required to be implemented.

Section VIII. Other Provisions

1. Customer Water Conservation Plans:

- a. **Customers with high annual water usage.** During Level 1 through Level 6 Water Shortages or Emergencies, the District Board of Directors, at its sole discretion and by written request, may require residential, irrigation, commercial and/or public customers using **ten thousand (10,000) or more billing units per year** to submit a Water Conservation Plan to the District and to submit quarterly progress reports on such plan. The conservation plan must make recommendations for increased water savings through on-site demand reduction actions, including increased use of recycled water or other sources of supply based on feasibility. Quarterly progress reports must include status on implementation of recommendations.

2. Recycled Water To Replace Potable Water

- a. **Future Developments.** When available, the District requires the use of recycled water in future developments.
- b. **New Water Service:** Prior to the connection of any new water service, the District will determine whether recycled water is appropriate and available to meet the requirements of the new service request. Recycled water must be utilized to the extent feasible, as determined by the District.
- c. **Transition from Potable Water:** The District may prohibit the use of potable water in certain instances if the District determines that a specified use for potable water could be achieved with recycled water as a cost-effective alternative and the customer is given a reasonable time to make the conversion, as determined by the District's General Manager.

Section IX. Declaration & Notification of Water Supply Shortages or Emergencies

- 1. **Declaration of a Level 1 through Level 6 Water Supply Shortage or Emergency:** The District Board of Directors may declare a Level 1 through Level 6 Water Supply Shortage Level or Emergency in accordance with the procedures specified in Water Code Sections 351 and 352 (Public Hearing, Notice and Publication). Thereafter, penalties and violations under Section XI apply.

2. Notification of Declared Water Supply Shortages Emergency

The District must publish a copy of the water shortage/emergency resolution in a newspaper used for the publication of official notices within the jurisdiction of the District within fifteen (15) days of the date that a Water Supply Shortage or Emergency is declared.

3. Authorization of Adjusting the Drought Factor

During a Level 3, 4, 5 or 6 Water Shortage Emergency, the Board may authorize the adjustment of an indoor and/or outdoor drought factor that will reduce the indoor and/or outdoor water budget. This adjustment may impact the customer where water use is above the water budget allocation, which leads to entering into higher tiers on an accelerated basis. The additional amount paid in higher tiers, as a result of a reduction in indoor and/or outdoor budgets, is deemed an Administrative Penalty, authorized pursuant to California Government Code Section 53069.4. Refer to the WSCP, Appendix E.

4. Authorization of a Water Shortage Rate Surcharge

During a Level 3, 4, 5 or 6 Water Shortage Emergency, any water customer subject to water budgets pursuant to the District's Tiered Conservation Rate Structure who willfully use water in excess of their combined Tier 1 and Tier II water budgets shall be in violation of this Ordinance and, upon Board authorization and approval will be subject to a Water Shortage Rate Surcharge in the range of \$2.00 to \$10.00 as determined by the Board by minute order (motion) or Resolution at an open and public meeting, for each ccf of water used in excess of their combined Tier I and Tier II budget.

Section X. Hardship Waiver

- 1. Undue and Disproportionate Hardship:** If, due to unique circumstances, a specific requirement of the Ordinance would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this section.
- 2. Written Finding:** The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship.
 - a. Application for a Waiver:** Application for a waiver must be on a form prescribed by the District.
 - b. Supporting Documentation:** The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.
 - c. Required Findings for Waiver:** Based on the information and supporting documents provided in the application, additional information provided as requested, and water use information for the property as shown by the records of the District, the District **General Manager** in making the waiver determination will take into consideration the following:

1. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;
2. That because of special circumstances applicable to the property or its use, the strict application of this Ordinance would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;
3. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this Ordinance and will not be detrimental to the public interest; and
4. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

d. Approval Authority

1. The District General Manager or his designee(s) must act upon any completed **Application for a Waiver** no later than ten (10) days after receipt by the District.
2. The General **Manager or his designee(s) may approve, conditionally approve, or deny the waiver** and the decision will be final.
3. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise, at the time a waiver is approved, it will apply to the subject property for the duration of the water supply shortage or emergency.

Section XI. Non-Compliance

In order to ensure compliance with State reporting requirements and customer compliance, the District will collect, track, and analyze relevant data per the procedures defined in the District's Water Shortage Contingency Plan.

1. Non-Compliance with Level 0 Permanent Water Conservation Requirements and Level 1 Water Shortage Demand Reduction Actions: The District will issue a written warning and provide information regarding the necessity to comply with all Permanent Water Conservation Requirements.

2. Non-Compliance with Level 2, Level 3, Level 4, Level 5, and Level 6 Permanent Water Conservation Requirements and Demand Reduction Actions.

a. Non-Compliance Charges: The following will apply to persons or entities failing to comply with any provision of the Ordinance for Level 2, Level 3, Level 4, Level 5, and Level 6 permanent water conservation requirements and demand reduction actions:

- 1. First Instance of Non-Compliance:** The District will issue a **written warning** and send it along with an explanation of the violation.
- 2. Second Instance of Non-Compliance:** A second instance of noncompliance with the Ordinance within the preceding twelve (12) calendar months is punishable by a non-compliance charge on the water bill not to exceed **two hundred and fifty dollars (\$250)**.

- 3. Third Instance of Non-Compliance:** A third instance of non-compliance with the Ordinance within the preceding twelve (12) calendar months is punishable by a non-compliance charge on the water bill not to exceed **five hundred dollars (\$500)**.

b. Water Flow Restrictor and/or Termination of Service

- 1. Water Flow Restrictor Device.** In addition to any non-compliance charges, the District may install a water flow restrictor device. If the District determines to install a water flow restrictor, installation of the flow restrictor would follow written notice of intent to the customer and would be in place for a minimum of forty-eight (48) hours.
- 2. Termination of Service:** In addition to any non-compliance charges and the installation of a water flow restrictor, the District may disconnect and/or terminate a customer's water service, pursuant to Water Code Section 356.

3. Costs for Water Flow Restrictors and Service Disconnection

- a. A person or entity in non-compliance with this Ordinance is 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.
- b. The charge for installing and/or removing any flow restricting device must be paid to the District before the device is removed.
- c. Nonpayment will be subject to the same remedies as nonpayment of basic water rate.

- c. Misdemeanor:** Pursuant to Water Code Section 377, any instance of noncompliance with the Ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding one thousand dollars (\$1,000) or by both.

- 3. Separate Offenses:** Each day that a person or entity is non-compliant with the Ordinance is a separate offense.

4. Notice of Non-Compliance/ Appeal and Hearing Process

- a. The District will issue a **Notice of Non-Compliance** by mail or personal delivery before taking enforcement action as defined in the WSCP. The notice will describe the violation and, if applicable, the date by which corrective action must be taken.
- b. A customer may appeal the Notice of Non-Compliance** by filing a written Notice of Appeal with the District no later than the close of business on the 10th day following receipt of the enforcement action. A customer appeal shall state the grounds for the appeal.

- 1. Any Notice of Non-Compliance not timely appealed will be final.**

2. Upon receipt of a timely appeal, **the District will schedule a hearing on the appeal** and mail written notice of the hearing date to the customer at least ten (10) days before the hearing.
3. The District General Manager or his designee(s) will hear the appeal and issue a written **Notification of Decision** within ten (10) days of the hearing.
- c. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the District **may take appropriate steps to prevent the unauthorized use of water** given the nature and extent of the violations and the current declared water shortage level condition, including restricting the level of water use until the appeal is heard.
- d. Except for violations of this Ordinance subject to excessive water use penalties, if any person fails or refuses to comply with this Ordinance, the District shall provide that person with written notice of the Non-Compliance and opportunity to correct the noncompliance. The written notice shall:
 1. Be posted or presented at the site of the Non-Compliance;
 2. State the time, date, and place of the Non-Compliance;
 3. State a general description of the Non-Compliance;
 4. State the means to correct the Non-Compliance;
 5. State a date by which the correction is required; and
 6. State the possible consequences of failing to correct the Non-Compliance.

Section XII. Administrative Penalty Provisions

1. **Administrative Penalty.** Pursuant to the authority provided for in Government Code Section 53069.4, the District finds, adopts and determines that all penalties provided for in this Ordinance No. 2022-1, as a result of any person or entity violating various provisions set forth herein shall constitute an Administrative Penalty.
2. **Notice and Due Process.** Upon the declaration of a Water Supply Shortage or Emergency and publication of the notice required herein, proper notice shall be deemed to have been given to each and every person and/or entity supplied water within the District, and the applicable water shortage.
3. **Collection of Penalties.** Any penalty imposed pursuant to this Ordinance may be collected on a customer's water bill. Any penalty shall be applicable to water used in violation of this Ordinance during the first complete billing cycle after the declaration of the applicable water shortage level.
4. **Notice of Violation.** The receipt of a water bill with any applicable penalties shall serve as notice of violation of this Ordinance.
5. **Appeal Procedures.** Any customer who wishes to appeal the imposition of an Administrative Penalty imposed by the District shall comply with the following procedures:
6. **Appeal Request.** An Appeal Request form shall be submitted to the District's Customer Service Department.

- (a) Appeal Request forms may be obtained at the District's Main Office or downloaded from the District's website at www.etwd.com.
- (b) An Appeal Request form shall be received by the District no later than thirty (30) calendar days from the date that the Appellant's water bill for the four-week period in which the penalty or penalties were imposed is due.
- (c) Additional Documentation. Additional documentation may be requested at the discretion of the District. Such documentation may include, but is not limited to, school records, driver's licenses, business licenses, lease agreements.
- (d) Site Survey. After an Appeal Request form has been received, a site survey may be required by District staff to verify the irrigated square footage of the property where the water was delivered. The site survey will be at no charge to the person and will require the person who submitted the Appeal Request form to be present.
- (e) District Response. A response to an Appeal Request shall be provided by the District within thirty calendar days from receipt of the Appeal Request form.
- (f) Review of Denial of Appeal Request. If an Appeal Request is denied, the Appeal Request form may be resubmitted by the customer for review by the District's General Manager. The Decision by the District's General Manager shall be final.

7. Use of Penalty Funds Collected. The Board of Directors hereby declares its intent to use penalty funds collected to pay any penalties/charges that may be imposed by the State and/or wholesale water provider of the District for exceeding its baseline water budget allocation and in furtherance of conservation efforts and/or acquisition of supplemental water supplies.

Section XIII. Severability: If any section, subsection, sentence, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of the Ordinance will not be affected. The District Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases thereof is declared invalid.

Section XIV. Effective Date of Ordinance: This Ordinance shall be effective immediately upon adoption.

ADOPTED, SIGNED, AND APPROVED by the following vote this 24th day of March, 2022.

EL TORO WATER DISTRICT

Kathryn Freshley, President
El Toro Water District and the
Board of Directors thereof

ATTEST:

Dennis Cafferty, General Manager/Secretary
El Toro Water District and the
Board of Directors thereof

EL TORO WATER DISTRICT

~~WATER CONSERVATION & WATER SUPPLY SHORTAGE~~ CONTINGENCY RESPONSE ORDINANCE 2015-3 2022 – 1

(effective March 24, 2022)

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ORDINANCE NO. ~~2015-3~~ 2022-1

AN ORDINANCE OF THE BOARD OF DIRECTORS OF EL TORO WATER DISTRICT ESTABLISHING A WATER CONSERVATION & WATER SUPPLY SHORTAGE PROGRAM FOR USERS OF POTABLE WATER PROVIDED BY THE DISTRICT

Section I. Title

El Toro Water District Water ~~Conservation & Water Supply Shortage~~ Contingency Response Ordinance ("Ordinance No. ~~2015-3~~ 2022-1")

Section II. Findings, Determinations and Authority

1. Resolution No. 22-2-1-2 - The recitals, finding and determinations set forth in Resolution No. 22-2-~~1-2~~ are fully incorporated herein as though set forth in full.
2. **A reliable minimum supply of potable water is essential** to the public health, safety and welfare of the people and economy of Southern California.
3. **Southern California is a semi-arid region, largely dependent on imported water** supplies from Northern California and the Colorado River along with a limited amount of local water supplies. Population growth, drought, climate change, environmental concerns, government policy changes, restrictions on pumping and other factors in our region, in other parts of the State and in the western U.S. make Southern California highly-susceptible to water supply reliability issues. Southern California experienced significant dry year conditions in ~~2012~~2013-2017, which lead local water agencies, including El Toro Water District (District) to declare water shortage conditions that triggered demand reduction actions.
4. **Careful water management requires active permanent water conservation requirementsmeasures** not only in times of drought but at all times. It is essential to ensure a reliable minimum supply of water to meet current and future water supply needs.
5. **California Constitution Article X, Section 2 and California Water Code Section 100** provide that because of conditions prevailing in the state of California, it is the declared policy of the State that the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable and that the waste and or unreasonable use or unreasonable methods of water use be prevented, and that the conservation of such water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.
6. **California Water Code Section 10632** had significant updates related to water shortage contingency planning following the modification of the Urban Water Management Planning Act in 2018 that mandate new elements to Urban Water Management Plans and Water Shortage Contingency Plans. These elements include an annual drought risk assessment, State Water Shortage Levels, and statewide water use prohibitions.

7. **The Municipal Water District of Orange County (MWDOC) has adopted a 2020 Urban Water Management Plan and Water Shortage Contingency Plan documents that include water conservation** and additional demand ~~mitigation-reduction~~ actions in times of shortage as a necessary and effective component of MWDOC's programs to provide a reliable supply of water to meet the needs of MWDOC's 28 member agencies, including the District, with which this Ordinance is consistent.
8. **The imported water supplies in the District and MWDOC are subject to the Water Shortage Allocations** determined by the Metropolitan Water District of Southern California, and subsequently MWDOC will be required to curtail deliveries of imported water based on the Metropolitan Water District of Southern California's Water Shortage Allocation Plan, which will be triggered in a state of shortage.
9. **As of July 2021, both MWDOC and the District are required to prepare an Annual Water Supply and Demand Assessment and Drought Risk Assessment** as part of their Urban Water Management Plan for submission to the California Department of Water Resources (~~DWR~~). Annually, by July 1st of each year, beginning the year following the adoption of the 2020 Urban Water Management Plan, MWDOC and the District are required to monitor, report, and if declared a drought emergency according to their adopted Water Shortage Contingency Plans, then notify the Department of Water Resources, in order to comply with the California Water Code 10632.1 reporting requirements.
10. **California Water Code Sections 350, et. seq.**, sets forth the determination and notification procedures for water suppliers seeking to declare a water shortage or a water emergency.
11. **California Water Code Section 353** specifies that a governing body must adopt regulations or restrictions on the delivery and consumption of water within its service area when it declares the existence of an emergency condition.
12. **California Water Code Section 356** allows for the adoption of regulations and restrictions that include discontinuance of service as an enforcement option where a water shortage emergency condition has been declared.
13. **California Water Code Section 370, et. seq.**, authorizes water suppliers to adopt water allocation programs for water users and allocation-based ~~conservation~~ water conservation pricing.
14. **California Water Code Section 375** authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.
15. **California Water Code Section 375 et seq.**, authorizes public water suppliers to establish by Ordinance, the maximum levels of water to be used by customers under emergency supply conditions (which give rise to the utilization of the Drought Factor), and declaring that the customer's excess usage, to be a violation of this Ordinance.
16. **California Water Code Sections 13550 and 13551** declare a statewide policy that the use of potable domestic water for irrigation purposes when reclaimed (recycled) water is available constitutes a waste or unreasonable use of water within the meaning of the State Constitution.

17. ~~El Toro Water~~ **The District's Rules and Regulations** requires that future developments utilize reclaimed (recycled) water wherever economically and technically feasible within the boundaries of the District in order to conserve potable water for the purposes of human consumption and fire protection.
18. **The adoption and enforcement of a Water Conservation & Water Supply Shortage Contingency Response Ordinance is necessary to manage the District's potable water supply** short- and long-term and to minimize and/or avoid the effects of drought and water shortage within the District. Such a program is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare.
19. **California Government Code Section 53069.4** authorizes a local public agency to make a violation of an Ordinance, subject to an "administrative fine or penalty". "Penalty", as used throughout this Ordinance is an "Administrative Penalty", authorized pursuant to this section.

Section III. Declaration of Purpose and Intent

1. To minimize or avoid the effect and hardship of potential shortages of **potable water** to the greatest extent possible, this Ordinance establishes means to implement the District's Water Shortage Contingency Plan ~~a Water Conservation & Water Supply Shortage Program~~ designed to:
 - a. Reduce water consumption (demand) in the long-term through permanent conservation measures and short-term through demand mitigation-reduction actions in times of drought.
 - b. Enable effective potable water supply planning.
 - c. Assure reasonable and beneficial use of potable water.
 - d. Prevent waste of potable water and maximize efficient use in the District.
2. This Ordinance, in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure (which is subject to the provisions of Proposition 218 and is incorporated into the Cost of Service Rate Study), establishes:
 - a. **Permanent** ~~Mandatory~~ **Water Conservation** ~~Requirements~~ **Measures** are designed to alter behaviors related to potable water-use efficiency during non-shortage conditions
 - b. **Three Six** levels of potential response to escalating water supply shortages which the El Toro Water District Board (Board) may implement during times of declared water shortage or water emergency. The ~~three~~ six levels of response consist of ~~expanded~~ increasing water use restrictions, and ~~demand~~ mitigation-reduction actions, and the possible imposition of water supply shortage allocations through the use of a "drought factor" in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure, ~~which~~ This is a component of the water budget calculation that is an integral part of the District's Water Budget Based Tiered Conservation Rate Structure, which modifies (reduces) the indoor and/or outdoor budget to further encourage conservation in times of water supply shortage emergencies and Administrative Penalties imposed on designated customer categories who exceed their revised water budget.

Section IV. Definitions

1. General

- a. **"The District"** means El Toro Water District.
- b. **"The Board"** means the El Toro Water District Board of Directors.
- c. **"Person"** means any person or persons, corporation, public or private entity, governmental agency or institution, or any other user of water provided by the District.
- d. **"Potable Water"** means water that is suitable for drinking.
- e. **"Recycled Water"** means the reclamation and reuse of non-potable water and/or wastewater for beneficial use, such as irrigation. Also known as "Reclaimed Water."
- f. **"Water Waste"** refers to uses of water that are limited or prohibited under the Ordinance because they exceed necessary or intended use and could reasonably be prevented, such as runoff from outdoor watering.
- g. **"Billing Unit"** is equal to 100 cubic feet (1 CCF) of water, which is 748 gallons. Water use is measured in units of 100-cubic-feet and multiplied by applicable water usage rates for billing. Also known as a "Unit of Water."
- h. **"Undue Hardship"** is a unique circumstance in which a requirement of the Ordinance would result in a disproportionate impact on a water user or property upon which water is used compared to the impact on water users generally or similar properties or classes of water use.
- i. **"Safety and Sanitary Hazard"** is one which presents an immediate and imminent threat to human health (injury).
- j. **"Water Budget Based Tiered Conservation Rate Structure"** ("Tiered Conservation Rate Structure") is a rate structure which provides "water budgets" to each customer based on efficient indoor and outdoor need. Water used in excess of the combined indoor and outdoor budget is billed at a progressively higher rate which is designed to recover the increased cost associated with providing such water and provides a clear indicator regarding inefficient use of potable water. The increased rates and potential Administrative Penalties for utilization of water in excess of budgeted amounts provide financial incentive to stay within assigned budgets and to comply with Permanent Mandatory Water Conservation Measures.
- k. **"Water Supply Shortage Emergency"** means a condition existing within the State, Region and/or the District in which the ordinary water demands and requirements of persons within the District cannot be satisfied without depleting the water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection. A water shortage emergency includes both an immediate emergency, in which the District is unable to meet current water needs of persons within the District, as well as a threatened water shortage, in which the District determines that its future supply of water may not meet an anticipated future demand.

l. **"Administrative Penalty"** means a financial penalty as authorized by Government Code Section 53069.4 as a result of any person or entity violating the provisions of this Ordinance.

m. **"MWD OC"** means the Municipal Water District of Orange County.

n. **"DWR"** means the California Department of Water Resources.

o. **"UWMP"** means Urban Water Management Plan as required by DWR to satisfy the UWMP Act and subsequent California Water Code Sections 10610 through 10656.

p. **"WSCP"** means Water Shortage Contingency Plan as required by California Water Code Section 10632.

q. **"Demand Reduction Actions"** refers to education, incentive or regulatory actions taken by the District to reduce water demand in its service area during times of shortage. Demand reduction actions are pre-planned to prepare for a water shortage were presented in Table 8-2 of the District's WSCP.

r. **"Annual Water Supply and Demand Assessment"** refers to a determination of the near-term outlook for supplies and demands and how a perceived shortage may relate to the Shortage Level response actions as defined in the WSCP in the current calendar year.

s. **"Drought Factor"** refers to a variable used in the calculation of both the indoor and outdoor District potable water budget allocations. Normally set at 100%, during emergencies/water supply shortage conditions, the District may use the Drought Factor to reduce water budgets and further encourage conservation.

2. Irrigation

a. **"Irrigation Controller"** is the part of an automated irrigation system that instructs the valves to open and close to start or stop the flow of water.

1. **"Sensor-based irrigation controller"** operates based on input from a combination of sensors (rain, solar, soil moisture) installed in or around the landscaped area.

2. **"Weather-based irrigation controller"** operates automatically based on evapotranspiration rates and historic or real-time weather data.

b. **"Irrigation System"** refers to a manual or automated watering system consisting of pipes, hoses, spray heads and/or sprinkler devices or valves. Also known as a "Landscape Irrigation System."

c. **"Positive Self-Closing Shut-Off Hose Nozzle"** refers to a water-efficient hose nozzle for residential or commercial hoses that users must press or release to start or stop the flow of water. Also known as an "Automatic Shut-Off Nozzle."

d. **"Valves"** refer to the part of an irrigation system that opens and closes manually or electronically to start or stop the flow of water.

3. Other

- a. **"Pre-Rinse Kitchen Spray Valves"** refer to highly water-efficient sprayers that commercial kitchens use to rinse dishes in the sink before washing and for other preliminary cleaning purposes.
- b. **"Single-Pass Cooling System"** refers to an air conditioning, refrigeration or other cooling system that removes heat by transferring it to a supply of clean water and dumping the water down the drain - after a single use. This type of cooling system is prohibited given it is extremely water-inefficient compared to systems that recirculate the water.

Section V. Application of Ordinance

1. **The provisions of this Ordinance apply to any person or entity using potable water provided by the District.** This includes individuals, persons, corporations, public or private entities, governmental agencies or institutions, or any other users of District water.
2. **In addition, the provisions of this Ordinance do not apply to the following:**
 - a. **Water use which is immediately necessary to protect public health and safety** or for essential government services, such as police, fire and similar services.
 - b. **Recycled water use for irrigation.** Use of recycled water requires a permit that has specific use restrictions, many of which focus on water efficiency. Given such permits and the interest in promoting the use of recycled water as a means to preserve potable, recycled water is exempt from all requirements of this Ordinance.
 - c. **Water used by nurseries and growers** to sustain plants, trees, shrubs, crops, compost or other landscape vegetation material intended for distribution or commercial sale.
3. **This Ordinance is intended solely to further the beneficial use and conservation of potable water.** It is not intended to implement any provision of federal, state or local statutes, ordinances or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on storm water ordinances or management plans.

Section VI: Permanent ~~Mandatory~~ Water Conservation Measures ~~Requirements~~ (Refer to ~~Appendix A Summary Table~~)

The District has adopted a Water Shortage Contingency Plan (WSCP) which details demand mitigation-reduction actions that the District may take to restrict or shall prohibit its customers' consumption of water, including baseline conservation measures to be taken in times of normal water supply. The following Permanent ~~Mandatory~~ Water Conservation ~~Measures Requirements~~ for potable water, in support of demand mitigation-reduction actions as called for in the Water Code and WSCP, are permanent and in effect at all times. Violations of this Section constitute waste and an unreasonable use of water.

1. **General Restrictions — Residential, Irrigation, Commercial and Public Customers**
 - a. **Limits on Outside Watering Hours**

1. Watering or irrigating is prohibited any day of the week between 109:00 a.m. and 56:00 p.m.
2. The week includes weekdays and weekends, seven (7) days.
3. This applies to lawns, landscaping and all other vegetated areas.
4. The following are **exempt** from this restriction:
 - a. Watering with a hand-held bucket or similar container.
 - b. Watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Adjusting or repairing an irrigation system for very short periods of time.
 - d. Watering with a drip irrigation system.
 - e. Watering to establish new landscaping within 30 days of completion of installation.

~~b. Limits on Outside Watering Duration~~

1. ~~Watering or irrigating with a device or system that is not continuously attended is limited to no more than fifteen (15) minutes per day per valve.~~
2. ~~This applies to lawns, landscaping and all other vegetated areas.~~
3. ~~The following irrigation systems are exempt:~~
 - a. ~~Very low flow drip type systems where no emitter discharges more than two (2) gallons of water per hour.~~
 - b. ~~Systems equipped with sensor or weather based controllers.~~

eb. No Excessive Water Flow or Runoff: It is prohibited to water lawns, landscaping and vegetated areas in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch, parking lots, structures, non-irrigated areas, or off the property.

c. No Irrigation of Turf on Public Medians: Watering or irrigating of any lawn or turf on street medians with potable water is prohibited.

d. No Irrigation During or After Rainfall ~~Outside Watering when it is Raining:~~ Watering or irrigating any outdoor landscapes with potable water during and within forty eight (48) hours following at least one quarter inch (1/4") of rainfall within a twenty four (24) hour period is prohibited. During rain events and following 48 hours of significant precipitation, outside watering must be manually terminated or

~~automatically terminated using sensor-based or weather-based irrigation controllers or rain shut-off device.~~

e. Obligation to Fix Leaks, Breaks or Malfunctions in lines, fixtures or facilities

1. Excessive use, loss or escape of water through breaks, leaks or malfunctions in the water user's plumbing or distribution system:
 - a. Is prohibited for any period of time after such water waste should have reasonably been discovered and corrected.
 - b. Must be corrected in **no more than five (5) days of District notification.**

f. No Hosing or Washing Down Hard or Paved Surfaces

1. ~~It is prohibited to hose or W~~washing or hosing down hard or paved surfaces with potable water, including but not limited to such as sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys is prohibited.
2. When it is necessary to hose or wash down hard or paved surfaces to alleviate safety or sanitary hazards, the following may be used:
 - a. Hand-held bucket or similar container.
 - b. Hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Low-volume high-pressure cleaning machine equipped to recycle used water.

g. No Hosing or Washing Down Vehicles

1. ~~It is prohibited to U~~using potable water to hose or wash down a motorized or non- motorized vehicle, including but not limited to automobiles, trucks, vans, buses, motorcycles, boats or trailers is prohibited.
2. The following are exempt from this restriction:
 - a. Use of a hand-held bucket or similar container.
 - b. Use of a hand-held hose equipped with a positive self-closing shut off hose nozzle.
 - c. Commercial car washing at facilities using recycled or recirculating water facility

h. Re-Circulating Water Required for Decorative Water Fountains and Decorative Water Features ~~All decorative water fountains and water features must re-circulate water—or users must secure a waiver from the District. Operating a decorative water fountain or other decorative water feature that does not use re-circulated water is prohibited.~~

- i. Swimming Pools and Spa Covers: Property owners who have a swimming pool or spa are encouraged to cover the facilities to minimize water loss due to evaporation.

2. Commercial Food-Serving & Lodging Requirements

- a. **Drinking Water Served Only Upon Request.** Eating or drinking establishments, including but not limited to restaurants, hotels, cafes, bars or other public places where food or drinks are sold, or served or offered for sale, are prohibited from providing drinking water to any person unless requested.
- b. **Commercial Lodging Establishments Must Provide Option Not To Have Towels/Linens Daily Laundered.** Hotels, motels and other commercial lodging establishments must provide guests the option of not having their used towels and linens laundered. Lodging establishments must prominently display notice of this option in each room and/or bathroom, using clear and easily understood language.

3. Commercial Kitchen Requirements

- a. **Water-Efficient Pre-Rinse Kitchen Spray Valves.** Food preparation establishments, such as restaurants, cafes and hotels, are prohibited from using non-water efficient pre-rinse commercial dishwashing kitchen spray valves, ~~as follows:~~
- ~~1. New kitchen spray valves must use 1.6 gallons or less per minute.~~
 - ~~2. Existing kitchen spray valves must be retrofitted to models using 1.6 gallons of water or less per minute.~~

4. Commercial Water Recirculation Requirements

- a. **Car Wash ~~and Laundry~~ System Requirements:** All **new** commercial car-wash ~~and laundry facilities and~~ systems must install re-circulating water systems ~~se the wash water — or secure a waiver of this requirement from the District.~~
- b. **No Single-Pass Cooling Systems:** Buildings requesting **new** water service or being **remodeled** are prohibited from installing single-pass systems.

5. Recycled Water Construction Site Requirements

- a. Recycled or non-potable water must be used, when available.
- b. No potable water may be used for soil compaction or dust control where there is a reasonably-available source of recycled or non-potable water approved by the Department of Public Health and appropriate for such use.
- c. Water hoses shall be equipped with automatic shut-off nozzles, given such devices are available for the size and type of hoses in use.

6. Automated Irrigation Control System Requirements for Commercial, Multi-Family and Community Development/Redevelopment Projects

New Commercial, Multi-Family and Community development and/or redevelopment projects that include landscaped open space, park and recreation areas will be required to install a sensor-based or weather-based irrigation controller.

~~57. Indiscriminate Water Use~~**Water Waste and Unreasonable Water Use Prohibited.**
~~Upon notice by the District, persons shall cease to cause or permit the indiscriminate use of water not otherwise prohibited above which is wasteful and without reasonable purpose.~~
The waste or unreasonable use or unreasonable method of use of water by any person shall be prohibited at all times.

~~68. Public Health and Safety.~~ These regulations shall not be construed to limit water use which is immediately necessary to protect public health and safety for essential government services, such as police, fire and similar services.

Section VII: Standard Water Shortage Levels ~~Level 1 Water Supply Shortage~~

~~Emergency Declaration Up to 20% shortage in imported water supplied to the District and/or up to 20% reduction needed in consumer demand~~

The District's Water Shortage Levels are aligned with the six standard State Water Shortage Levels and as defined in MWD's and the District's Water Shortage Contingency Plans to comply with California Water Code Section 10632 (a)(3). The shortage levels represent shortages from normal reliability as determined in the Annual Water Supply and Demand Assessment, corresponding to progressive ranges of up to 10, 20, 30, 40, 50, and greater than 50 percent shortages. California Department of Resources-DWR (DWR) Table 8-1 from the District's Water Shortage Contingency Plan defines the conditions that trigger each ~~S~~shortage ~~L~~level and the shortage response actions the District can take. WSCP has more specific demand reduction actions defined by Shortage Level.

DWR Submittal Table 8-1
Water Shortage Contingency Plan Levels

<u>Shortage Level</u>	<u>Percent Shortage Range</u>	<u>Shortage Response Actions</u>
<u>0</u>	<u>0% (Normal)</u>	A Level 0 Water Supply Shortage – Condition exists when the District notifies its water users that no current supply reductions are anticipated in this year . The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water waste prohibitions conservation requirements measures are in place as stipulated in the District's Water Shortage Contingency Response Ordinance.
<u>1</u>	<u>Up to 10%</u>	A Level 1 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which , at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in this ordinance. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
<u>2</u>	<u>11% to 20%</u>	A Level 2 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which , at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in this Ordinance.
<u>3</u>	<u>21% to 30%</u>	A Level 3 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

DWR Submittal Table 8-1
Water Shortage Contingency Plan Levels

<u>Shortage Level</u>	<u>Percent Shortage Range</u>	<u>Shortage Response Actions</u>
<u>4</u>	<u>31% to 40%</u>	<u>A Level 4 Water Supply Shortage - Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.</u>
<u>5</u>	<u>41% to 50%</u>	<u>A Level 5 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.</u>
<u>6</u>	<u>>50%</u>	<u>A Level 6 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.</u>

NOTES:

[The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.](#)

The District's Water Shortage Contingency Plan defines the shortage response actions that align with each Level of Water Supply Shortage, along with an estimate of the extent to which the gap between supplies and demand will be reduced.

- a. Locally appropriate supply augmentation actions.
- b. Locally appropriate demand reduction actions to respond to shortages.

- c. Locally appropriate operational changes.
- d. Additional mandatory prohibitions against specific water use practices, in addition to state-mandated prohibitions, as deemed necessary by the District.

Each elevated shortage level will include the elements of the previous shortage level(s) and permanent mandatory water conservation measures as defined in this Ordinance and the District's Water Shortage Contingency Plan. When conditions dictate necessary, an allocation of water supply under a water supply emergency condition that requires actions beyond those defined in the District's Water Shortage Contingency Plan may be required to be implemented.

~~1. Level 1 Water Supply Shortage Emergency Declaration~~

- a. ~~A Level 1 Water Supply Shortage Emergency shall be initiated only after the District Board of Directors holds a Public Hearing during which, at its sole discretion, determines and declares that **a reduction in consumer demand is necessary** due to drought or water supply cutbacks in order to make more efficient use of water and appropriately respond to existing water conditions and thereby proclaims and declares a Level 1 Water Supply Shortage Emergency.~~
- b. ~~The type of event that may prompt the Board to declare a Level 1 Water Supply Shortage Emergency could include, among other factors, a finding that:~~
 - i. ~~its **wholesale water supplier has allocated to the District at least 80% of the District's base water supply.** "Base water supply" refers to the District's average annual water purchases from the wholesaler over a given period, as defined by the wholesaler. At this water allocation level, the District could experience a **shortage in imported supplies of up to 20%.**~~
 - ii. ~~State-mandated reductions in water use,~~
 - iii. ~~Other water supply conditions,~~

~~2. During a Level 1 Water Supply Shortage Emergency, Permanent Mandatory Water Conservation Measures identified in Section VI of this Ordinance remain in effect.~~

~~3. Level 1 Mandatory Water Conservation Measures take effect upon the Board declaring a Level 1 Water Supply Shortage Emergency and apply for the duration of the shortage:~~

~~a. Limits on Outside Watering Days~~

- 1. ~~No more than **three (3) days per week from April — October** and no more than **one (1) day per week from November — March.** This applies to lawns, landscaping and all other vegetated watering schedules. **Assigned watering days have been established to coincide with Municipal City Boundaries. Refer to Appendix B for assigned watering days.**~~

~~2. The following are exempt from these restrictions:~~

- ~~a. ... Watering with a hand-held bucket or similar container~~
- ~~b. Watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle~~
- ~~c. Irrigation systems that exclusively use very low flow drip type systems where emitters discharge no more than two (2) gallons of water per hour.~~

~~4. Administrative Penalty:~~

- ~~1. During a Level 1 Water Supply Shortage Emergency, any water customer subject to water budgets who willfully use water in excess of their combined Tier I and Tier II water budgets shall be in violation of this Ordinance and, upon Board authorization and approval, will be subject to an Administrative Penalty in the range of \$2.00 to \$10.00 as determined by the Board by minute order (motion) or Resolution at an open and public meeting for each ccf of water used in excess of their combined Tier I and Tier II budget.~~
- ~~2. Such penalty shall be in addition to the water use charge imposed by the District for Tier III and Tier IV water usage.~~

~~5. Other Prohibited Uses:~~ The District may implement other prohibited water uses as deemed necessary, after notice to customers.

~~**Section VIII: Level 2 Water Supply Shortage Emergency Declaration** Up to 40% shortage in imported water supplied to the District and/or up to 40% reduction needed in consumer demand~~

~~**1. Level 2 Water Supply Shortage Emergency Declaration**~~

- ~~a. A Level 2 Water Supply Shortage Emergency shall be initiated only after the District Board of Directors holds a Public Hearing during which, at its sole discretion, determines and declares that **an additional reduction in consumer demand is necessary** due to drought or water supply outbacks in order to make more efficient use of water and appropriately respond to water conditions and thereby proclaim and declares a Level 2 Water Supply Shortage Emergency.~~
- ~~b. The type of event that **may** prompt the Board to declare a Level 2 Water Supply Shortage could include, among other factors, a finding that:~~
 - ~~i. its **wholesale water supplier has allocated to the District at least 60% of the District's base water supply.** "Base water supply" refers to the District's average annual water purchases from the wholesaler over a given period, as defined by the wholesaler. At this water allocation level, the District could experience a **shortage in imported supplies of up to 40%.**~~

ii. ~~State mandated reductions in water use,~~

iii. ~~Other water supply conditions,~~

~~2. The following **Mandatory Water Conservation Measures remain in effect** during~~
~~-a~~

~~Level 2 Water Supply Shortage Emergency:~~

~~a. **Permanent Water Conservation Measures** identified in Section VI~~

~~b. **Level 1 Water Conservation Measures** identified in Section VII~~

~~3. The following **Water Conservation Measures take effect** upon declaration of a Level 2 Water Supply Shortage Emergency and apply for the duration of a Level 2 Water Supply Shortage Emergency:~~

~~a. **Additional Limits on Outside Watering Days**~~

~~1. Watering lawns, landscaping and other vegetated areas is limited to **no more than two (2) days per week from April — October**. This is one (1) day less than required during a Level 1 Water Shortage. The number of watering days permitted from November — March remains the same at no more than one (1) day per week.~~

~~2. The District will establish and post the new watering schedule. **Assigned watering days have been established to coincide with Municipal City Boundaries. Refer to Appendix B for assigned watering days.**~~

~~3. The following are **exempt** from these restrictions:~~

~~a. Watering with a hand-held bucket or similar container~~

~~a. Watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle~~

~~b. Irrigation systems that exclusively use very low-flow drip type systems where emitters discharge no more than two (2) gallons of water per hour.~~

~~b. **Shorter Timeframe to Fix Leaks, Breaks or Malfunctions** in water users' pipelines, fixtures or facilities.~~

~~1. Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system must be **fixed in no more than three (3) days following notification from the District** — unless other arrangements are made with the District.~~

~~2. This shorter timeframe is two (2) days less than required under Permanent Water Conservation Measures, Section VI.~~

~~c. No Filling or Refilling Ornamental Lakes and Ponds~~

- ~~1. Filling or refilling ornamental lakes and ponds is prohibited.~~
- ~~2. Exempt are ornamental lakes and ponds that sustain aquatic life provided such life is of significant value and was actively managed in the water feature prior to declaring the shortage.~~

~~d. No Filling or Refilling Residential Pools or Spas~~

- ~~1. Filling residential swimming pools or outdoor spas is prohibited; refilling more than one (1) foot of water is prohibited.~~
- ~~2. Exempt are (1) individuals who, due to health reasons or medical conditions, find it necessary to fill or refill their pools or spas; or (2) Individuals who have not filled their pool in the last 24 months and who adhere to Best Practices for the construction and operation of pools and spas as defined in Appendix C.~~

~~e. No Hosing or Washing Down Vehicles:~~ ~~It is prohibited to use water to hose or wash down a motorized or non-motorized vehicle, including but not limited to automobiles, trucks, vans, buses, motorcycles, boats or trailers. The only exemption from this restriction is washing vehicles at a commercial car washing facility that recycles its wash water.~~

~~4. Administrative Penalty —~~

~~1. During a Level 2 Water Supply Shortage Emergency, any water customer subject to water budgets pursuant to the District's Tiered Conservation Rate Structure who willfully use water in excess of their combined Tier I and Tier II water budgets shall be in violation of this Ordinance and, upon Board authorization and approval will be subject to an Administrative Penalty in the range of \$2.00 to \$10.00 as determined by the Board by minute order (motion) or Resolution at an open and public meeting, for each ccf of water used in excess of their combined Tier I and Tier II budget.~~

~~2. Such penalty shall be in addition to the water use charge imposed by the District for Tier III and Tier IV water usage.~~

~~5. Other Prohibited Uses:~~ ~~The District may implement other prohibited water uses as deemed necessary, after notice to customers.~~

~~Section IX. — Level 3 Water Supply Shortage Emergency Declaration~~ ~~More than 40% shortage in imported water supplied to the District and/or more than 40% reduction needed in consumer demand~~

~~1. Level 3 Water Supply Shortage Emergency Declaration~~

~~a. A Level 3 Water Supply Shortage Emergency shall be initiated only after the District Board of Directors holds a Public Hearing during which, at its sole discretion, determines and declares that **a further additional reduction in consumer demand is necessary** due to drought or water supply cutbacks in order to make more efficient use of water and appropriately respond to existing~~

~~water conditions and thereby proclaims and declares a Level 3 Water Supply Shortage Emergency.~~

~~b. The type of event that may prompt the Board to declare a Level 3 Water Supply Shortage Emergency could include, among other factors, a finding that:~~

~~i. its wholesale water supplier has allocated to the District less than~~

~~60% of the District's base water supply. "Base water supply" refers to the District's average annual wholesale water purchases over a given period, as defined by the wholesaler. At this reduced water allocation level, the District could experience a shortage in imported supplies of more than 40%.~~

~~ii. State mandated reductions in water use;~~

~~iii. Other water supply conditions;~~

~~2. The following **Mandatory Water Conservation Measures** remain in effect:~~

~~a. **Permanent Water Conservation Measures** identified in Section VI~~

~~b. **Level 1 Water Conservation Measures** identified in Section VII~~

~~c. **Level 2 Water Conservation Measures** identified in Section VIII~~

~~3. The following **Mandatory Water Conservation Measures** take effect upon declaring a Level 3 Water Emergency and apply for the duration of the Emergency:~~

~~a. **All Outside Watering Prohibited**~~

~~1. **Watering is prohibited on any day at any time** for lawns, landscaping and all vegetated areas.~~

~~2. Exempt from this restriction are the following — unless the District determines that recycled water is available and lawful for use:~~

~~a. Public works projects and actively irrigated environmental mitigation projects will be allowed to operate under the Outside Watering Restrictions identified in Level II — Section VIII.~~

~~b. Maintenance of vegetation, trees and shrubs using (subject to hour restrictions in Section VI.1.a.1):~~

~~1. A hand-held bucket or similar container~~

~~2. A hand-held hose equipped with a positive self-closing shut off hose nozzle~~

~~3. Irrigation systems that exclusively use very low flow drip type systems where emitters discharge no more than two (2) gallons of water per hour~~

~~c. Maintenance of (subject to hour restrictions, Section VI.1.a.1):~~

- ~~1. Existing landscaping necessary for fire protection and/or soil erosion control. To the extent necessary, the District will utilize appropriate outside agencies to confirm exemption eligibility.~~
- ~~2. Plant materials identified as rare or essential to the well being of endangered/rare species~~

~~b. **Shorter Timeframe to Fix Leaks, Breaks or Malfunctions** in pipelines, fixtures or facilities.~~

- ~~1. Excessive use, loss or escape of water through breaks, leaks or malfunctions in the water user's plumbing or distribution system must be fixed in **no more than two** (2) days following District notification — unless other arrangements are made with the District. The timeframe is one (1) day less than for Level 2.~~

~~c. **No Filling or Refilling Residential Pools or Spas**~~

- ~~3. Filling residential swimming pools or outdoor spas is prohibited; refilling more than one (1) foot of water is prohibited.~~
- ~~4. Exempt are individuals who, due to health reasons or medical conditions, find it necessary to fill or refill their pools or spas.~~

~~d. **No New Potable Water Service**~~

~~1. During a Level 3 Water Supply Shortage Emergency, the **District will not provide:**~~

- ~~a. New potable water service~~
- ~~b. New water meters (temporary or permanent)~~
- ~~c. Will serve letters~~

~~2. The District will only issue will serve letters in the following cases:~~

- ~~a. Projects necessary to protect public health, safety & welfare~~
- ~~b. Projects that have a valid, unexpired city building permit~~
- ~~c. Projects in which applicants can provide — to the satisfaction of the District — substantial evidence of an enforceable commitment that water demands will be offset prior to the provision of a new water meter(s)~~

- ~~3. This prohibition **does not preclude** resetting or turning on meters to restore or continue water service interrupted for one year or less.~~

Discontinue Service: ~~Per Water Code Section 356, the District, in its sole discretion, may discontinue service to customers who willfully violate Section IX provisions.~~

4. ~~"Administrative Penalty"~~

- ~~1. During a Level 3 Water Supply Shortage Emergency, any water customer subject to water budgets pursuant to the District's Tiered Conservation Rate Structure who willfully use water in excess of their combined Tier I and Tier II water budgets shall be in violation of this Ordinance and, upon Board authorization and approval will be subject to an Administrative Penalty in the range of \$2.00 to \$10.00 as determined by the Board by minute order (motion) or Resolution at an open and public meeting, for each ccf of water used in excess of their combined Tier I and Tier II budget.~~
- ~~2. Such penalty shall be in addition to the water use charge imposed by the District for Tier III and Tier IV water usage.~~

- ~~5. **Other Prohibited Uses:** The District may implement other prohibited water uses as deemed necessary, following notification of customers~~

Section VIII X. Other Provisions

1. Customer Water Conservation Plans:

- a. **Customers with high annual water usage.** During Level 1 through Level 6 ~~Level 4, Level 2 or Level 3 Water Shortages or Emergencies~~ Emergency, the District Board of Directors, at its sole discretion and by written request, may require residential, irrigation, commercial and/or public customers using **ten thousand (10,000) or more billing units per year** to submit a Water Conservation Plan to the District and to submit quarterly progress reports on such plan. The conservation plan must make recommendations for increased water savings through on-site demand mitigation reduction actions, including increased use of recycled water or other sources of supply based on feasibility. Quarterly progress reports must include status on implementation of recommendations.

2. Recycled Water To Replace Potable Water

- a. **Future Developments.** When available, the El Toro Water District requires the use of recycled water in future developments.
- b. **New Water Service:** Prior to the connection of any new water service, the District will determine whether recycled water is appropriate and available to meet the requirements of the new service request. Recycled water must be utilized to the extent feasible, as determined by the District.
- c. **Transition from Potable Water:** The District may prohibit the use of potable water in certain instances - if the District determines that a specified use for potable water could be achieved with recycled water as a cost-effective alternative and the customer is given a reasonable time to make the conversion, as determined by the District's General Manager.

3. Recycled Water Construction Site Requirements

- ~~4. Recycled or non-potable water must be used, when available.~~
- ~~5. No potable water may be used for soil compaction or dust control where there is a reasonably available source of recycled or non-potable water approved by the Department of Public Health and appropriate for such use.~~
- ~~6. Water hoses shall be equipped with automatic shut-off nozzles, given such devices are available for the size and type of hoses in use.~~
- ~~7. 4. Automated Irrigation Control System Requirements for Commercial, Multi-Family and Community Development/Redevelopment Projects~~
- ~~8. New Commercial, Multi-Family and Community development and/or redevelopment projects that include landscaped open space, park and recreation areas will be required to install a sensor-based or weather-based irrigation controller.~~
- ~~9. 5. A Customer Water Waste Hotline will be established and incorporated into the District's Customer Outreach Plan.~~

Section IX XI. Declaration & Notification of Water ~~Supply~~ Shortages or Emergencies ~~Emergency~~ Declarations

1. **Declaration of a Level 1, ~~2 or 3~~ through Level 6 Water ~~Supply~~ Shortage or Emergency:** The District Board of Directors may declare a Level 1, ~~2 or 3~~ through Level 6 Water Supply Shortage Level or Emergency in accordance with the procedures specified in Water Code Sections 351 and 352 (Public Hearing, Notice and Publication). Thereafter, penalties and violations under Section ~~XI~~ ~~XIII~~ apply.

2. **Notification of Declared Water ~~Supply~~ Shortages Emergency**

The District must publish a copy of the water shortage/emergency resolution in a newspaper used for the publication of official notices within the jurisdiction of the District within fifteen (15) days of the date that a Water Supply Shortage or Emergency is declared.

3. **Authorization of Adjusting the Drought Factor**

During a Level 3, 4, 5 or 6 Water Shortage Emergency, the Board may authorize the adjustment of an indoor and/or outdoor drought factor that will reduce the indoor and/or outdoor water budget. This adjustment may impact the customer where water use is above the water budget allocation, which leads to entering into higher tiers on an accelerated basis. The additional amount paid in higher tiers, as a result of a reduction in indoor and/or outdoor budgets, is deemed an Administrative Penalty, authorized pursuant to California Government Code Section 53069.4. Refer to the WSCP, Appendix E.

4. **Authorization of a Water Shortage Rate Surcharge**

During a Level 3, 4, 5 or 6 Water Shortage Emergency, any water customer subject to water budgets pursuant to the District's Tiered Conservation Rate Structure who willfully use water in excess of their combined Tier 1 and Tier II water budgets shall be in violation of this Ordinance and, upon Board authorization and approval will be subject to a Water Shortage Rate Surcharge in the range of \$2.00 to \$10.00 as determined by the Board by minute order (motion) or Resolution at an open and

public meeting, for each ccf of water used in excess of their combined Tier I and Tier II budget.

Section X XII. Hardship Waiver

- 1. Undue and Disproportionate Hardship:** If, due to unique circumstances, a specific requirement of the Ordinance would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this section.
- 2. Written Finding:** The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship.
 - a. Application for a Waiver:** Application for a waiver must be on a form prescribed by the District.
 - b. Supporting Documentation:** The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.
 - c. Required Findings for Waiver:** Based on the information and supporting documents provided in the application, additional information provided as requested, and water use information for the property as shown by the records of the District, the District **General Manager** in making the waiver determination will take into consideration the following:

1. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;
2. That because of special circumstances applicable to the property or its use, the strict application of this Ordinance would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;
3. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this Ordinance and will not be detrimental to the public interest; and
4. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

d. Approval Authority

1. The District General Manager or his designee(s) must act upon any completed **Application for a Waiver** no later than ten (10) days after receipt by the District.
2. The General **Manager or his designee(s) may approve, conditionally approve, or deny the waiver** and the decision will be final.
3. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise, at the time a waiver is approved, it will apply to the subject property for the duration of the water supply shortage or emergency.

Section XI ~~XIII~~: Non-Compliance

In order to ensure compliance with State reporting requirements and customer compliance, the District will collect, track, and analyze relevant data per the procedures defined in the District's Water Shortage Contingency Plan.

1. ~~Non-Compliance with Permanent Level 0 Permanent Water Mandatory Conservation Requirements Measures and~~

1. ~~8, Level 1 Water Shortage Demand Reduction Actions or 8 Level 2 Mandatory Conservation Measures~~

Non-Compliance: The District will issue a written warning and provide information regarding the necessity to comply with all Permanent Water Conservation Requirements Measures.

2. Non-Compliance with Level 2, Level 3, Level 4, Level 5, and Level 6 3 Mandatory Permanent Water Conservation Requirements Measures and Demand Reduction Actions.

- a. Non-Compliance Charges:** The following will apply to persons or entities failing to comply with any provision of the Ordinance for Level 2, Level 3, Level 4, Level 5, and Level 6 3

mandatory permanent water conservation requirementsmeasures and demand mitigation reduction actions:

1. **First Instance of Non-Compliance:** The District will issue a **written warning** and send it along with an explanation of the violation.
2. **Second Instance of Non-Compliance:** A second instance of noncompliance with the Ordinance within the preceding twelve (12) calendar months is punishable by a non-compliance charge on the water bill not to exceed **two hundred and fifty dollars (\$250)**.
3. **Third Instance of Non-Compliance:** A third instance of non-compliance with the Ordinance within the preceding twelve (12) calendar months is punishable by a non-compliance charge on the water bill not to exceed **five hundred dollars (\$500)**.

b. Water Flow Restrictor and/or Termination of Service

1. **Water Flow Restrictor Device.** In addition to any non-compliance charges, the District may install a water flow restrictor device. If the District determines to install a water flow restrictor, installation of the flow restrictor would follow written notice of intent to the customer and would be in place for a minimum of forty-eight (48) hours.
2. **Termination of Service:** In addition to any non-compliance charges and the installation of a water flow restrictor, the District may disconnect and/or terminate a customer's water service, pursuant to Water Code Section 356.

3. Costs for Water Flow Restrictors and Service Disconnection

- a. A person or entity in non-compliance with this Ordinance is 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.
- b. The charge for installing and/or removing any flow restricting device must be paid to the District before the device is removed.
- c. Nonpayment will be subject to the same remedies as nonpayment of basic water rate.

c. Misdemeanor: Pursuant to Water Code Section 377, any instance of noncompliance with the Ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding one thousand dollars (\$1,000) or by both.

3. Separate Offenses: Each day that a person or entity is non-compliant with the Ordinance is a separate offense.

4. Notice of Non-Compliance/ Appeal and Hearing Process

- a. The District will issue a **Notice of Non-Compliance** by mail or personal delivery ~~at least ten (10) days~~ before taking enforcement action as defined in the WSCP. The notice will describe the violation and, if applicable, the date by which corrective action must be taken.
- b. **A customer may appeal the Notice of Non-Compliance** by filing a written Notice of Appeal with the District no later than the close of business on the 10th day following receipt of the enforcement action. A customer appeal shall state the grounds for the appeal.
 1. **Any Notice of Non-Compliance not timely appealed will be final.**
 2. Upon receipt of a timely appeal, **the District will schedule a hearing on the appeal** and mail written notice of the hearing date to the customer at least ten (10) days before the hearing.
 3. The District General Manager or his designee(s) will hear the appeal and issue a written **Notification of Decision** within ten (10) days of the hearing.
- c. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the District **may take appropriate steps to prevent the unauthorized use of water** given the nature and extent of the violations and the current declared water shortage level condition, including restricting the level of water use until the appeal is heard.
- d. Except for violations of this Ordinance subject to excessive water use penalties, if any person fails or refuses to comply with this Ordinance, the District shall provide that person with written notice of the Non-Compliance and opportunity to correct the noncompliance. The written notice shall:
 1. Be posted or presented at the site of the Non-Compliance;
 2. State the time, date, and place of the Non-Compliance;
 3. State a general description of the Non-Compliance;
 4. State the means to correct the Non-Compliance;
 5. State a date by which the correction is required; and
 6. State the possible consequences of failing to correct the Non-Compliance.

Section XII XIV: Administrative Penalty Provisions

1. **Administrative Penalty.** Pursuant to the authority provided for in Government Code Section 53069.4, the District finds, adopts and determines that all penalties provided for in this Ordinance No. ~~2021-2022-1~~ 2045-3, as a result of any person or entity violating various provisions set forth herein shall constitute an Administrative Penalty.
2. **Notice and Due Process.** Upon the declaration of a Water Supply Shortage or Emergency and publication of the notice required herein, ~~Proper~~ proper notice shall be deemed to have been given to each and every person and/or entity supplied water within the District, and the applicable water shortage.
3. **Collection of Penalties.** Any penalty imposed pursuant to this Ordinance may be collected on a customer's water bill. Any penalty shall be applicable to water used in violation of this Ordinance during the first complete billing cycle after the declaration of the applicable water shortage level.

4. Notice of Violation. The receipt of a water bill with any applicable penalties shall serve as notice of violation of this Ordinance.

5. Appeal Procedures. Any customer who wishes to appeal the imposition of an Administrative Penalty imposed by the District shall comply with the following procedures:

6. Appeal Request. An Appeal Request form shall be submitted to the District's Customer Service Department.

(a) Appeal Request forms may be obtained at the District's Main Office or downloaded from the District's website at www.etwd.com.

(b) An Appeal Request form shall be received by the District no later than thirty (30) calendar days from the date that the Appellant's water bill for the four-week period in which the penalty or penalties were imposed is due.

(c) Additional Documentation. Additional documentation may be requested at the discretion of the District. Such documentation may include, but is not limited to, school records, driver's licenses, business licenses, lease agreements.

(d) Site Survey. After an Appeal Request form has been received, a site survey may be required by District staff to verify the irrigated square footage of the property where the water was delivered. The site survey will be at no charge to the person and will require the person who submitted the Appeal Request form to be present.

(e) District Response. A response to an Appeal Request shall be provided by the District within thirty calendar days from receipt of the Appeal Request form.

(f) Review of Denial of Appeal Request. If an Appeal Request is denied, the Appeal Request form may be resubmitted by the customer for review by the District's General Manager. The Decision by the District's General Manager shall be final.

7. Use of Penalty Funds Collected. The Board of Directors hereby declares its intent to use penalty funds collected to pay any penalties/charges that may be imposed by the State and/or wholesale water provider of the District for exceeding its baseline water budget allocation and in furtherance of conservation efforts and/or acquisition of supplemental water supplies.

Section ~~XIII~~ XV: Severability: If any section, subsection, sentence, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of the Ordinance will not be affected. The District Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases thereof is declared invalid.

Section ~~XIV~~ XVI: Effective Date of Ordinance: This Ordinance shall be effective immediately upon adoption.

ADOPTED, SIGNED, AND APPROVED by the following vote this 24th ^{9th} day of March, 2022
~~June, 2015.~~

AYES:

NOES:

ABSTAIN:

ABSENT:

EL TORO WATER DISTRICT _____

Kathryn Freshley, President
El Toro Water District and the
Board of Directors thereof _____

ATTEST:

Dennis Cafferty, General Manager/Secretary
El Toro Water District and the
Board of Directors thereof



STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Dennis Cafferty, General Manager

Subject: Water Shortage Contingency Plan Amendment – Resolution 22-3-1

Recommended Action: Staff recommends that the Board consider adopting Resolution No. 22-3-1 which adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan).

RESOLUTION NO. 22-3-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING THE AMENDED WATER SHORTAGE CONTINGENCY PLAN
(APPENDIX H TO THE ETWD 2022 URBAN WATER MANAGEMENT PLAN)

RESOLUTION NO. 22-3-1

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT ADOPTING THE AMENDED
WATER SHORTAGE CONTINGENCY PLAN
(APPENDIX H TO THE ETWD 2022 URBAN WATER MANAGEMENT PLAN)**

WHEREAS, the general welfare of the people in the El Toro Water District ("District") requires that the water available to the District be utilized in a manner which maximizes beneficial use and that the waste and unreasonable use, or unreasonable method of use of water be prevented;

WHEREAS, pursuant to Section 34000 *et seq.* of the Water Code of the State of California, the District has the authority to adopt rules and regulations for the provision of water service and facilities;

WHEREAS, the District held a noticed public hearing on March 24, 2022 in accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 through 10657) to consider public comments regarding the adoption of the amended Water Shortage Contingency Plan in the form and content attached to this Resolution and marked Exhibit "A" entitled "amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan"; and

NOW, THEREFORE, BE IT RESOLVED, that the El Toro Water District hereby adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan) which is attached hereto, marked Exhibit "A", and by this reference is incorporated herein as though set forth in full.

ADOPTED, SIGNED AND APPROVED this 24th day of March, 2022.

KATHRYN FRESHLEY, President
El Toro Water District and of the
Board of Directors thereof

ATTEST

DENNIS P. CAFFERTY, Secretary
El Toro Water District and of the
Board of Directors thereof



STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Dennis Cafferty, General Manager

**Subject: Water Shortage Contingency Response Ordinance 2022-1
Resolution 22-3-2**

Recommended Action: Staff recommends that the Board consider adopting Resolution No. 22-3-2 which adopts the ETWD Water Shortage Contingency Response Ordinance 2022-1 replacing Ordinance 2015-3 in its entirety.

RESOLUTION NO. 22-3-2

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING THE ETWD WATER SHORTAGE CONTINGENCY
RESPONSE ORDINANCE 2022-1

RESOLUTION NO. 22-3-2

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT ADOPTING THE ETWD WATER SHORTAGE CONTINGENCY ORDINANCE NO. 2022-1

WHEREAS, the general welfare of the people in the El Toro Water District ("District") requires that the water available to the District be utilized in a manner which maximizes beneficial use and that the waste and unreasonable use, or unreasonable method of use of water be prevented;

WHEREAS, pursuant to Section 34000 *et seq.* of the Water Code of the State of California, the District has the authority to adopt rules and regulations for the provision of water service and facilities;

WHEREAS, Section 375 *et seq.* of the Water Code of the State of California permits public entities which supply water at retail or wholesale to adopt and enforce a water conservation program to reduce the quantity of water used by the people therein for the purpose of conserving the water supplies of such public entity;

WHEREAS, Section 350 *et seq.* of the Water Code of the State of California permits the governing body of a distributor of a public water supply to 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 there would be insufficient water for human consumption, sanitation, and fire protection;

WHEREAS, on November 23, 2010, the District adopted Ordinance No. 2010-1 which amended and replaced in its entirety, Ordinance No. 2009-1 in order to: (1) incorporate the District's recently implemented Water Budget Based Tiered Rate Structure (WBBTRS) inclusive of the Drought Factor which could be applied during local, regional and statewide water shortage situations; and (2) recognize that the WBBTRS serves as the primary water reduction monitoring and enforcement mechanism for Permanent Mandatory Conservation Measures and Water Supply Shortage Declarations;

WHEREAS, Ordinance No. 2010-1 identified the "Drought Factor" as a component of water budget calculations that modifies (reduces) the indoor and/or outdoor budget of residential and irrigation customers to further encourage conservation in times of water supply shortage and provides a financial incentive for adhering to budgeted amounts;

WHEREAS, on March 26, 2015, the District adopted Ordinance No. 2015-1 which amended and replaced in its entirety, Ordinance No. 2010-1 in order to provide specific guidance for the utilization of the Drought Factor as well as how the District will deal with Commercial, Industrial and Institutional Customers;

WHEREAS, on June 9, 2015, the District adopted Ordinance No. 2015-3 which amended and replaced in its entirety, Ordinance No. 2015-1 in order to create a stand-alone enforcement mechanism (Administrative Penalty pursuant to Government Code Section 53069.4) that may be implemented at the Board's discretion, in times of emergency, as deemed necessary to further encourage water usage cutbacks, in order to comply with State Mandated Objectives;

WHEREAS, it is in the best interest of the District and the welfare of the people it serves, to amend and replace Ordinance No. 2015-1 in its entirety for the purpose of updating, amending and clarifying various provisions and in order to revise the defined three shortage levels to six shortage levels in alignment with the District's Water Shortage Contingency Plan and the State Department of Water Resources mandated shortage levels;

WHEREAS, the District held a noticed public hearing on March 24, 2022 to review staff's recommendations and to consider public comments regarding the adoption of Ordinance No. 2022-1 in the form and content attached to this Resolution and marked Exhibit "A" entitled "El Toro Water District Water Shortage Contingency Response Ordinance No. 2022-1";

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the El Toro Water District hereby determines and finds that the above recitals, determinations and findings of necessity are true and correct statements and are fully incorporated herein;

RESOLVED FURTHER, that the maintenance of the general welfare of the District's customers necessitates the adoption of Ordinance No. 2022-1 in the form and content set forth in Exhibit "A" attached hereto, which exhibit, by this reference, is fully incorporated herein;

RESOLVED FURTHER, that Ordinance No. 2022-1, in the form and content set forth in Exhibit "A" attached hereto, is hereby adopted, effective March 24, 2022;

RESOLVED FURTHER, that Ordinance No. 2022-1, amends and replaces Ordinance 2015-3 in its entirety;

RESOLVED FURTHER, that the District's General Manager is hereby directed to publish notice of the adoption of this resolution and the subject matter therein in compliance with Section 376(b)(2) of the Water Code of the State of California within 15 days of March 24, 2022.

ADOPTED, SIGNED AND APPROVED this 24th day of March, 2022.

KATHRYN FRESHLEY, President
El Toro Water District and of the
Board of Directors thereof

ATTEST

DENNIS P. CAFFERTY, Secretary
El Toro Water District and of the
Board of Directors thereof



STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Dennis Cafferty, General Manager

Subject: Water Shortage Contingency Plan – Shortage Level Declaration

Background

The State of California is currently in its second year of drought and is facing a potential third consecutive year of dry conditions. The past two water years have been characterized by record breaking temperatures and extremely dry soils, which has led to large and unexpected reductions in runoff from the State's snowpack. Similar prolonged drought conditions in the Colorado River Basin, have pushed water levels in Lake Mead to historic lows.

The California Department of Water Resources (DWR) projects that precipitation for WY 2021-2022 would have to equal or exceed 140% of average to see an average allocation of State Water Project flows. While the water year started off with encouraging precipitation in December there has been much less rain or snow in the months of January or February.

On March 18, 2022 DWR announced a reduction of the State Water Project allocation to 5 percent of requested supplies for 2022. DWR previously set the allocation at 15 percent but a historically dry January and February, with no significant storms forecast for March, required a reduction in the allocation to conserve available water supply.

Governor's Drought Declaration

On July 8, 2021, Governor Newsom issued an Executive Order (N-10-21) calling for a 15% voluntary reduction in water use from 2020 levels. On October 19, 2021 Governor Newsom issued a Proclamation of a State of Emergency to expand the pre-existing drought declaration to cover the remaining eight counties in the state that were not previously in a declared drought. Included in the Proclamation was direction to local water suppliers to execute their Water Shortage Contingency Plans (WSCP's) at a level appropriate to local conditions taking into account the possibility of a third consecutive dry year as well in addition to the continued call for local agencies to voluntarily reduce their water use by 15% from 2020 levels.

Metropolitan Water District's Response to Dry Conditions

In response to the Governor's call for a 15% voluntary reduction in water use from 2020 levels and to further preserve system storage, MET moved from a Condition 1 – Water Supply Watch to a Condition 2 – Water Supply Alert at their August, 2021 Board meeting. Condition 2 includes a regional call for conservation through drought ordinances as well as a call for increased drought messaging and accelerating demand management activities.

In November, 2021, in response to the Governor's proclamation and MET's declaration of a Condition 2 – Water Supply Alert, MWDOC activated Level 2 of its Water Shortage Contingency Plan.

Level 2 Water Shortage Level Declaration

The declaration of a Level 2 Water Shortage represents an important message regarding the growing need for water conservation. The Level 2 declaration would result in the following actions by ETWD:

- Expand public information campaign conveying permanent water conservation requirements, supply conditions and ways to save water
- Provide regular supply conditions to customers and promote ongoing water efficiency programs and tools
- Further encourage customers to fix leaks in a timely fashion
- Direct communication and educational outreach to customers out of compliance with the permanent water conservation requirements on water use efficiency requirements and practices

RECOMMENDATION

Recommended Action at the March 24, 2022 Board Meeting:

Staff recommends that the Board consider adopting Resolution No. 22-3-3 which declares a Level 2 Water Shortage.

RESOLUTION NO. 22-3-3

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
DECLARING A LEVEL 2 WATER SHORTAGE PURSUANT TO
THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN AND
WATER CONTINGENCY RESPONSE ORDINANCE (ORDINANCE NO. 2022-1)

RESOLUTION NO. 22-3-3

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT DECLARING A LEVEL 2 WATER SHORTAGE PURSUANT TO THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN AND WATER CONTINGENCY RESPONSE ORDINANCE (ORDINANCE NO. 2022-1)

WHEREAS, the El Toro Water District depends on imported water from Northern California and the Colorado River to meet the majority of its potable water supply demand; and

WHEREAS, on March 24, 2022, following a public hearing, the Board of Directors of the El Toro Water District ("District") adopted Water Shortage Contingency Ordinance No. 2022-1; and

WHEREAS, on March 24, 2022, following a public hearing, the Board of Directors of the El Toro Water District ("District") adopted an amended Water Shortage Contingency Plan; and

WHEREAS, Ordinance No. 2022-1 establishes a six-tiered level of Shortage Response Actions which the District may elect to implement in response to worsening drought conditions, emergencies, and/or water supply shortages; and

WHEREAS, on July 8, 2021, Governor Newsom issued an Executive Order (N-10-21) calling for a 15% voluntary reduction in water use from 2020 levels; and

WHEREAS, on October 8, 2021, Governor Newsom issued a proclamation declaring state of emergency in all California counties due to drought conditions; and

WHEREAS, the proclamation called on local and regional water agencies to implement their Water Shortage Contingency Plans to achieve needed conservation and at a level appropriate for local conditions taking into account the possibility of a third consecutive dry year; and

WHEREAS, Metropolitan Water District has declared a Water Supply Alert calling for all cities, counties, member agencies and retail water agencies to implement extraordinary water use efficiency measures, adopt and implement local drought ordinances to preserve regional storage reserves; and

WHEREAS, on November 3, 2020 the Municipal Water District of Orange County activated Level 2 of its Water Shortage Contingency Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the El Toro Water District hereby determines and finds that the above recitals, determinations and findings of necessity are true and correct statements and are fully incorporated herein;

RESOLVED FURTHER, that the maintenance of the general welfare of the District's customers necessitates the declaration of a Level 2 Water Shortage pursuant to the District's Ordinance No. 2022-1;

RESOLVED FURTHER, that a Level 2 Water Shortage is hereby declared;

ADOPTED, SIGNED AND APPROVED this 24th day of March, 2022.

KATHRYN FRESHLEY, President
El Toro Water District and of the
Board of Directors thereof

ATTEST

DENNIS P. CAFFERTY, Secretary
El Toro Water District and of the
Board of Directors thereof



STAFF REPORT

To: Board of Directors **Meeting Date: March 24, 2022**

From: Dennis Cafferty, General Manager

Subject: California Special Districts Association (CSDA) 2020-2022 Board of Directors Call for Nominations – Southern Network Region, Seat B

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the board with staggered three year terms. The CSDA Elections and Bylaws Committee is looking for independent special district Board Members or their General Managers from the Southern Network who are interested in leading the direction of the California Special Districts Association for the 2023-2025 term, Seat B. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the Southern Network (see attached CSDA Network Map).

The incumbent for Seat C, Don Bartz, GM, Phelan Pinon Hills Community Services District is running for re-election.

Details regarding the Commitment and Expectations are described as follows:

- Attend all board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento. (CSDA reimburses directors for their related expenses for board and committee meetings as outlined in board policy.)
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the summer/fall. (CSDA does not reimburse travel related expenses for the two conferences even if a board or committee meeting is held in conjunction with the event; however, does comp registration for the two events.)
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected. (CSDA does not reimburse expenses for the academy classes even if a board or committee meeting is held in conjunction with the event.)
- Complete Annual Chief Executive Officer Evaluation.

RECOMMENDATION

Recommended Action at the March 24, 2022 Board Meeting:

Staff recommends the Board consider nominating a candidate to the California Special Districts Association Board of Directors, Southern Network, Seat B, and submitting the nomination by the March 31, 2022 deadline.



California Special Districts Association

DISTRICT NETWORKS





STAFF REPORT

To: Board of Directors **Meeting Date:** March 24, 2022

From: Dennis Cafferty, General Manager

Subject: Appointment for the Orange County LAFCO Regular and Alternate Special District Member Seats

The nomination period for the Orange County Local Agency Formation Commission (OC LAFCO) Regular and Alternate Special District Member seats is now open. The OC LAFCO Executive Officer will accept nominations for the regular and alternate special district seats from March 14 through April 22, 2022. The current terms for these seats expire June 30, 2022.

The District is required to submit a "Declaration of Qualification to Vote" form designating the authorized regular voting member and alternate voting member for the District for this appointment process.

If the District is nominating a candidate for one or both seats, the District is further required to submit the "2022 Nomination Forms" for submitting a candidate's name for the Regular and/or Alternate Special District Seats.

The LAFCO Appointment Process letter and associated forms are attached for reference.

RECOMMENDATION

Recommended Action at the March 24, 2022 Board Meeting:

Staff recommends the Board consider 1) authorizing a member of the Board to vote in the OC LAFCO Special District Selection Committee election, 2) designate a member of the Board as the alternate voting member, 3) to consider nominating Kathryn Freshley for the Alternate Special District member and 4) direct the General Manager to submit the Declaration of Qualification to Vote form and Nomination Form to LAFCO by the April 22, 2022 deadline.

REGULAR MEMBERS

CHAIR

Douglass Davert
Special District Member

VICE CHAIR

Donald P. Wagner
County Member

IMMEDIATE PAST CHAIR

Derek J. McGregor
Public Member**Lisa Bartlett**
County Member**Wendy Bucknum**
City Member**James Fisler**
Special District Member**Mike Posey**
City Member**ALTERNATES****Andrew Do**
County Member**Kathryn Freshley**
Special District Member**Peggy Huang**
City Member**Lou Penrose**
Public Member**STAFF****Carolyn Emery**
Executive Officer**Scott Smith**
General Counsel

March 14, 2022

TO: Independent Special Districts Presiding Officers

FROM: Carolyn Emery, Executive Officer

SUBJECT: **Appointment Process and Nomination Period for the OC
LAFCO Regular and Alternate Special District Member
Seats**

The nomination period for the Orange County Local Agency Formation Commission (OC LAFCO) Regular and Alternate Special District Member seats is now open. The OC LAFCO Executive Officer will accept nominations for the regular and alternate special district seats from **March 14 through April 22, 2022**. The current terms for these seats expire June 30, 2022.

The appointment process for the OC LAFCO special district seats is governed by Government Code Section 56332 and the Independent Special District Selection Committee Bylaws. In accordance with the statute and the Committee's Bylaws, the appointment process is conducted by mailed ballot and attached to this notification are the following:

(1) The **"Declaration of Qualification to Vote"** for designating the authorized regular voting member and alternate voting member of your district for this appointment process. This form must be returned to OC LAFCO no later than **3 PM on Friday, April 22, 2022**. Please note that, in accordance with the Independent Special District Selection Committee Bylaws, if OC LAFCO does not receive the form by this date, your district will be ineligible to vote.

(2) The **"2022 Nomination Forms"** for submitting a candidate's name for the Regular and Alternate Special District seats. If your district is nominating a candidate for one or both seats, the form(s) must be filled out completely and returned to OC LAFCO by **3 PM on Friday, April 22, 2022**. Candidate resumes or other supplemental information may be attached to the nomination form(s) and these materials will be distributed with the respective ballot.

The Declaration and nomination form(s) may be returned to OC LAFCO at any of the following:

Email: ccarter-benjamin@oclafco.org

Mail: Orange County Local Agency Formation Commission
2677 North Main Street, Suite 1050
Santa Ana, CA 92705
Attn: Cheryl Carter-Benjamin, Commission Clerk

FAX: (714) 640-5139
Attn: Cheryl Carter-Benjamin, Commission Clerk

For your reference, a timeline of key dates for the appointment process is shown below:

<i>Appointment Process Schedule for OC LAFCO Regular and Alternate Special District Member Seats</i>	
ACTION	DATE
OC LAFCO Executive Officer emails notification letters with nomination forms and Declaration of Qualification to Vote to independent special district presiding officers (c/o the clerk of the district) and special district general managers.	March 14, 2022
Deadline for submitting nominations and Declaration of Qualification to Vote for the Regular Special District and Alternate Special District members to OC LAFCO by 3:00p.m.*	April 22, 2022 (3 PM)
Ballot emailed to all special district presiding officers/designees (c/o clerk of the district).	May 2, 2022
Ballot due to OC LAFCO by 3:00 p.m.	June 3, 2022 (3 PM)
OC LAFCO staff tabulates ballots and announces results.	June 7, 2022
Oath of Office Administered (Commission Hearing).	July 13, 2022
<i>* Pursuant to Government Code Section 56332(c)(1), if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected with no further proceedings.</i>	

Should you have any questions, please contact our Commission Clerk Cheryl Carter-Benjamin at (714) 640-5100 or by email at ccarter-benjamin@oclafco.org.

Attachments:

1. Declaration of Qualification to Vote
2. 2022 Nomination Forms – Regular and Alternate Special District Member

cc: Special District General Managers
Clerks of the Districts

DECLARATION OF QUALIFICATION TO VOTE

Kathryn Freshley Presiding Officer

El Toro Water District

I, _____, * hereby attest that
_____ ** has been authorized by the Board of
_____ to vote in the OC LAFCO Special
District Selection Committee election as the regular voting member.

The Board also designated _____ ** as the alternate
voting member.

Name and Title*: _____

Signature*: _____

Date: _____

**Declaration MUST be signed by either Board President or Board Secretary*

*** Must be a member of the Board*

Completed forms must be received by OC LAFCO by 3 PM, Friday, April 22, 2022.
Forms must be delivered to OC LAFCO by:

(1) Email at: ccarter-benjamin@oclafco.org, or

(2) Mail at: Orange County Local Agency Formation Commission
2677 North Main Street, Suite 1050
Santa Ana, CA 92705
Attn: Cheryl Carter-Benjamin, or

(3) FAX at: (714) 640-5139, Attn: Cheryl Carter-Benjamin

2022 NOMINATION FORM

Candidate for the Orange County Local Agency Formation Commission (OC LAFCO)

CANDIDATE INFORMATION FOR REGULAR SPECIAL DISTRICT MEMBER:

NAME: _____

TITLE: _____

DISTRICT: _____

☐ Check box if resume or statement of qualifications is attached.

SPECIAL DISTRICT SELECTION COMMITTEE MEMBER SUBMITTING NOMINATION (Must be the presiding officer or a designated alternate board member.)

NAME: _____ DATE: _____

SIGNATURE: _____

TITLE: _____

DISTRICT: _____

A resume or other supplemental information about the candidate may be included and will be distributed with the ballot. The completed nomination form and any supplemental information must be returned to OC LAFCO by **3:00 p.m. on Friday, April 22, 2022 by:**

1. Email at: ccarter-benjamin@oclafco.org, or
2. Mail at: Orange County Local Agency Formation Commission
2677 North Main Street, Suite 1050
Santa Ana, CA 92705
Attn: Cheryl Carter-Benjamin, or
3. Fax at: (714) 640-5139, Attn: Cheryl Carter-Benjamin

Nomination forms or candidate information received after the deadline will not be considered.

2022 NOMINATION FORM

Candidate for the Orange County Local Agency Formation Commission (OC LAFCO)

CANDIDATE INFORMATION FOR ALTERNATE SPECIAL DISTRICT MEMBER:

NAME: _____

TITLE: _____

DISTRICT: _____

☐ Check box if resume or statement of qualifications is attached.

SPECIAL DISTRICT SELECTION COMMITTEE MEMBER SUBMITTING NOMINATION (Must be the presiding officer or a designated alternate board member.)

NAME: _____ DATE: _____

SIGNATURE: _____

TITLE: _____

DISTRICT: _____

A resume or other supplemental information about the candidate may be included and will be distributed with the ballot. The completed nomination form and any supplemental information must be returned to OC LAFCO by **3:00 p.m. on Friday, April 22, 2022 by:**

1. Email at: ccarter-benjamin@oclafco.org, or
2. Mail at: Orange County Local Agency Formation Commission
2677 North Main Street, Suite 1050
Santa Ana, CA 92705
Attn: Cheryl Carter-Benjamin, or
3. Fax at: (714) 640-5139, Attn: Cheryl Carter-Benjamin

Nomination forms or candidate information received after the deadline will not be considered.



STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Dennis Cafferty, General Manager

Subject: COVID-19 Update

The District continues its efforts to balance compliance with health officials' guidance and State, Federal and OSHA direction with the critical need to maintain the reliability of the essential services provided by the District. The following represents a summary of the current status as well as the District's response to the ever-changing challenges presented by the COVID-19 pandemic.

The reduction of COVID impacts in Orange County has continued over the last month. The most recent seven day average daily case rate was reported to be 4.9 per 100,000 down from approximately 26.4 a month ago. As of March 16 hospitalizations in the County declined from 399 on February 16 to 137 with a decrease in the ICUs from 76 to 27. The disparity between the severity of the current status of the pandemic between vaccinated people and people not fully vaccinated remains apparent as 84% of hospitalized persons and 86% of the ICU admissions are unvaccinated.

Through March 14, 224,000 people in Orange County have received their first vaccine dose and another 2.29 million people have received both the first and second dose. In addition, 156,000 people have received the single dose Johnson and Johnson vaccine. Approximately 2.44 million people in Orange County are now fully vaccinated representing approximately 76% of Orange County Residents. In addition, if all the persons that have received the first dose complete the process, the percentage of vaccinated Orange County residents will rise to nearly 83%. As COVID boosters have become more available, a little over 1.22 million Orange County residents have received the booster dose.

As of March 16, approximately 28 million people in the State of California are fully vaccinated representing approximately 74% of the State population with approximately 85% receiving at least one dose.

Specific ETWD impacts, approaches and status are summarized as follows:

Customer Billing – Staff has received a check for funding under the California Water and Wastewater Arrearage Payment Program for water in the amount of \$53,591. These funds will cover losses from residential and commercial customer arrearages. Staff is also preparing to participate in the wastewater arrearage program. Staff continues to closely monitor the incidence of late payments or customers communicating that they are unable to pay their bill due to the financial crisis associated with the COVID-19 pandemic.

Staffing – The following descriptions provide an overall description of the current approach to staffing and schedules:

- **Illness** – During the most recent surge several District employees tested positive for COVID. Most experienced mild to moderate symptoms and all have returned to work. In total, since the beginning of the pandemic, 28 ETWD employees have contracted COVID.
- **ETWD Health and Safety Protocols** – The various surges in cases and the often evolving Health Orders that have come with them have made it very challenging for employers and employees alike. District employees have been reminded to follow all of the District's requirements and protocols. The State mandate for indoor masking has been lifted for all ETWD employees.
- **OSHA Requirements** – The District continues to follow the current OSHA requirements including those regarding unvaccinated staff wearing face coverings while indoors.
- **Vaccination** – The District's employees have been advised of their eligibility and encouraged to consider vaccination. In an effort to implement the modifications to the OSHA ETS and ETWD CPP the District's employees have been requested to provide documentation of vaccination to Human Resources. Employees have been advised that they will be considered unvaccinated until they provide said documentation. Approximately 68% of the District's staff have provided documentation of vaccination to Human Resources. Human Resources is also beginning to collect data on booster doses as the definition of fully vaccinated has migrated to include the booster for vaccinated people eligible for the booster. 12 ETWD employees (20%) have documented they have received the COVID vaccine booster.

GENERAL MANAGER'S REPORT

March 2022

I. OFFICE OF THE GENERAL MANAGER

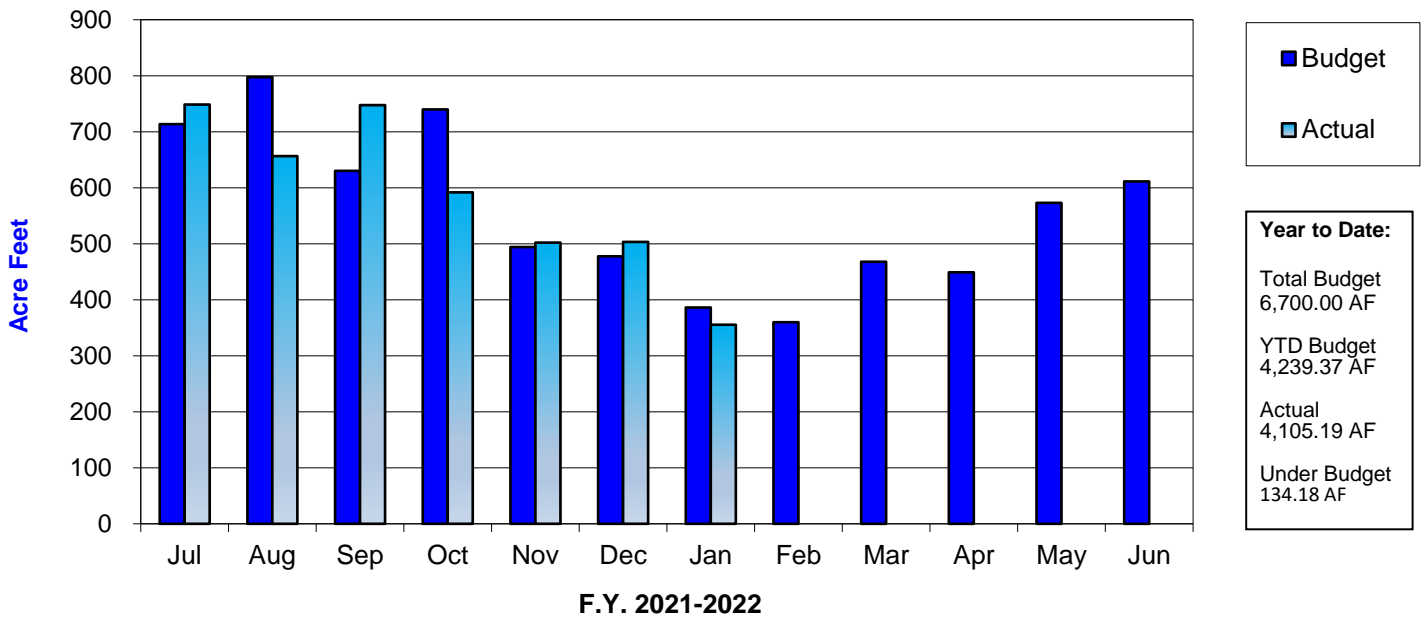
- Attended ETWD Pres/VP/GM Meetings
- Attended South County Emergency Supply Program Meeting
- Attended ETWD RRC Meeting
- Attended ETWD Employee Meeting
- Attended Carollo Flow Monitoring Meeting
- Attended South Orange County Watershed Management Area Executive Committee Quarterly Meeting
- Attended WACO
- Participated in IRWD Engineering Manager Position Interview Panel
- Attended Meeting with IRWD Regarding IRWD SOCWA Withdrawal Proposal
- Attended Meeting with MWD Regarding LRP Reconciliation
- Attended Meeting with Brady and Geotech Consultant Regarding Filter Plant Project
- Attended Bond Issuance Closing Conference Call
- Attended and Presented at Third Mutual Board Meeting
- Attended SOCWA Board Meeting
- Attended Meetings with Raftelis
- Attended JTM PS Design Review Meeting
- Attended SOCWA Engineering Committee Meeting
- Attended SOCWA All-Hands Meeting
- Attended ETWD Agenda Review Meeting
- Attended SOCWA Finance Committee Meeting
- Attended MWDOC Managers Meeting
- Attended ETWD Engineering/Finance Committee Meeting
- Attended ETWD Board Meeting

II. DOMESTIC AND RECYCLED WATER SALES

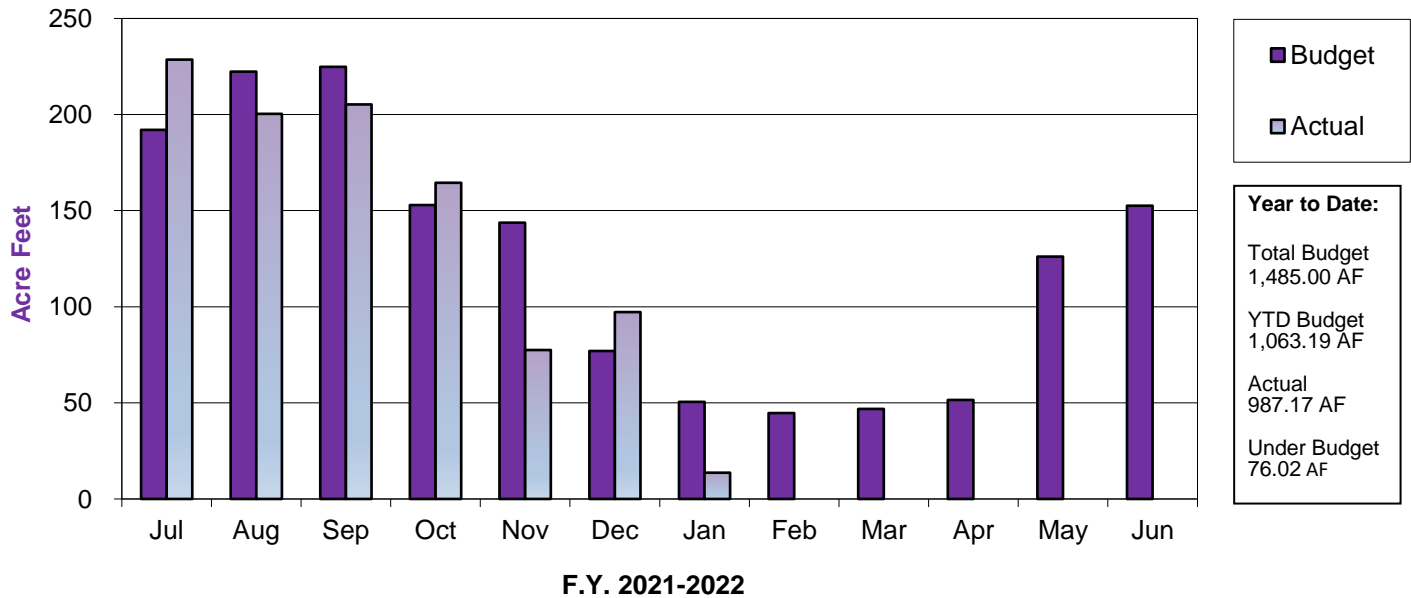
Actual domestic sales for the year-to-date as of February 28, 2022 are 4,542.87 acre-feet. This compares to year-to-date budgeted domestic sales of 4,599.07 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 56.20 acre-feet. Actual sales are 419.27 acre-feet lower than last year-to-date actual sales for the same period.

Actual recycled sales for the year-to-date as of February 28, 2022 are 1,044.91 acre-feet. This compares to year-to-date budgeted recycled sales of 1,107.90 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 62.99 acre-feet. Actual sales are 2.40 acre-feet lower than last year-to-date actual sales for the same period.

POTABLE WATER SALES



RECYCLED WATER SALES



Customer Service Activity Report

Regular Service Calls	FEB 2022	FEB 2021	Telephone Calls	FEB 2022	FEB 2021
Serviceman Dispatched to Read, Connect/Disconnect Service	36	40	Change of Service: Connections and Disconnections	47	46
Field Investigations:			Billing / Payments & Graph Inquires	83	173
Check for leaks - calls to CS			Assistance with online payments and ETWD's portal (cc, e-checks, other.)	3	11
Office:(irrigation,meter,street leaks)					
Customer Responsible	15	12	Variance / Adjustment Inquiries	12	19
District Responsible	6	7	Variance / Adjustment Requests Processed	6	4
None found/other	3	14	Ordinance Infraction / Water Waste Complaints	1	1
High Reads Checked - High Consumption (Billing Dept.)	27	14			
Cust Leaks: _9_ No Leaks: _18_					
Check Stopped Slowed Meters-Low Consumption (Billing)	9	16	Outside Utility Districts	31	49
Re-Check Read	10	10	Phone calls Transfer to other Departments within ETWD	31	64
Ordinance Infraction	0	1	Phone calls for the Board of Directors	0	0
Recycled Water	0	0	Recycled Water	0	2
Water Quality: Taste / Odor / Color	3	6	Water Quality Taste - Odor - Color	1	3
Phone response: _2_ Field response: _1_			Leaks / Breaks	8	21
Flooding (Hydrant) Meters issued	0	0	Flooding Meter calls (Hydrant)	0	1
Sewer - Odor/Stoppage/ Manhole Covers	3	2	Sewer Problems (odor / spills)	3	6
Meter Box: Lids / Covers Replaced	7	17			
Meter Box Clean, Digout	2	2	Backflow / Cross Connection (questions or yearly testing forms)	0	2
			ETWD facilities inquiries:		
Raised Meter Box	2	0	Boxes/Covers/Lids/Hydrants/Pump Stations/Graffiti/ "Gen. Maint"	1	14
Trim Bushes / Meter Obstruction	1	10			
General Maintenance Response	1	3	Tyco (ADT) Calls (Alarms to ETWD facilities)	0	0
Fire Hydrants: Hit / Leaks / Caps	1	0	ATT Calls (access to tower sites)	0	0
Pressure(psi) Checks / Reads	0	1	SCE Calls (access to tower sites)	0	0
CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced	4	4	Pager Calls specifically for Pump Stations - SCADA	0	0
AMS angle-meter-stop replace/repair	1	1			
Bees Removed	3	2			
Backflow / Cross Connection	2	0	Payment Extensions	3	5
			Delinquent Payment Calls to Customer 's prior to shut off per billing calendar (automatic courtesy dialer)		
Fogged Registers	0	8	Return Calls from customers left on our voice mail system. Ext 500	221	186
OMCOP: Old Meter Change - Out Program	3	0	Email Correspondence:	5	14
Other: (uncommon non-maintenance calls)	10	1	Maintenance Service Order Requests (bees, psi, fogged-dirty registers)	43	126
On-Call After Hrs. CS Response	18	9	Misc. (other: employment, deliveries, sales calls)	7	2
# 48/24 Hr. Door Hangers Hung	0	0	Payment Processing Fee Complaints	13	23
# Locked Off For Non-Pay (Disconnect)	0	0		0	0
Removed Meter	0	0			
New Meter	0	0			
Unread Meters	5	0			
Total Field Investigations	172	180	Total Telephone Calls	519	772
Uncollectible Accounts:			Credit Card Payments	FEB 2022	FEB 2021
Budget YTD	\$13,333.00	\$ 13,333.00	REGULAR	1,026 \$173,577.83	872 \$94,422.28
Actual YTD	\$ 1,199.00	\$ 9,879.00			

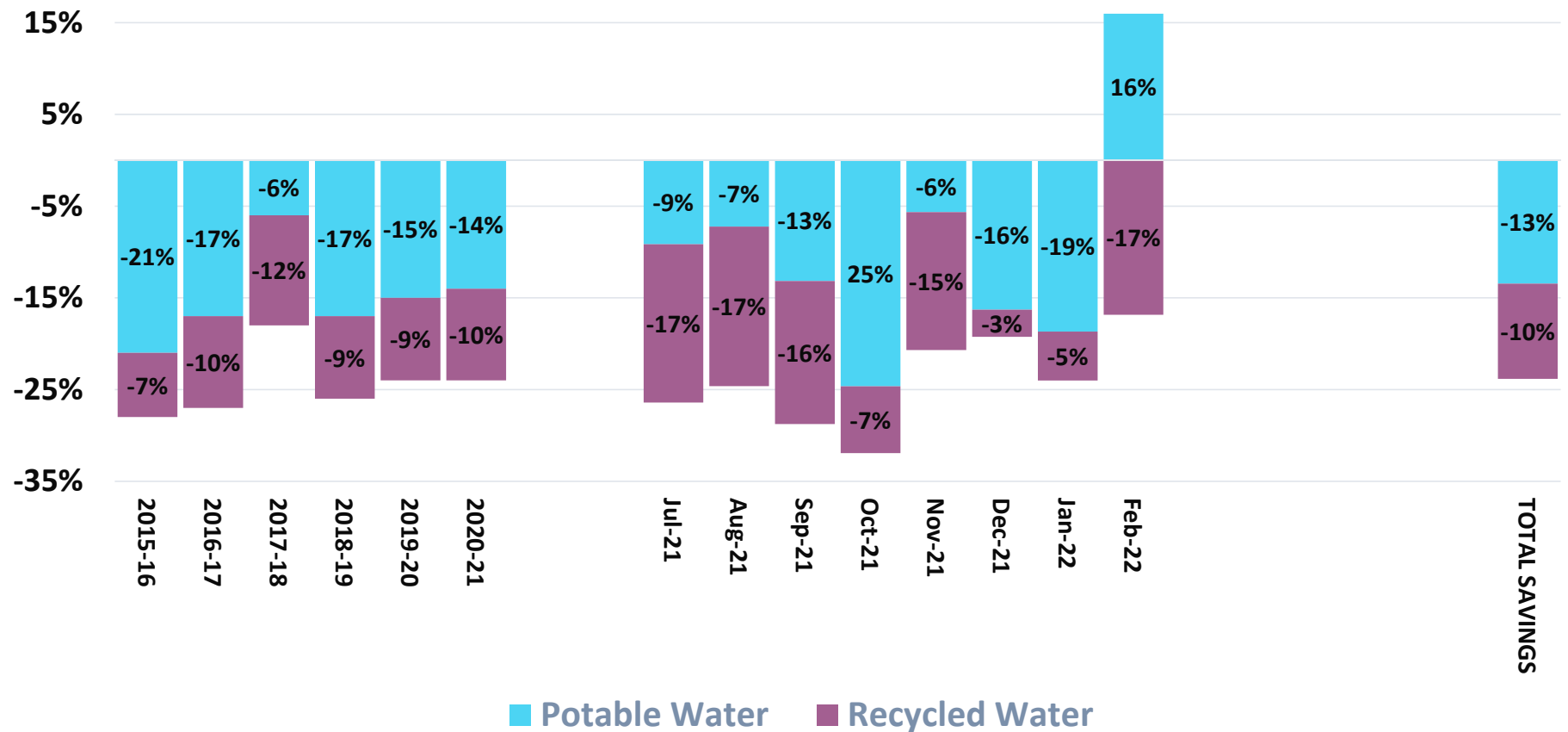
(WRP) Tertiary Treatment Plant

February-22

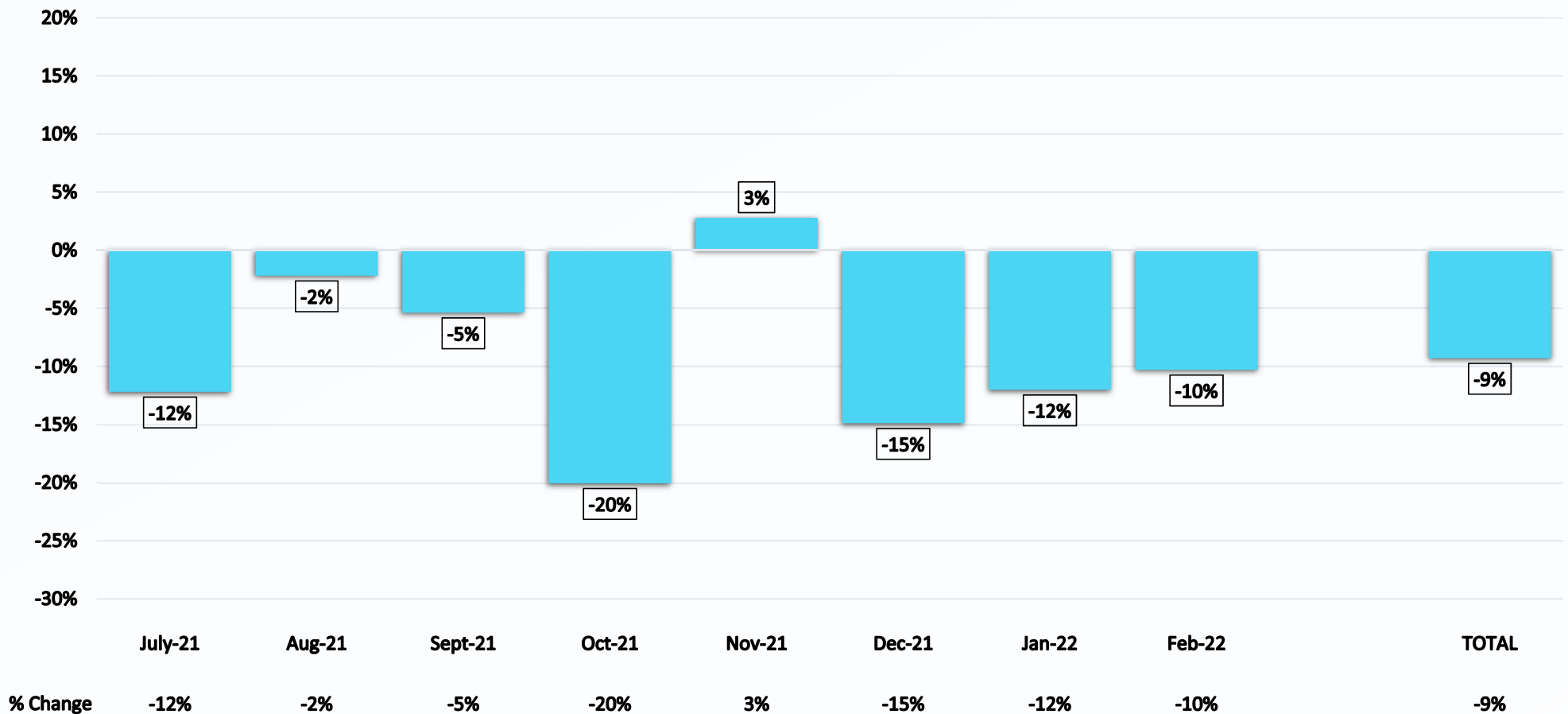
Total Recycled Water Production

Flow, Units	G.C. Irrigation	Main Distribution	WRP Irrigation/Utility	Total, Production
Avg. Daily Q, MGD	0.242	0.985	0.080	1.307
Total Q, MG	6.772	27.580	2.226	36.578
Total Acre Feet	20.782	84.640	6.831	112.253
* Note: Only a total of 626,280 gallons of potable make-up water was used to supplement				
the recycled water demand for one day in the month of February.				

ETWD WATER USAGE COMPARED TO 2013



ETWD WATER USAGE COMPARED TO 2020



CHLORINE RESIDUAL MONITORING

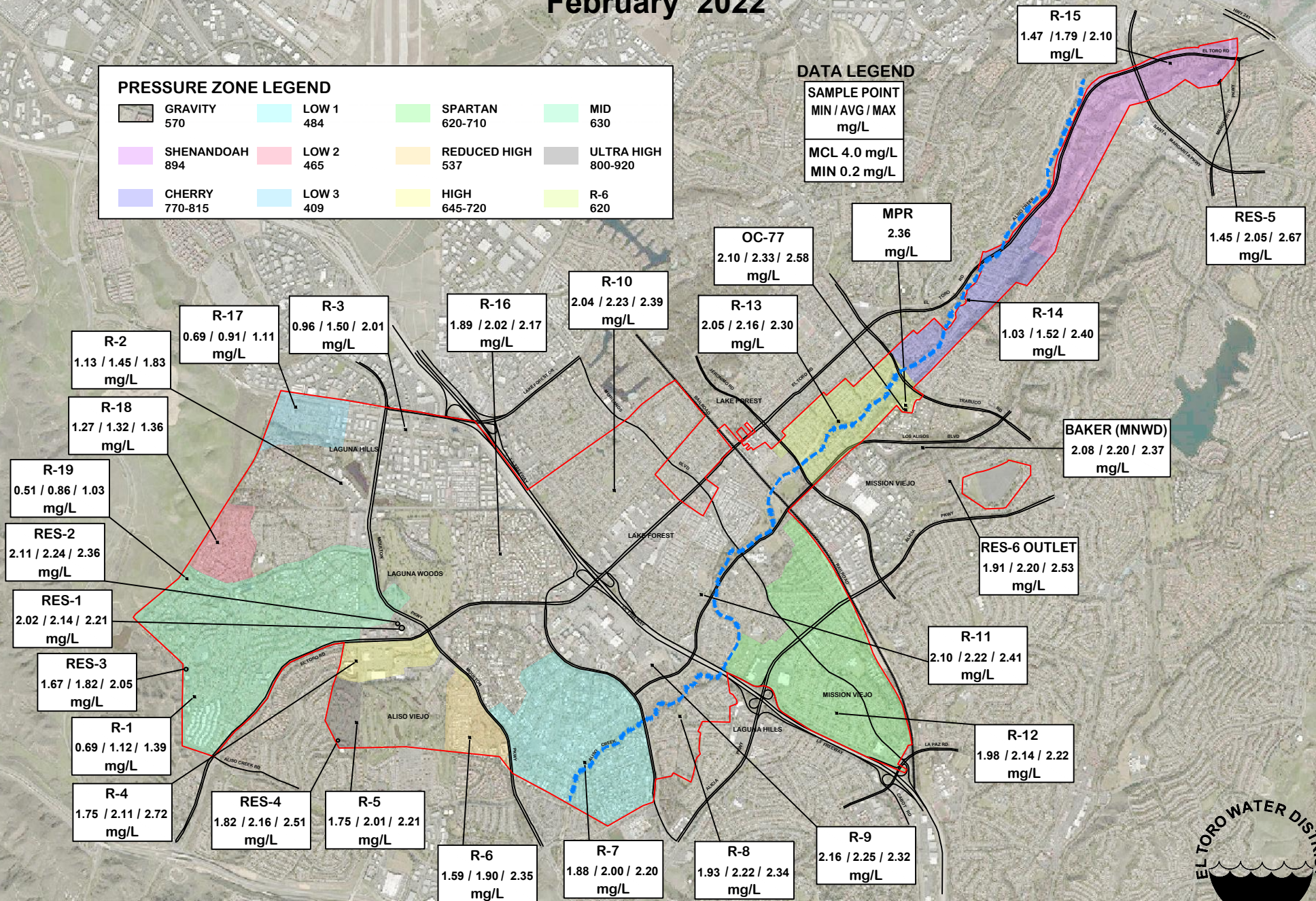
February 2022

PRESSURE ZONE LEGEND

GRAVITY 570	LOW 1 484	SPARTAN 620-710	MID 630
SHENANDOAH 894	LOW 2 465	REDUCED HIGH 537	ULTRA HIGH 800-920
CHERRY 770-815	LOW 3 409	HIGH 645-720	R-6 620

DATA LEGEND

SAMPLE POINT MIN / AVG / MAX mg/L
MCL 4.0 mg/L MIN 0.2 mg/L



FLUORIDE MONITORING

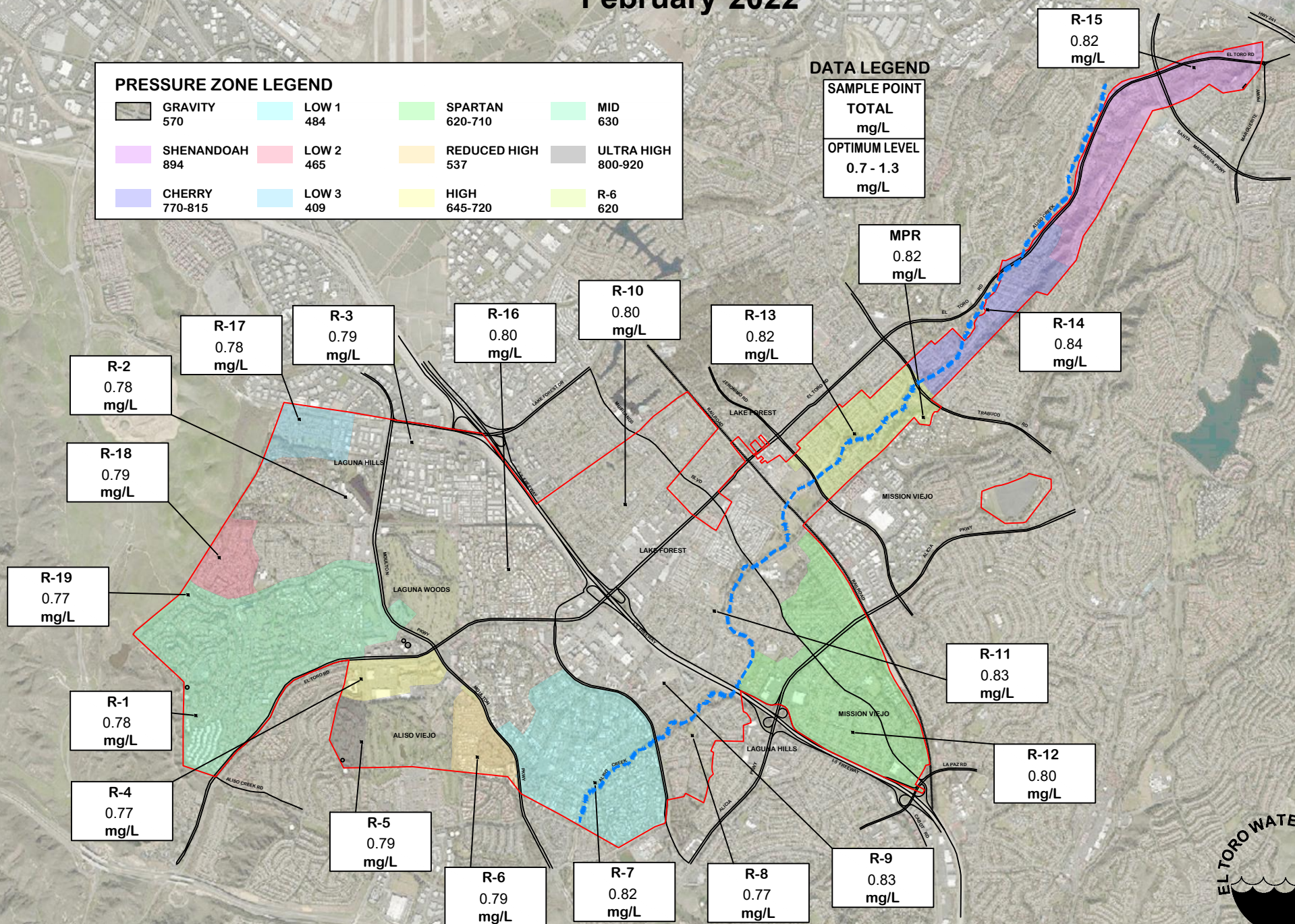
February 2022

PRESSURE ZONE LEGEND

GRAVITY 570	LOW 1 484	SPARTAN 620-710	MID 630
SHENANDOAH 894	LOW 2 465	REDUCED HIGH 537	ULTRA HIGH 800-920
CHERRY 770-815	LOW 3 409	HIGH 645-720	R-6 620

DATA LEGEND

SAMPLE POINT
TOTAL mg/L
OPTIMUM LEVEL 0.7 - 1.3 mg/L



NITRITE MONITORING

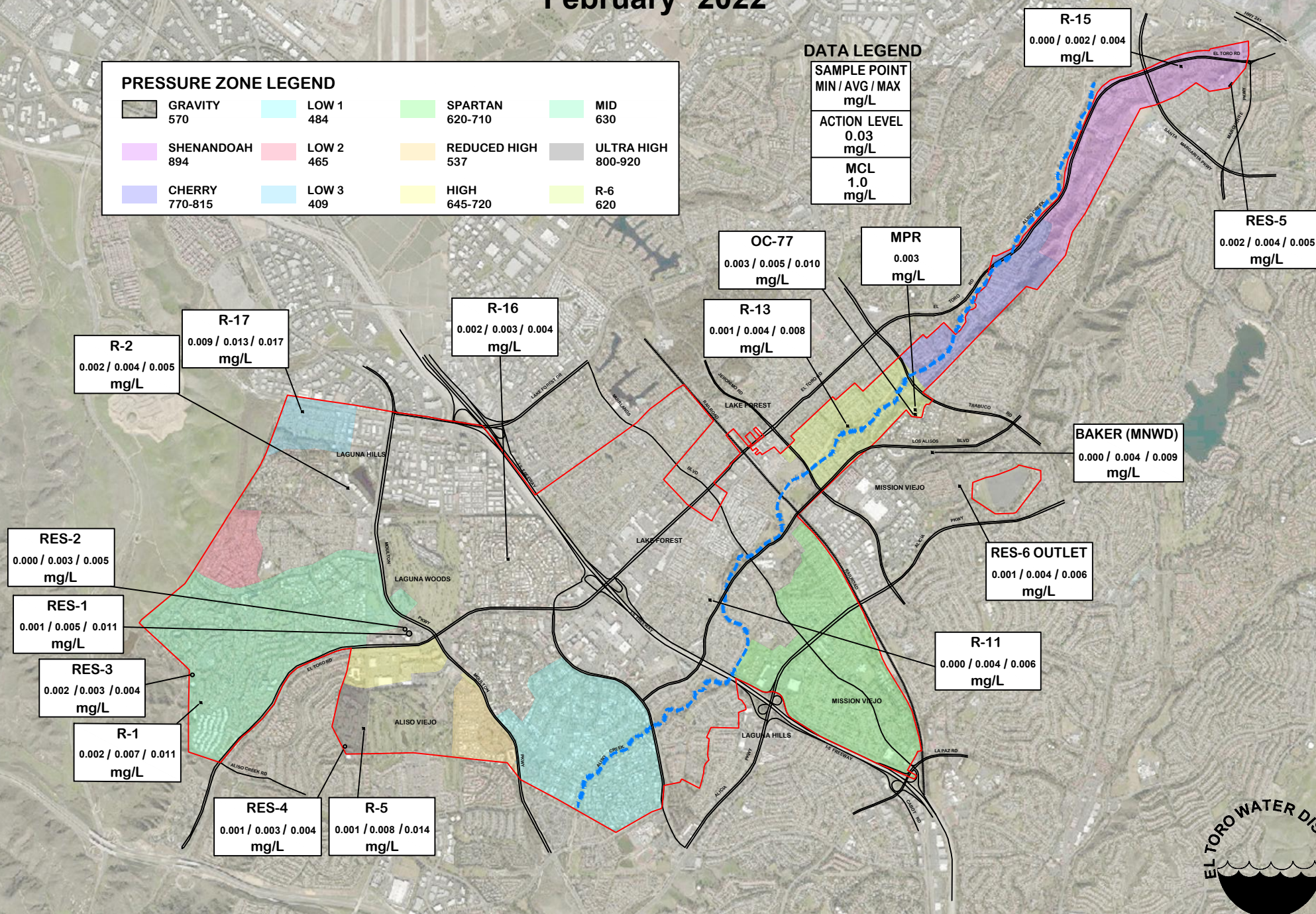
February 2022

PRESSURE ZONE LEGEND

GRAVITY 570	LOW 1 484	SPARTAN 620-710	MID 630
SHENANDOAH 894	LOW 2 465	REDUCED HIGH 537	ULTRA HIGH 800-920
CHERRY 770-815	LOW 3 409	HIGH 645-720	R-6 620

DATA LEGEND

SAMPLE POINT MIN / AVG / MAX mg/L
ACTION LEVEL 0.03 mg/L
MCL 1.0 mg/L



**EL TORO WATER DISTRICT
MONTHLY POTABLE WATER QUALITY REPORT**

The quality and safety of drinking water in the U.S. is regulated by the federal government through the U.S. Environmental Protection agency (USEPA). In California, those standards are enforced by the California Department of Public Health (CDPH). Water Quality parameters must meet both primary and secondary water quality standards as established by the CDPH.

PRIMARY STANDARDS - are intended to protect public health against substances in the water that may be harmful to humans if consumed for long periods of time.

SECONDARY STANDARDS - are to ensure esthetic qualities of water such as taste, odor or clarity. Rather than its healthfulness, these standards govern substances that may influence consumer acceptance of water.

Given that 100% of ETWD's potable water resource is fully treated and delivered by Metropolitan Water District of southern California (MWDSC) through an enclosed and protected conveyance system, the majority of the State and federal primary and secondary source water quality monitoring requirements are performed by MWDSC. The District's physical responsibility for water quality monitoring is associated with the distribution system. To monitor the distribution system water quality the District utilizes both in house and outside lab services. Routine distribution analysis conforming to CDPH requirements is conducted for the following constituents:

- 1) **Microbiological** - The number of microbiological samples and the frequency of analysis during the month is based on the population and/or service connections served. Utilizing a population of 50,000, the CDPH requires that 20 "representative" samples be collected and analyzed for coliform bacteria. The objective is to maintain water quality that is absent of coliform bacteria which is a general indicator for the existence of fecal coliform.
- 2) **Chlorine Residual** - The chlorine residual monitoring is performed in conjunction with the microbiological monitoring. The CDPH requirement for treated surface water mandates that the distribution system maintain a "detectable" residual. The number of and frequency of sampling is determined utilizing the same formula applied to microbiological requirements. At a minimum, we are obligated to collect and analyze for chlorine residual each time we collect the representative microbiological samples. Per EPA Disinfectants & Disinfection Byproduct Rule (D/DBP), which was effective January 2002, requires quarterly reporting for all sampling.
- 3) **TTHM & HAA5 Stage 2 DBPR Compliance** The U.S. Environmental Protection Agency (EPA) published the Stage 2 Disinfectants and Disinfection Byproducts Rule (Stage 2 DBPR) on January 4, 2006. The Stage 2 DBPR builds on existing regulations by requiring water systems to meet disinfection byproduct (DBP)* maximum contaminant levels (MCLs) at each monitoring site in the distribution system to better protect public health. The Stage 2 DBP rule is intended to reduce potential cancer and reproductive and developmental health risks from disinfection byproducts (DBPs) in drinking water, which form when disinfectants are used to control microbial pathogens. This final rule strengthens public health protection for customers of systems that deliver disinfected water by requiring such systems to meet maximum contaminant levels as an average at each compliance monitoring location (instead of as a system-wide average as in previous rules) for two groups of DBPs, trihalomethanes (TTHM) and five haloacetic acids (HAA5). The rule targets systems with the greatest risk and builds incrementally on existing rules. This regulation will reduce DBP exposure and related potential health risks and provide more equitable public health protection. The Stage 2 DBPR is being released simultaneously with the Long Term 2 Enhanced Surface Water Treatment Rule to address concerns about risk tradeoffs between pathogens and DBPs.

The mandatory requirement under the Stage 2 DBP rule, known as an Initial Distribution System Evaluation (IDSE) was completed by ETWD in 2008 and a Stage 2 monitoring plan has been approved by CDPH. Full Stage 2 compliance begins in 2012. The IDSE identified the locations with high disinfection byproduct concentrations. These locations will then be used by the District as the 8 sampling sites for Stage 2 DBP rule compliance monitoring. Compliance with the maximum contaminant levels for two groups of disinfection byproducts (TTHM and HAA5) will be calculated for each monitoring location in the distribution system. This approach, referred to as the locational running annual average (LRAA), differs from current requirements, which determine compliance by calculating the running annual average of samples from all monitoring locations across the system. The Stage 2 DBP rule also requires each system to determine if they have exceeded an operational evaluation level, which is identified using their compliance monitoring results. The operational evaluation level provides an early warning of possible future MCL violations, which allows the system to take proactive steps to remain in compliance. A system that exceeds an operational evaluation level is required to review their operational practices and submit a report to the state that identifies actions that may be taken to mitigate future high DBP levels, particularly those that may jeopardize their compliance with the DBP MCLs.

- 4) **Physical Quality** - Physical Quality analysis is associated with the esthetic qualities of the finished water. Primarily, we are performing analysis for taste, odor and Turbidity (Clarity). In accordance with CDPH requirements, the District collects a minimum of 15 samples per month.
- 5) **Nitrites** - Although the chloramine disinfection process has been effective in controlling TTHM levels, it requires increased monitoring and adjustment as a result of its susceptibility to the Nitrification process. Nitrification is a biological process caused by naturally occurring ammonia oxidizing bacteria. Nitrification in chloraminated drinking water can have various adverse impacts on water quality, the most serious of which is the loss of total chlorine residual which is required by the CDPH and the subsequent potential to increase bacteria-logical activity within the finished or treated water system. MWD has developed an effective nitrification monitoring and prevention program which ETWD staff have adopted and incorporated into the District's daily water quality monitoring and action plan. The number and frequency of this type of monitoring is not currently regulated by CDPH. Staff monitor the level of nitrites in source water, reservoirs and the distribution system daily and weekly in conjunction with the microbiological and chlorine sampling program. A nitrite level of between 0.015 and 0.030 would signal an alert. > 0.030 would require action such as the addition of chlorine to produce a chloramine residual.

EL TORO WATER DISTRICT MONTHLY POTABLE WATER QUALITY ANALYSIS MONTH: FEBRUARY YEAR : 2022					
CONSTITUENT ANALYSIS	INSIDE LAB		OUTSIDE LAB		
	MCL	NO.	RESULTS	NO.	RESULTS
1 Microbiological	Pres/Absence	147	Absence		Average
2 Chlorine (ppm)	Detectable Resid	108	Average = 1.77 ppm		
3 TTHM (ppb) (Stage 2)	80 ppb				ppm
3 HAA5 (ppb) (Stage 2)	60 ppb				ppm
4 Physical Quality:			RANGE		
Turbidity (ppm)	5 NTU	20	0.00 to 0.08 Res.		
Odor	3 Units	20	ND<1		
Color	15 Units	20	ND<5		
Temperature	No standard	20	58.0°F To 65.0°F		
5 Nitrite (Alert/Action level)ppm	0.015 to 0.030 ppm	117	0.000 to 0.011 Res.		

To ensure water quality compliance, the District annually performs approximately 8,750 water quality analytical evaluations of the samples collected from the distribution system.

Abbreviations:

RES	Indicates that the nitrification was isolated to a reservoir and treated
ND	None detected
Pres/Absence	Presence (P) or Absence (A) related to a positive or negative bacteriological result
MCL	Maximum Contaminant Level
NTU	Nephelometric Turbidity Units, a measure of the suspended material in the water
ppm	Parts per million
ppb	Parts per billion
Total Coliform	No more than 5% of the monthly samples may be total coliform-positive
N/A	Not available

**EL TORO WATER DISTRICT
COLLECTION SYSTEM ACTIVITY REPORT**



MONTH ENDING: FEBRUARY 2022

ODOR COMPLAINTS	MONTHLY	ANNUAL	LOCATION, ORIGIN, ACTION:		
Outside Laguna Woods Village	1	1	23966 Swan Dr. Lake Forest 92630		
Laguna Woods Village	0	0			
New World	0	0			
Private System	0	0			
Other: WRP	0	0			
TOTAL	1	1			
ROOT FOAMING	FOOTAGE	CHEMICAL USED	COMMENTS		
Outside Laguna Woods Village	0	0			
Laguna Woods Village	0	0			
New World	0	0			
Other	0	0			
TOTAL	0	0			
ROOT CUTTING	FOOTAGE	COMMENTS:			
Outside Laguna Woods Village					
Laguna Woods Village					
New World					
TOTAL	0				
HYDRO-CLEANING ¹	MONTHLY FOOTAGE	TOTAL CYCLE FOOTAGE	TOTAL CYCLE COMPLETE	PERCENT OF CYCLE COMPLETE	PERCENT OF WEEKS INTO THE 2 YEAR CYCLE
Outside Laguna Woods Village	11,182	344,431	402,632	117%	69%
Laguna Woods Village	2,379	263,336	236,100	90%	69%
New World	0	7,728	5,591	72%	69%
Private System	0		0		
TOTAL	13,561	615,495	644,323	105%	69%
Hot Spots	18,220		390,145		
COMBINED TOTALS:	31,781		1,034,468		
TV INSPECTIONS ²	MONTHLY FOOTAGE	TOTAL CYCLE	TOTAL CYCLE COMPLETE	PERCENT CYCLE COMPLETE	PERCENT OF WEEKS INTO THE 5 YEAR CYCLE
Outside Laguna Woods Village	3,052	344,431	96,217	28%	17%
Laguna Woods Village	0	263,336	3,321	1%	17%
New World	0	7,728	0	0%	17%
Private System	0		0		
Other	0		0		
TOTAL	3,052	615,495	99,538	16%	17%
Wet Well Cleaning	4	La Paz, Delta, Mathis			
Flow Meter/Sampling	0				
Water Tank Fills 25	25,000				
1. The Hydrocleaning Objective is a 2 Year Cycle to Clean the Entire System. The current cycle began on 07/01/2020					
2 The TV Inspection Objective is a 5 Year Cycle to Inspect the Entire System. The current cycle began on 01/25/2021					

Weekly Water Quality System Status

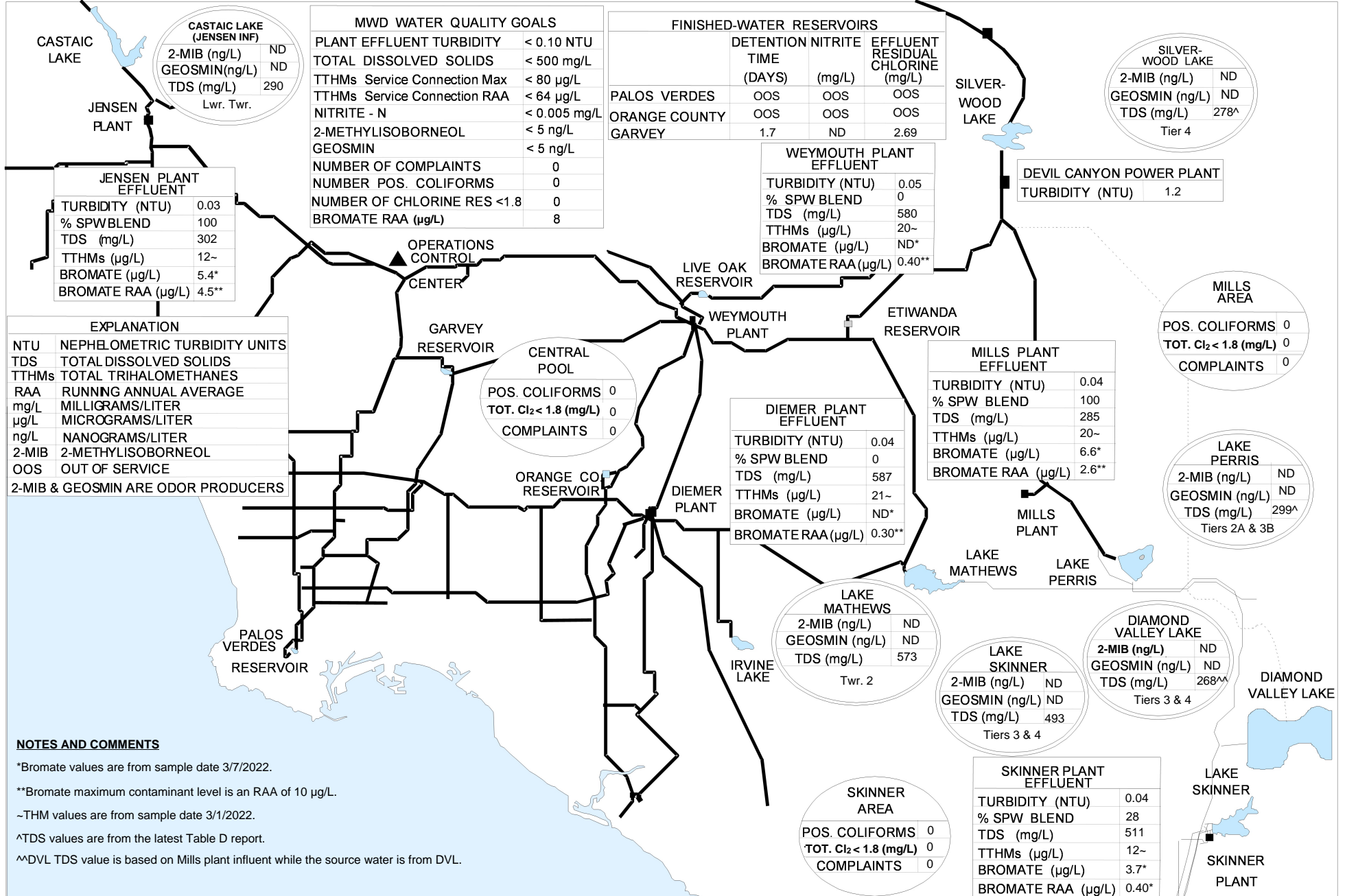
Wednesday, March 16, 2022

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THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

No violations of State or Federal regulations were recorded during the current period.

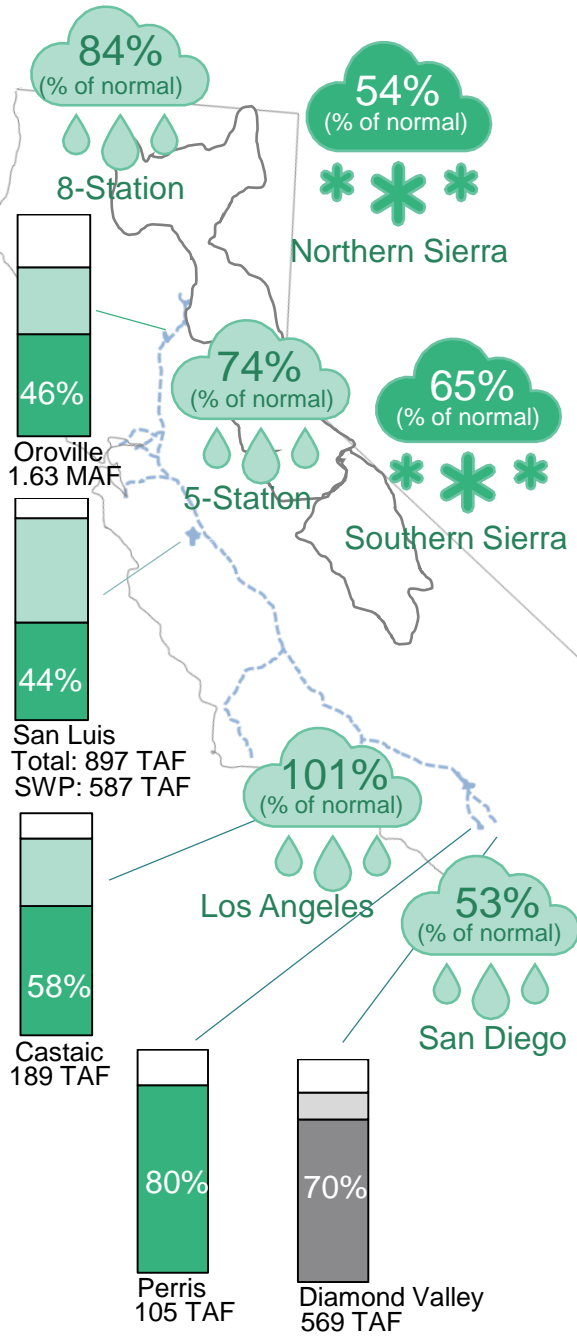


MWD water quality goals meet or exceed all State and Federal regulations.

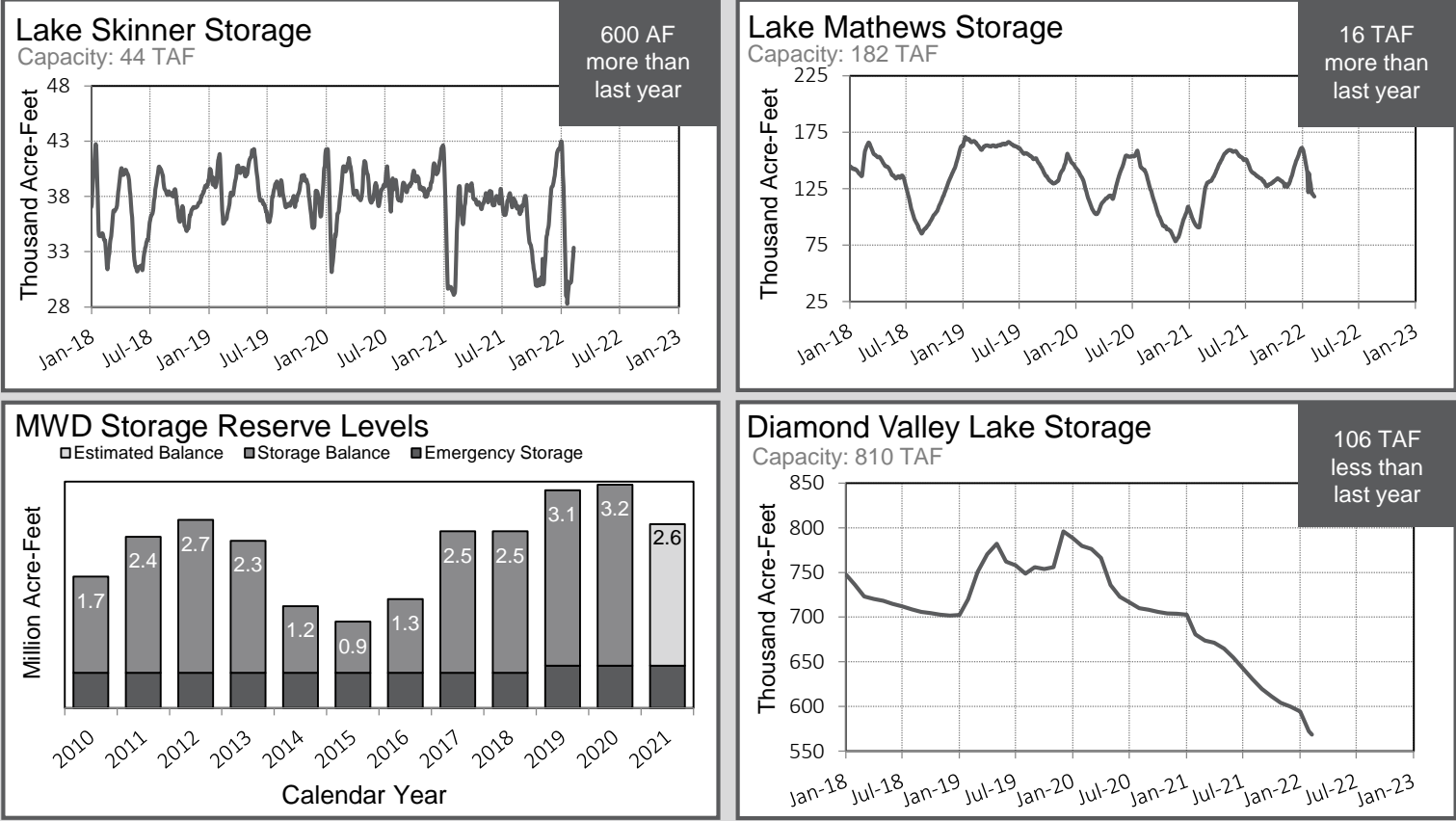
WATER QUALITY INFORMATION LINE: (800) 354-4420
VISIT MWD ON THE WEB AT <http://www.mwdh2o.com>



SWP Table A – 15% - 286,725 AF



Metropolitan Resources



Highlights

- Average DCP contribution by Metropolitan now added to the Lake Mead Surplus/Shortage table
- Sacramento River unimpaired runoff forecast is 63% of normal
- Unregulated Powell inflow forecast is 69% of normal



This report is produced by the Water Resource Management Group and contains information from various federal, state, and local agencies. The Metropolitan Water District of Southern California cannot guarantee the accuracy or completeness of this information. Readers should refer to the relevant state, federal, and local agencies for additional or for the most up to date water supply information. Reservoirs, lakes, aqueducts, maps, watersheds, and all other visual representations on this report are not drawn to scale. Questions? Email mferreira@mwdh2o.com

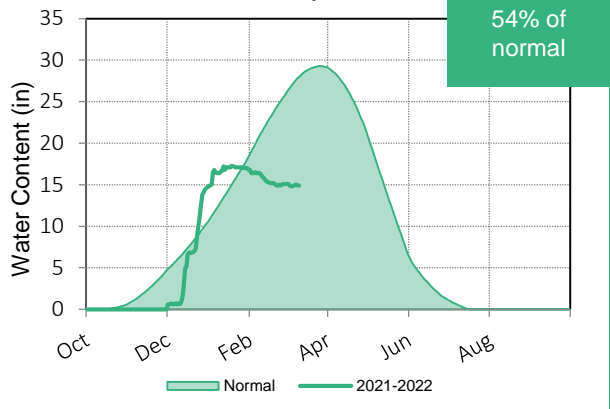
Projected CRA Diversions – 1,084,000 AF



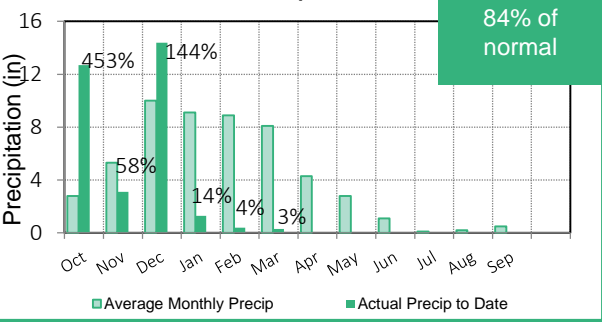
State Water Project Resources

As of: 03/10/2022

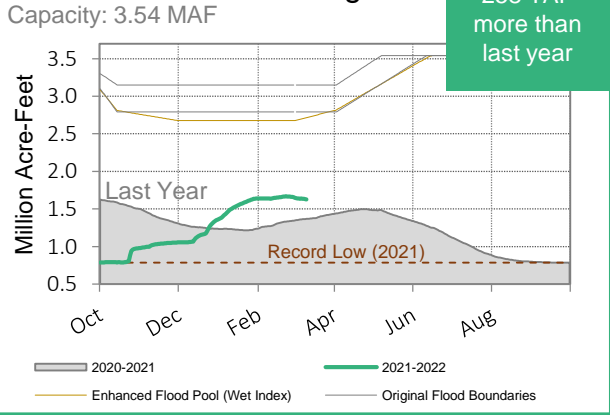
Northern Sierra Snowpack



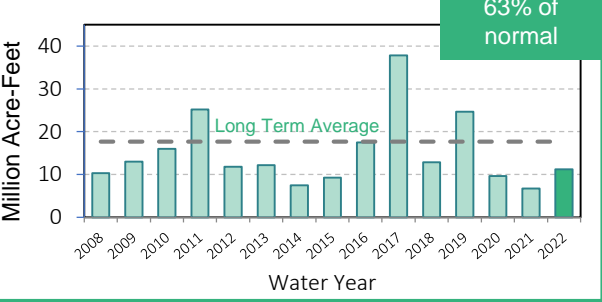
8 Station Index Precipitation



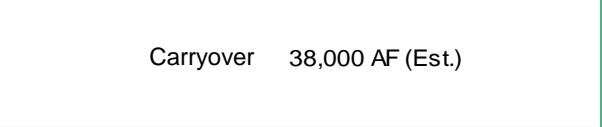
Oroville Reservoir Storage



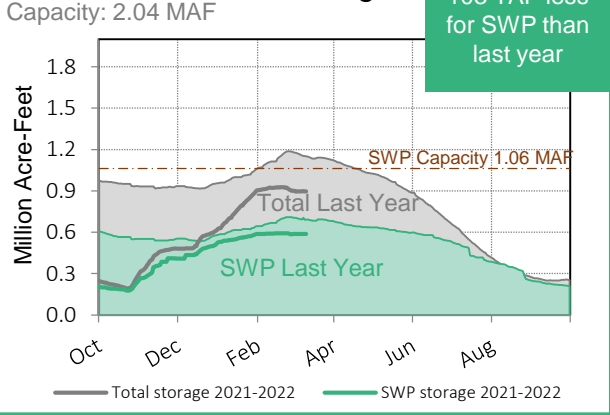
Sacramento River Runoff



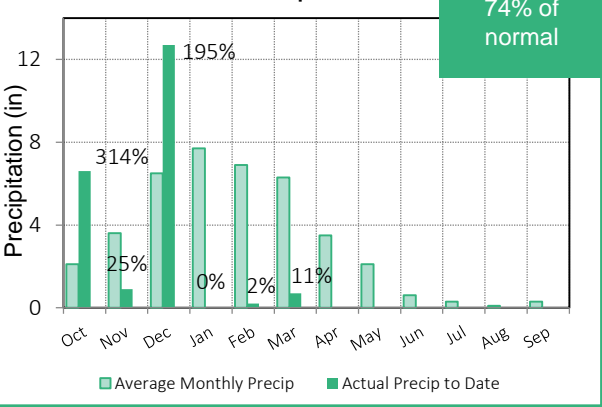
Other SWP Supplies



San Luis Reservoir Storage



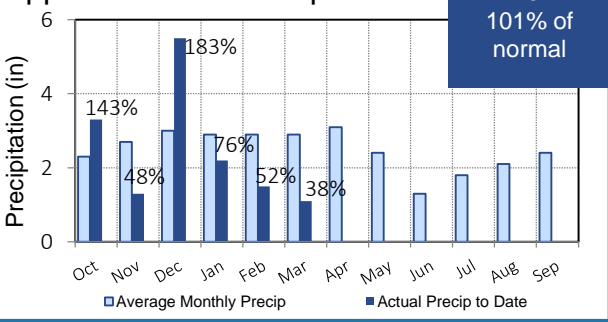
5 Station Index Precipitation



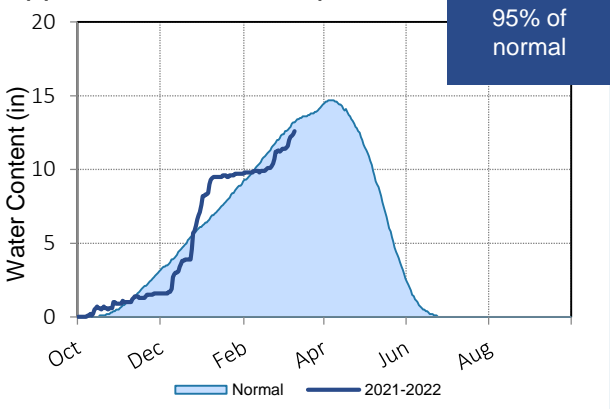
Colorado River Resources

As of: 03/10/2022

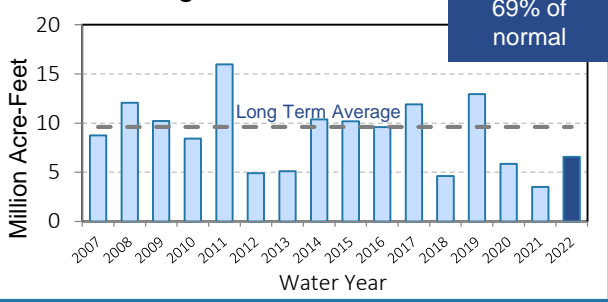
Upper Colorado Precipitation



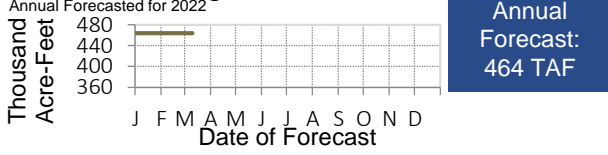
Upper Colorado Snowpack



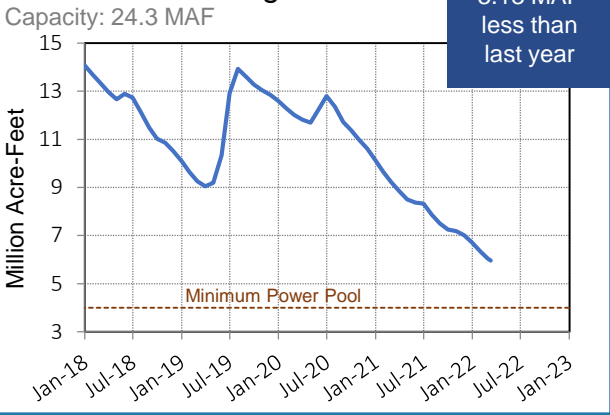
Powell Unregulated Inflow



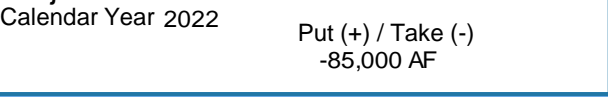
PVID/Yuma Agricultural Use



Lake Powell Storage



Projected Lake Mead ICS

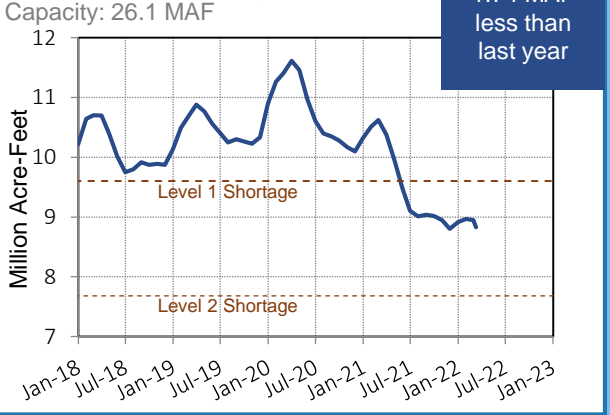


Lake Mead Surplus/Shortage Outlook

	2022	2023	2024	2025	2026
Surplus	0%	0%	0%	0%	0%
Shortage	100%	100%	93%	93%	93%
Metropolitan			60%	63%	60%
DCP*			245 TAF	287 TAF	295 TAF

Likelihood based on results from the corrected February 2022 CRMMS in Ensemble Mode/CRSS model run. Includes DCP Contributions. Only includes 500+ Plan items implemented to date.
* Chance of required DCP contribution by Metropolitan. Volume is average contribution when needed.

Lake Mead Storage





Memorandum

DATE: March 17, 2022
TO: Member Agencies – MWD OC Division Five
FROM: Sat Tamaribuchi, Director – Division Five
SUBJECT: Monthly Water Usage Data, Tier 2 Projection & Water Supply Information

The attached figures show the recent trend of water consumption in Orange County (OC), an estimate of Imported Water Sales for MWD OC, and selected water supply information.

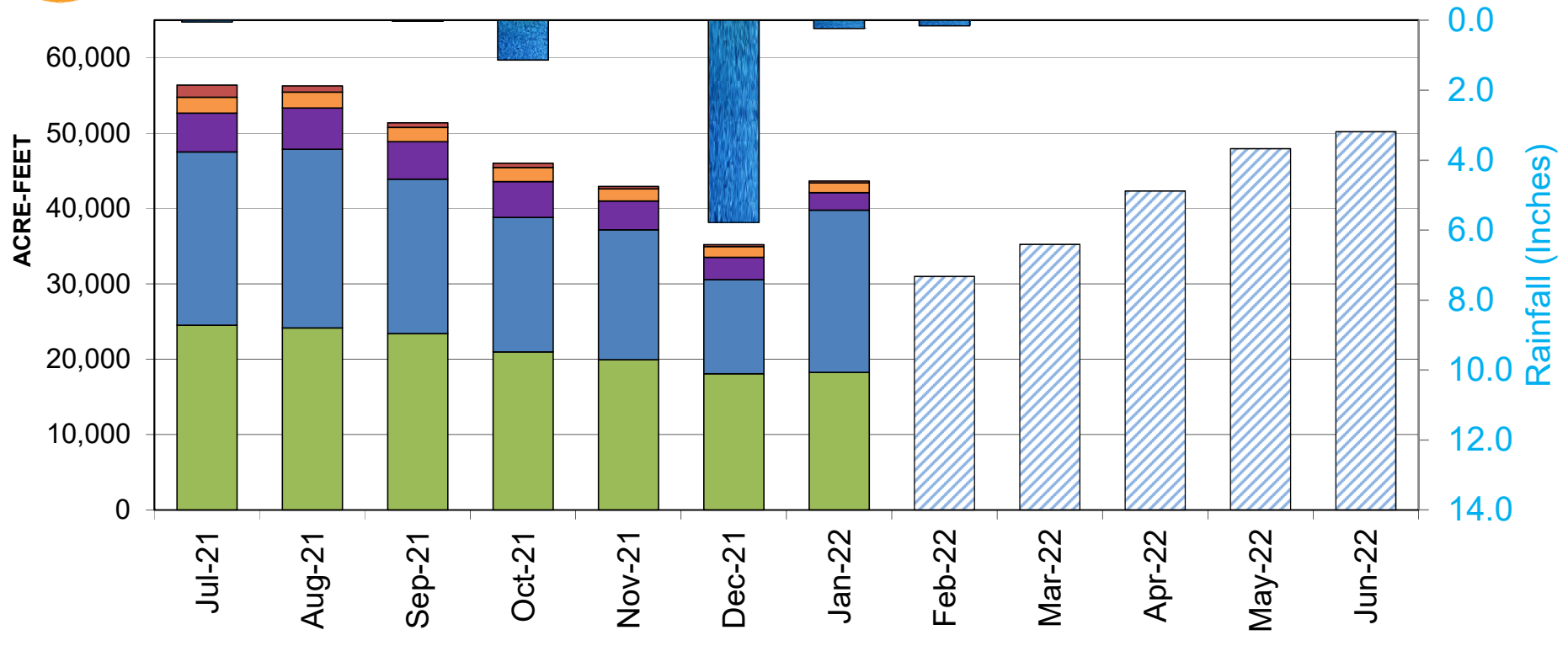
- OC Water Usage, Monthly by Supply ***OCWD Groundwater was the main supply in January.***
- Estimated OC Water Usage, Monthly, Comparison to Previous Years Water usage in January ***2022 was above average compared to the last 5 years.*** We are projecting a decrease in overall water usage compared to FY 2020-21. On July 8th 2021, state officials have ask California residents to voluntary reduce their water usage by 15% compared to 2020 levels.
- Historical OC Water Consumption Orange County M & I water consumption is ***projected*** to be ***529,000 AF in FY 2021-22 (this includes ~11 TAF of agricultural usage and non-retail water agency usage).*** This is about ***30,000 AF less than FY 2020-21*** and is about ***4,000 AF less than FY 2019-20.*** Water usage per person is projected to be slightly lower in ***FY 2021-22 for Orange County at 150 gallons per day*** (This includes recycled water usage). Although OC population has increased 20% over the past two decades, water usage has not increased, on average. A long-term decrease in per-capita water usage is attributed mostly to Water Use Efficiency (water conservation) efforts. ***O.C. Water Usage for the period of Fiscal Years FY 2015-16 to FY 2019-20 was the lowest since the 1982-83 Fiscal Year*** (FY 1982-83 was the third wettest year on record). ***O.C. Water Usage in FY 2020-21 was the highest since FY 2010-11.***

Water Supply Information Includes data on Rainfall in OC; the OCWD Basin overdraft; Northern California and Colorado River Basin hydrologic data; the State Water Project (SWP) Allocation, and regional storage volumes. The data have implications for the magnitude of supplies from the three watersheds that are the principal sources of water for OC. Note that a hydrologic year is Oct. 1st through Sept. 30th.

- Orange County's accumulated precipitation through ***late February was below average*** for this period. Water year to date rainfall in Orange County is ***6.44 inches***, which is ***68% of normal***.
- Northern California accumulated precipitation through ***late February was 91% of normal for this period***. Water Year 2021 was 48% of normal while water year 2020 was 63% of normal. The ***Northern California snowpack was 60% as February 28th, 2022. As of late February, 100.0%*** of California is experiencing ***moderate to extreme drought conditions***. The State Water Project Contractors Table A Allocation was increased in January to 15% for WY 2022.
- Colorado River Basin accumulated precipitation through ***late February was 98% of normal*** for this period. The ***Upper Colorado Basin snowpack was 90% of normal*** as of February 2nd 2021. ***Lake Mead and Lake Powell*** combined have about ***44.0% of their average storage volume*** for this time of year and are at ***29.9% of their total capacity***. For the first time on the Colorado River, Lake Mead's ***levels have fallen below the "trigger" limit of 1,075 ft. at the end of a calendar year***. The US Bureau of Reclamation (USBR) has declared a shortage at Lake Mead, impacting Colorado River water deliveries to the Lower Basin states. Lake Mead as of late February, were ***8.19' BELOW the "trigger" limit***. The USBR has declared a ***shortage on the Colorado River starting January 1st 2022. There is and a 97% chance of shortage continuing in 2023, 95% in 2024, 96% in 2025 and 93% in 2026..***



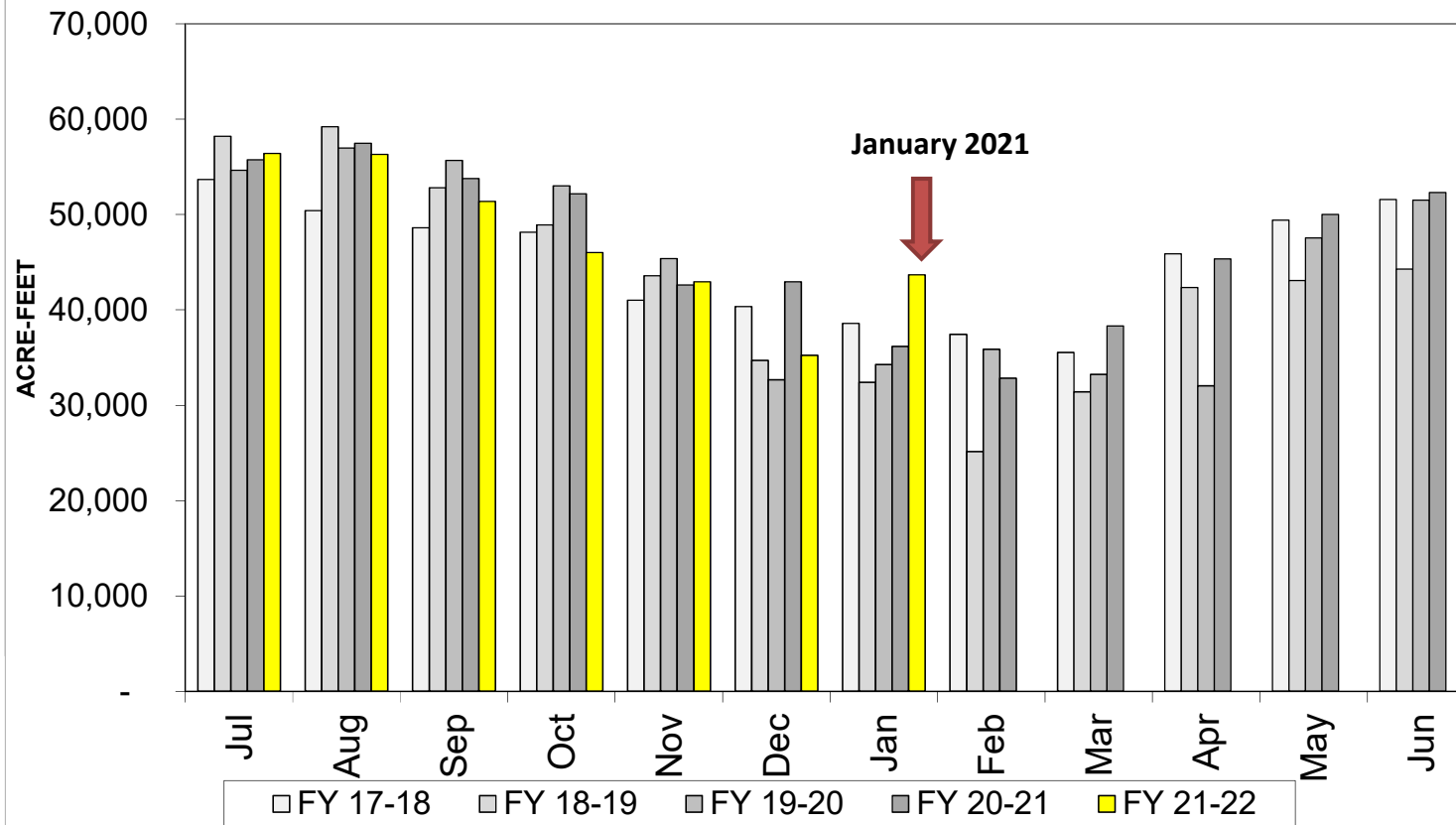
Fig. 1 OC Water Usage, Monthly by Supply with projection to end of fiscal year



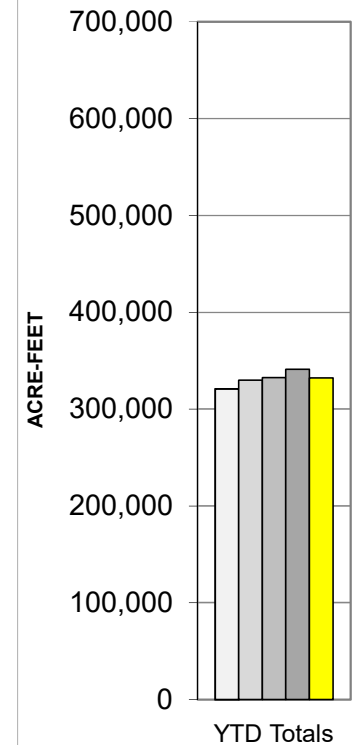
- [1] Imported water for consumptive use. Includes "In-Lieu" deliveries and CUP water extraction. Excludes "Direct Replenishment" deliveries of spreading water and deliveries into Irvine Lake.
- [2] GW for consumptive use only. Excludes In-Lieu water deliveries and CUP water extraction that are counted with Import. BPP in FY '21-22 is 77%.
- [3] MWDOC's estimate of monthly demand is based on the projected 5 Year historical retail water demand and historical monthly demand patterns.
- [4] Total water usage includes IRWD groundwater agricultural use and usage by non-retail water agencies.



Fig. 2 OC Monthly Water Usage [1]: Comparison to Last 4 Fiscal Years

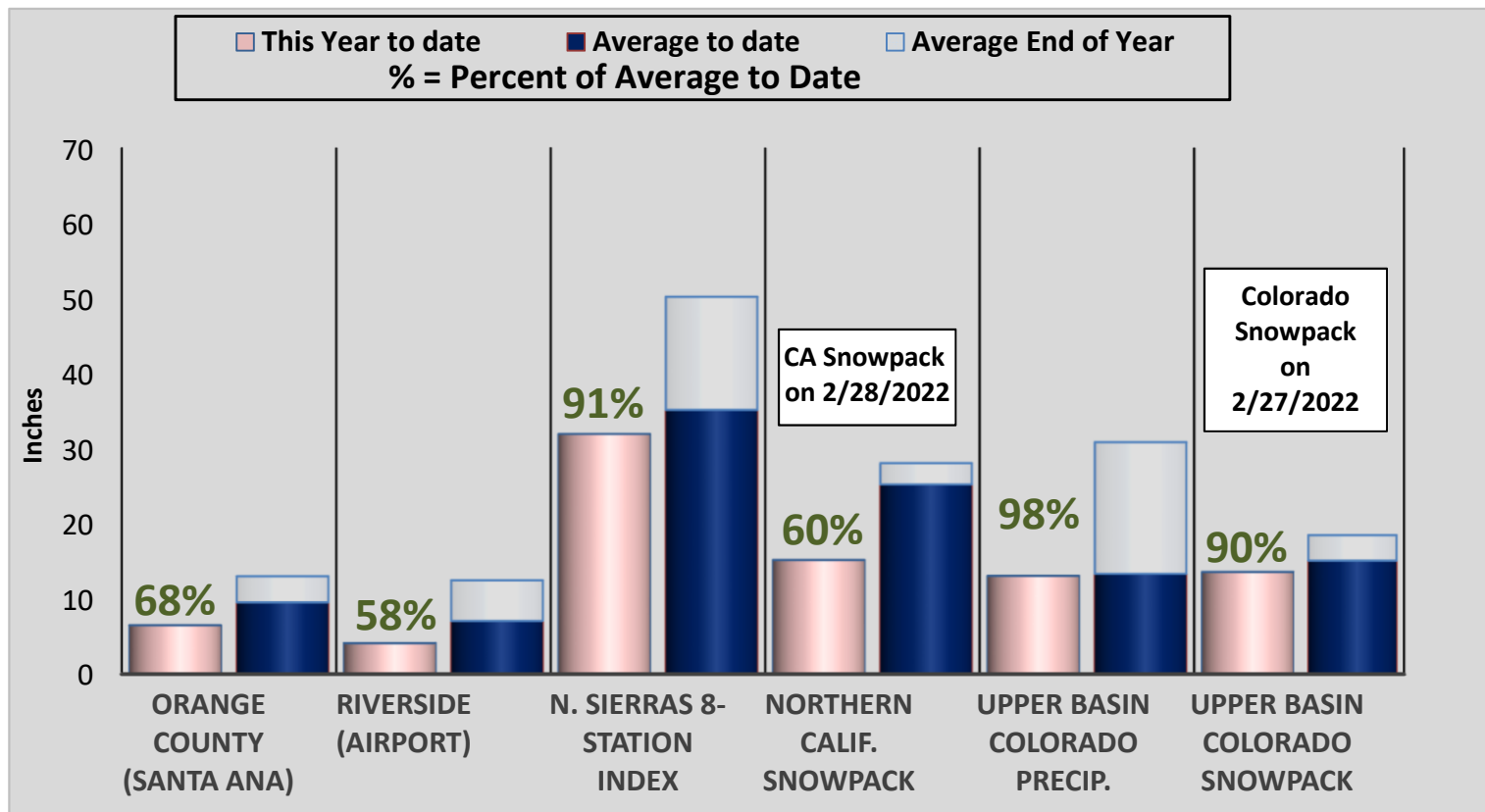


Partial Year Subtotals



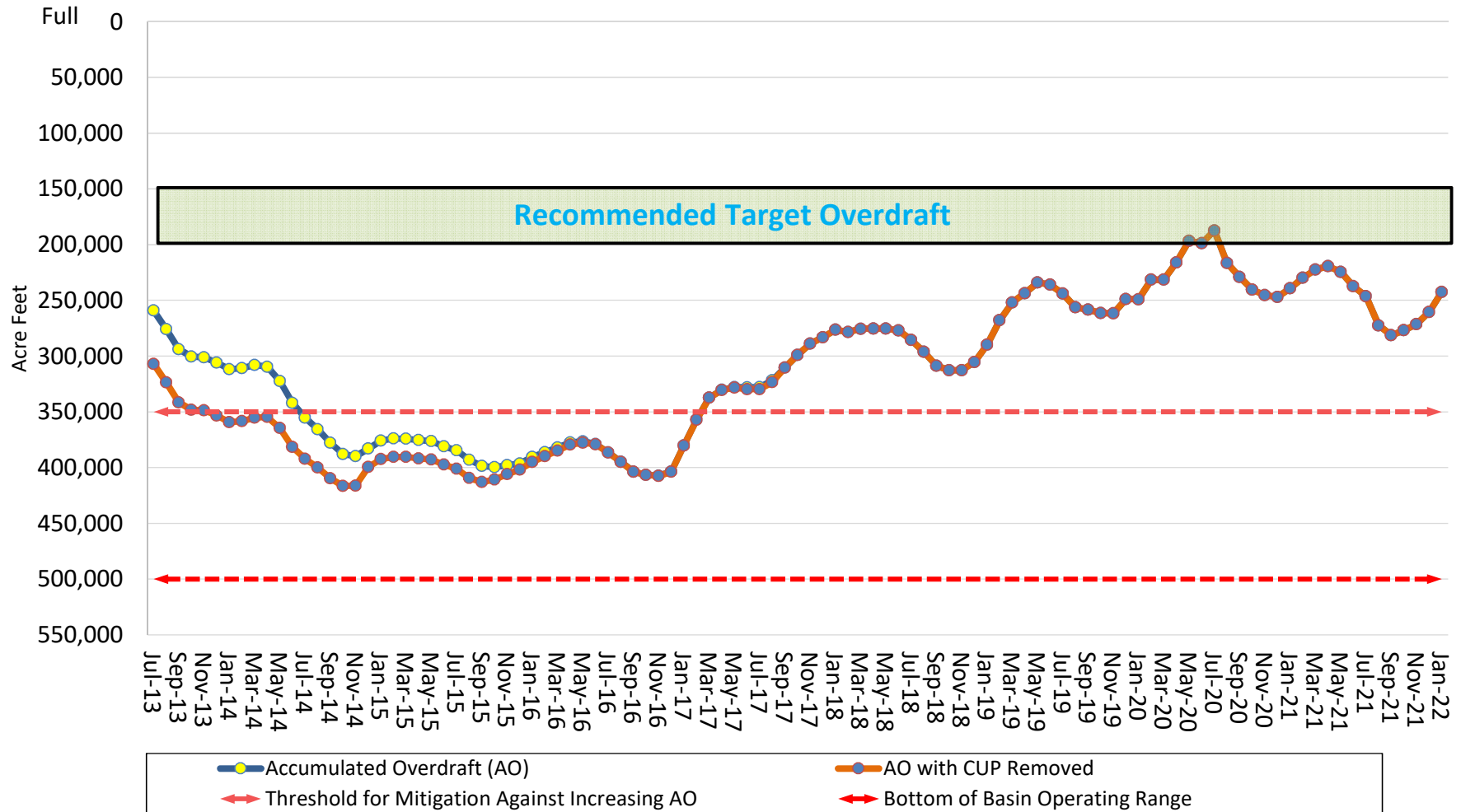
[1] Sum of Imported water for consumptive use (includes "In-Lieu" deliveries; excludes "Direct Replenishment" and "Barrier Replenishment") and Local water for consumptive use (includes recycled and non-potable water and excludes GWRS production) Recent months numbers include some estimation.

Accumulated Precipitation for the Oct.-Sep. water year, late February 2022



* The date of maximum snowpack accumulation (April 1st in Northern Calif. , April 15th in the Upper Colorado Basin) is used for year to year comparison.

Accumulated Overdraft of the OCWD Groundwater Basin as of January 2022



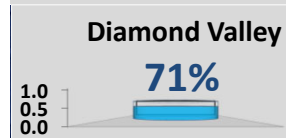
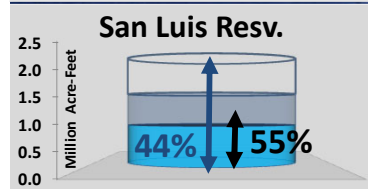
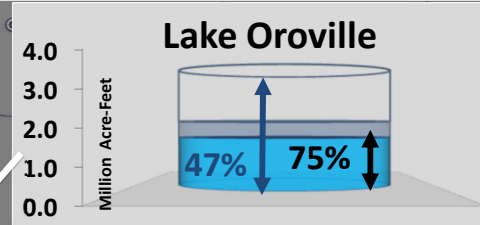
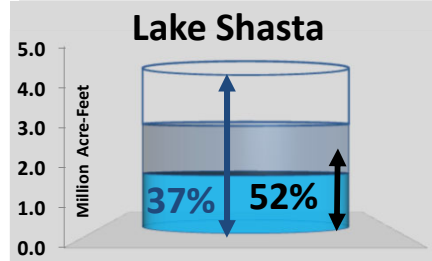
	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
AO (AF)	187,392	216,548	229,124	240,414	245,441	246,998	239,329	229,738	222,470	219,388	224,458	237,335
AO w/CUP removed (AF)	187,392	216,548	229,124	240,414	245,441	246,998	239,329	229,738	222,470	219,388	224,458	237,335
	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
AO (AF)	246,350	272,443	281,354	276,909	271,455	260,387	242,511					
AO w/CUP removed (AF)	246,350	272,442	281,354	276,909	271,455	260,387	242,510					

* Source ~ OCWD Monthly Board of Directors Packet, Water Resources Summary



State Water Project, Colorado River, and MWD Reservoir Storage

as of February 28, 2022

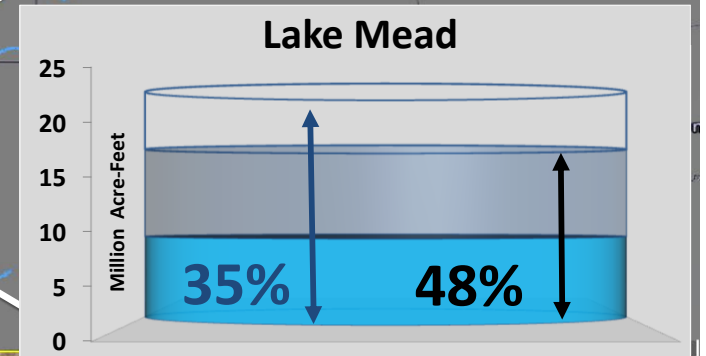
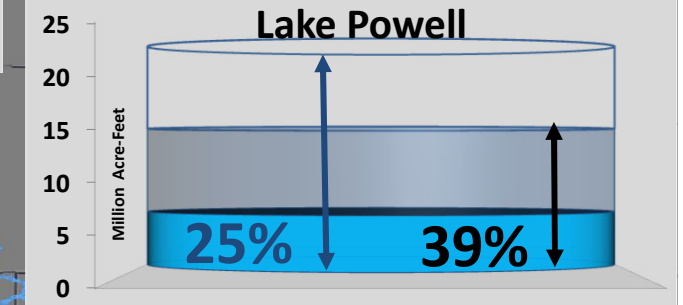


Reservoir Storage
Historical Reservoir Storage

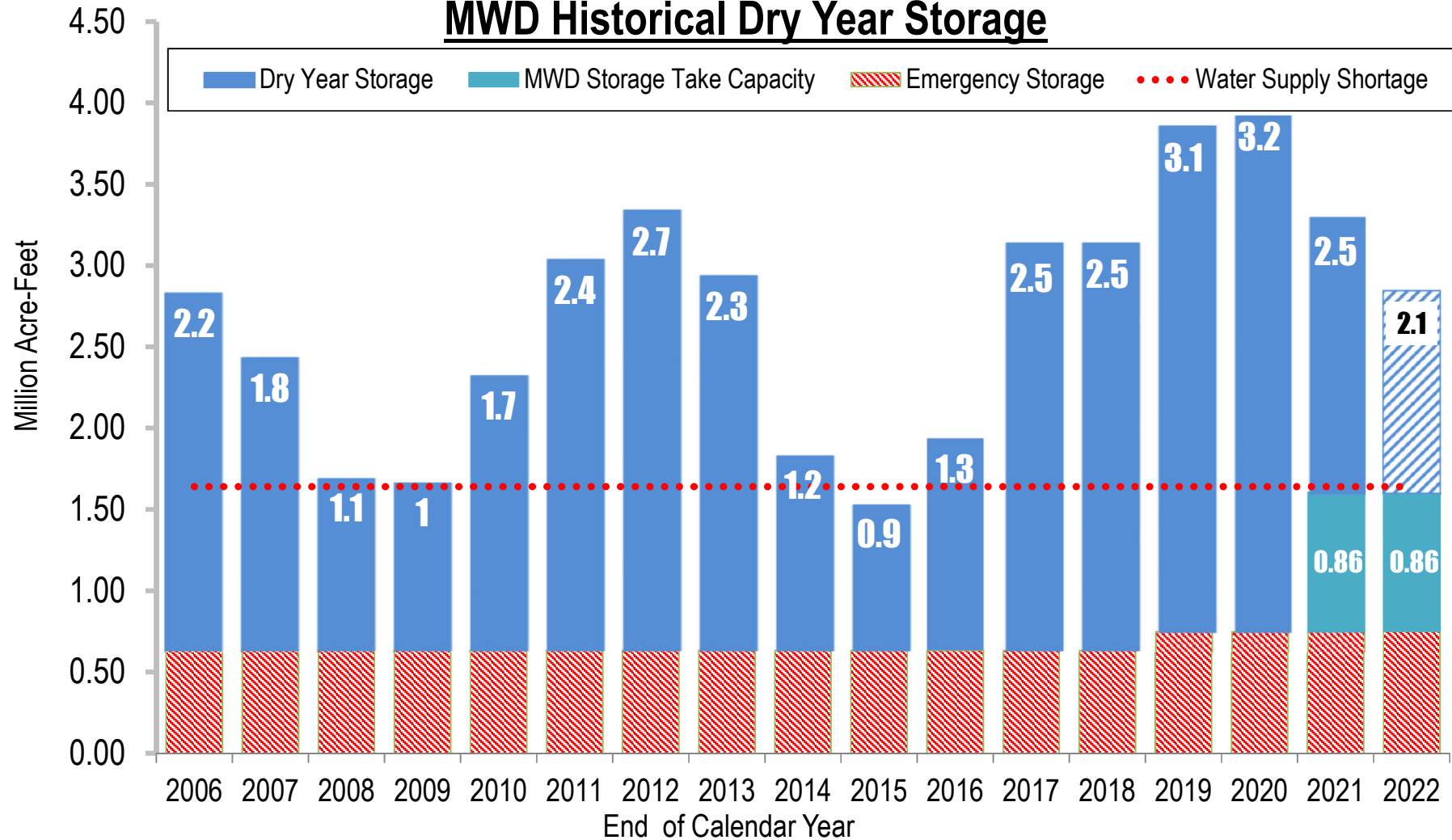
SWP Storage Take Capacity = 0.191 MAF
CRA Storage Take Capacity = 0.238 MAF
In Region Storage Take Capacity = 0.426 MAF



prepared by the Municipal Water District of Orange County
*Number are Subject to Change

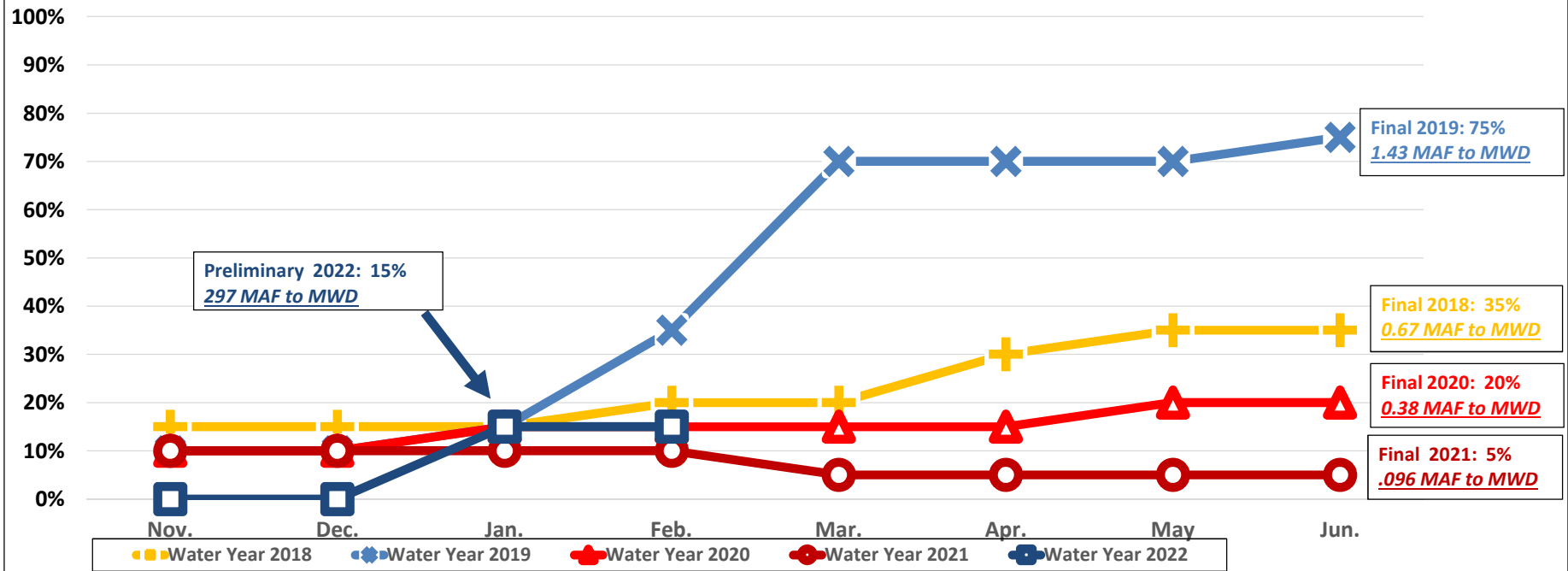


MWD Historical Dry Year Storage

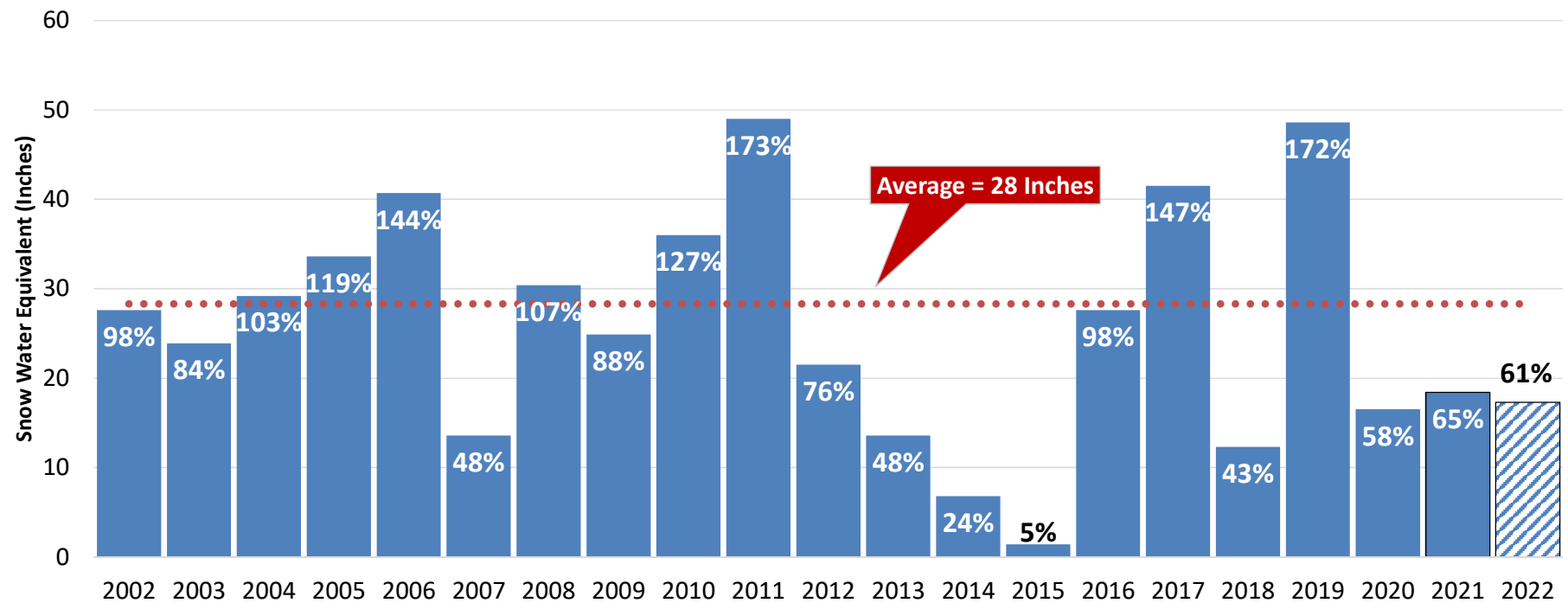


SWP TABLE A ALLOCATION PERCENTAGE

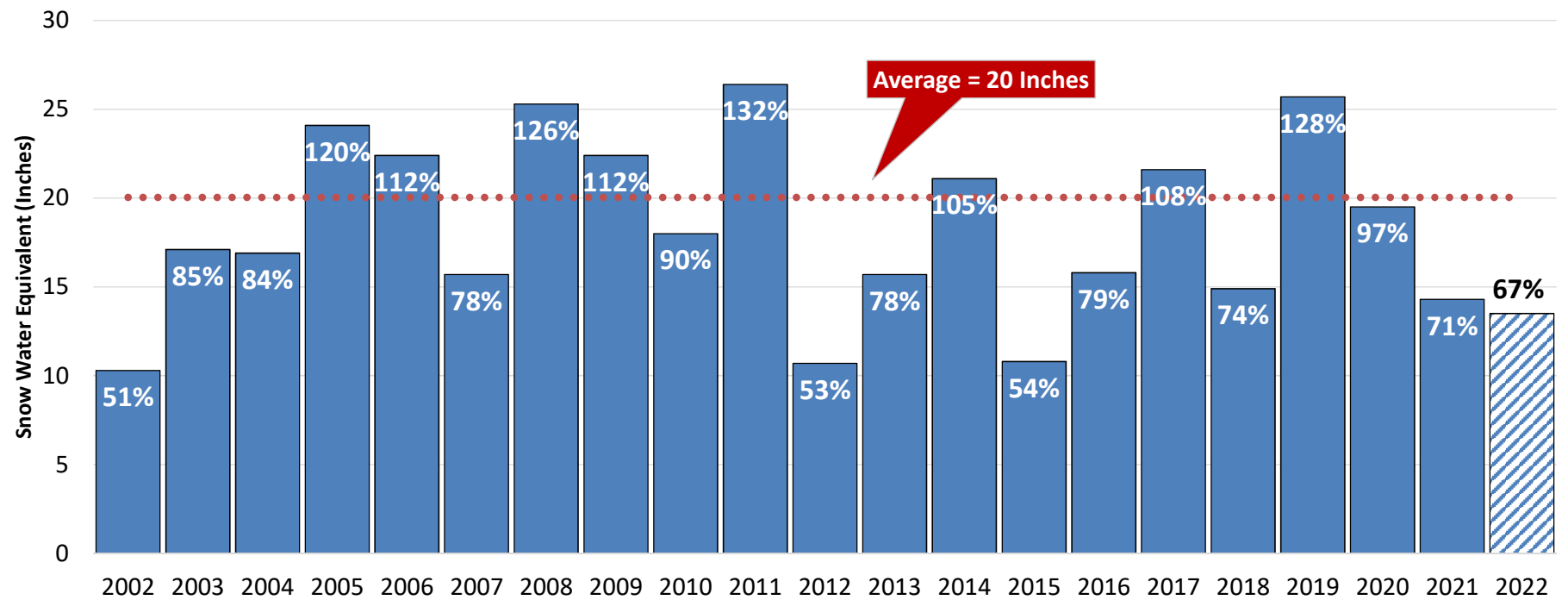
FOR STATE WATER PROJECT CONTRACTORS



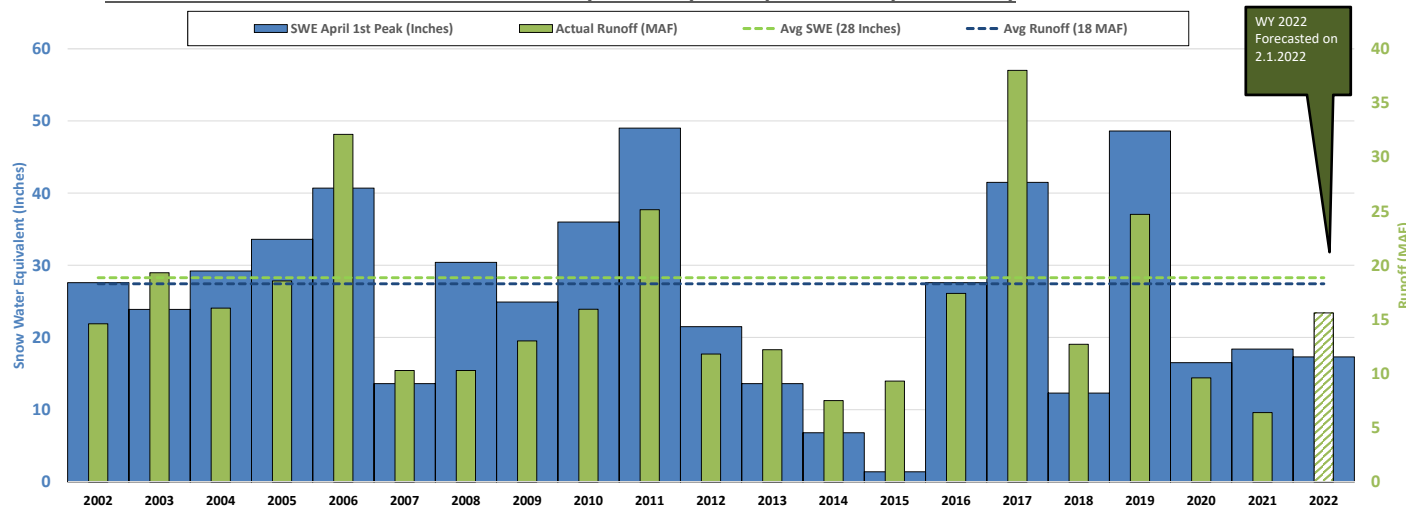
Historical Northern California April 1st Peak Snow Water Equivalent



Historical Colorado Basin April 15th Peak Snow Water Equivalent



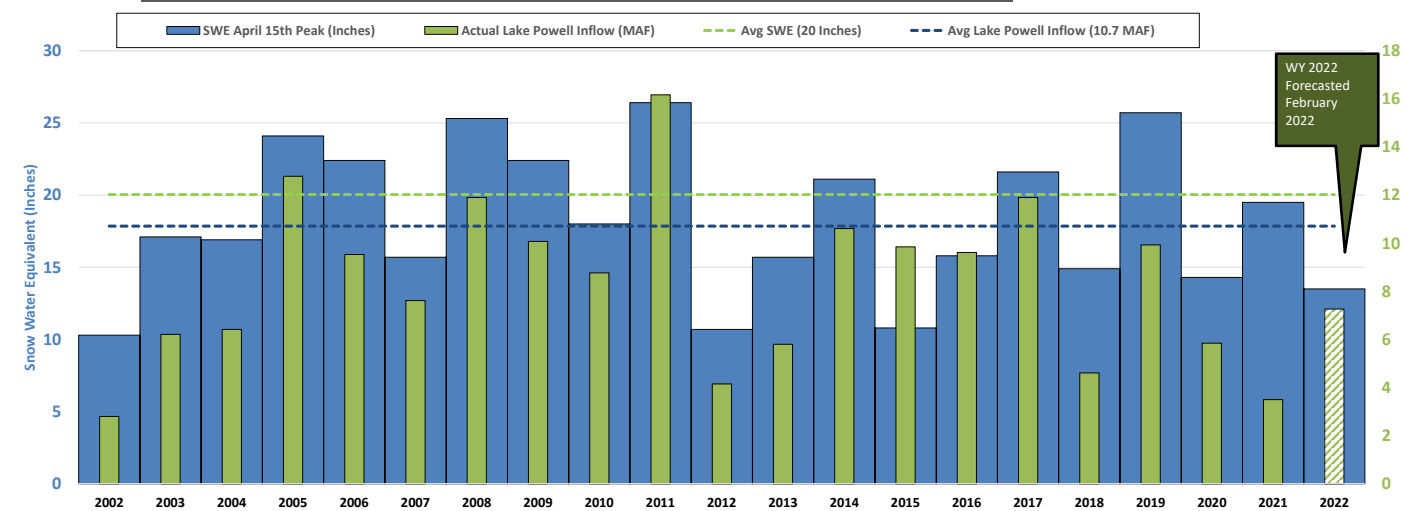
Northern California Historical Snow Water Equivalent (Inches) Vs Runoff (Million AF)



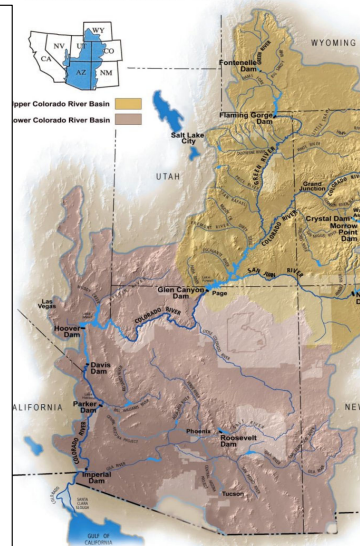
Sacramento River Basin



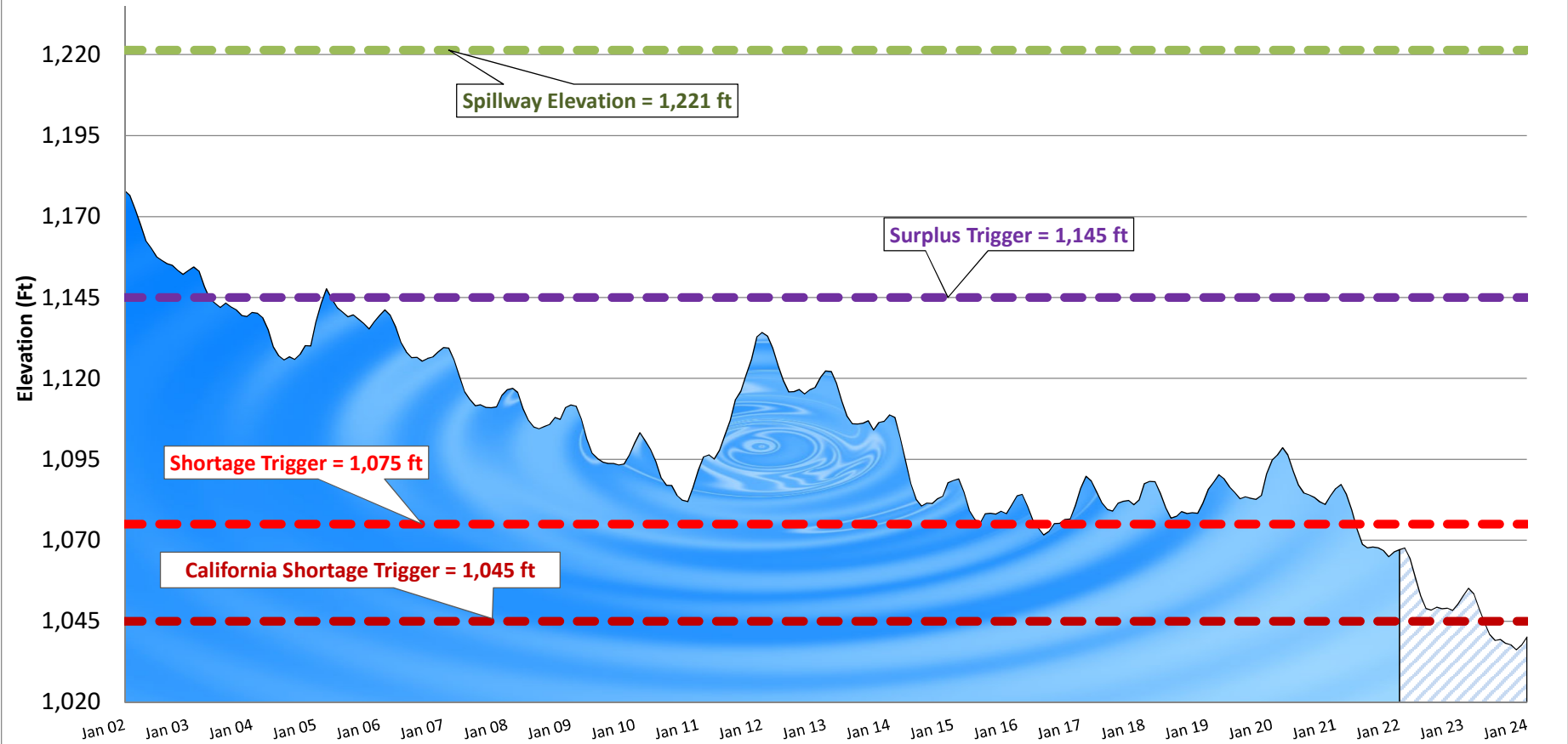
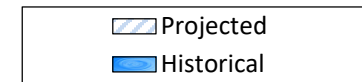
Upper Colorado Historical Snow Water Equivalent (Inches) Vs Runoff (Million AF)



Colorado River Basin

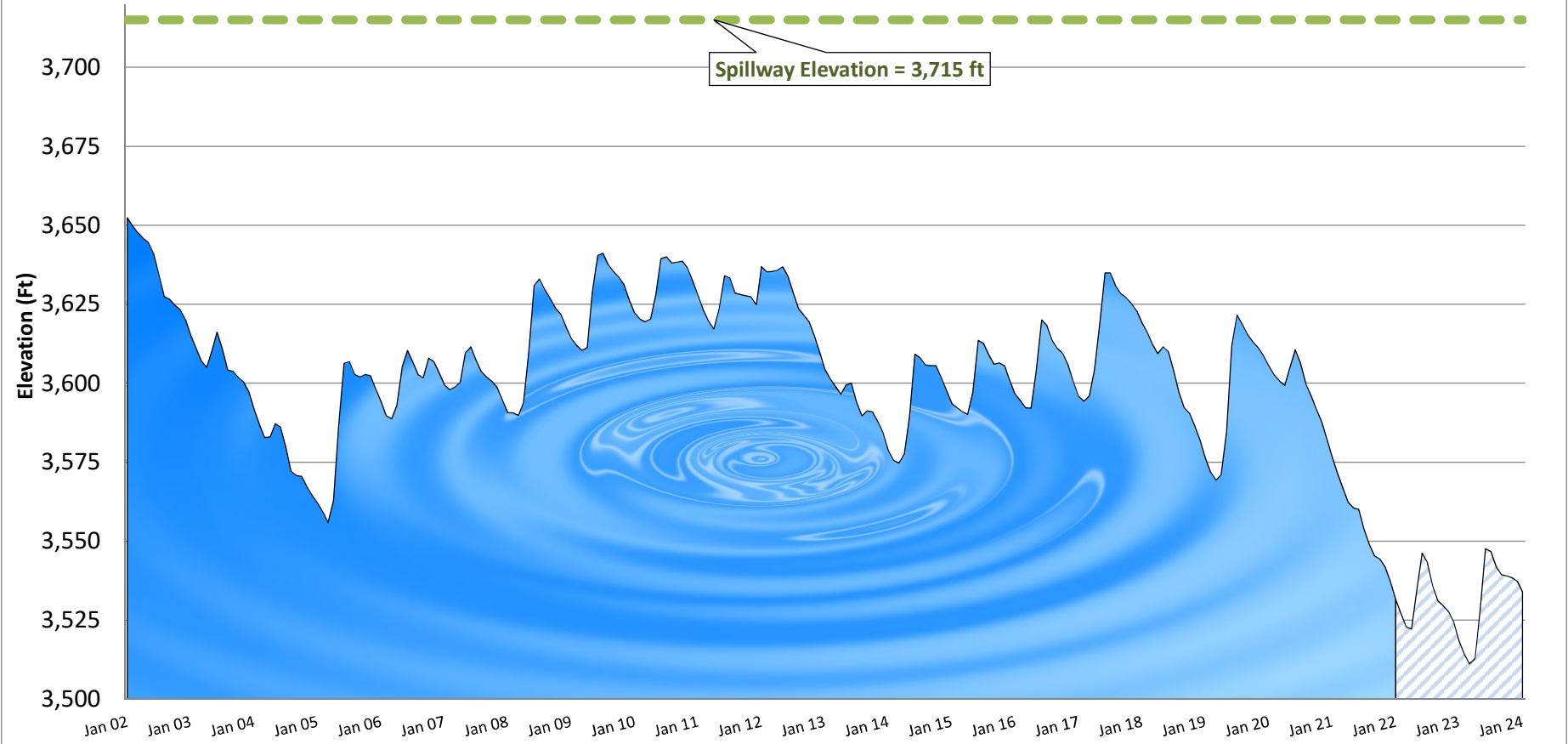


Lake Mead Levels: Historical and Projected projection per USBR 24-Month Study

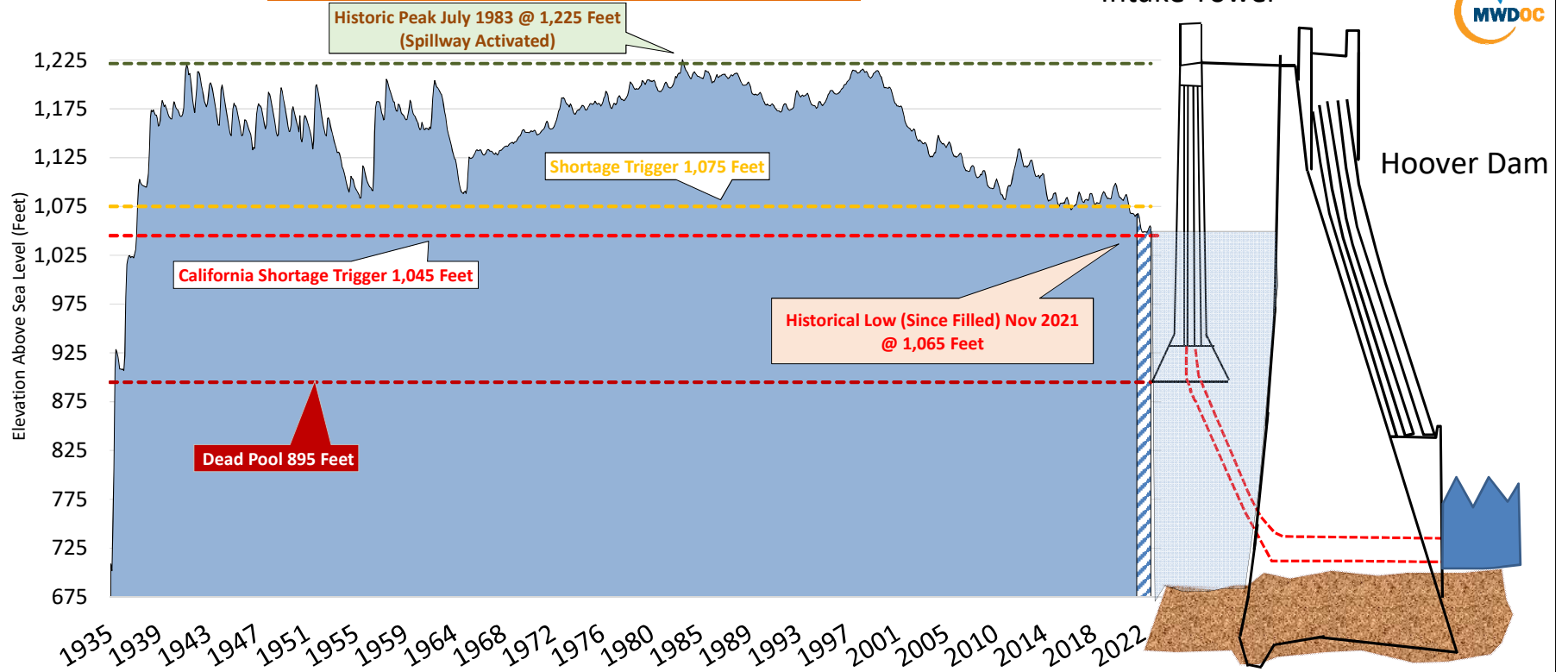


Lake Powell Levels: Historical and Projected projection per USBR 24-Month Study

■ Historical □ Projected



Lake Mead Historical Water Elevation Level



WILL SERVE REQUEST STATUS REPORT

(FEBRUARY 2022)

All projects subject to previously issued Will Serve Letters are either Complete or the Will Serve Letter has Expired

Applicant	Project Description	Location	Status	Date Requested	Date Issued
National Community Renaissance	Mountain View Housing	24551 El Toro Rd	Issued	09/15/21	09/17/21
City of Laguna Woods	LW Public Library	24264 El Toro Rd	Issued	08/07/20	09/23/20
Buchheim Properties III	Fuddruckers Redevelopment	23621 El Toro Rd Lake Forest	Issued	08/27/20	09/22/20
Merlone Geier Partners	Village at Laguna Hills	LH Mall Site	Pending		
Saddleback Medical Center	Women's Health Pavilion	24401 Calle De La Louisa	Issued	09/09/21	10/21/21
The Festival Company	Target/Alicia Landing (Phase II)	24420 & 24440 Alicia Parkway	Issued	10/11/21	10/11/21
Laguna Hills Investment Company	Heritage Medical Offices Oakbrook Village Suite H	24321 Avenida De La Carlota H-6	Issued	09/09/21	10/21/21
Mey Chen	Burger Town Sewer Connection	24418 Muirlands Blvd	Issued	07/01/21	07/29/21
City of Lake Forest	Arbors Access Ramp	23721 ½ El Toro Road	Issued	09/21/21	09/23/21
Elite Hospitality	Laguna Hills Inn Fire Sprinkler Upgrade	23061 Avenida De La Carlotta	Pending		

EL TORO WATER DISTRICT

UNAUTHORIZED DISCHARGE SUMMARY

YEAR OF 2022

DATE	PUBLIC / PRIVATE	SPILL TYPE	LOCATION	REASON	IMMEDIATE CORRECTIVE MEASURES	PREVIOUS MAINTENANCE		POST-INCIDENT PREVENTIVE MEASURES	RWQCB	DISCHARGED TO	SPILL VOLUME (PUBLIC) Gallons		SPILL VOLUME (PRIVATE) Gallons		REGULATORY NOTIFICATION AND RESPONSE
						CLEANING	TV				CONTAINED	SPILLED	CONTAINED	SPILLED	
January			No Spill												
February			No Spill												
LEGEND											0	0	0	0	
S.D.C = San Diego Creek		RES. = Residential		R.S. = Rocks											
S.D. = Storm Drain		C. = Commercial		C.W.D. = Calcium Water Deposits											
A.C. = Aliso Creek		S.B. = Siphon		B.P. = Broken Pipe											
G.B. = Grease Blockage		P.F. = Power Failure		U.W. = Untreated Water											
S. = Sticks		P. = Paper		R. = Roots											



WRP BATTERY STORAGE SYSTEM

MONTHLY REPORT

February, 2022

Year 3

BILLING PERIOD		BILL SAVINGS		NET SAVINGS
08/12/21 - 09/13/21	\$	3,251.24	\$	1,661.24
09/13/21 - 10/13/21	\$	4,754.89	\$	3,164.89
10/13/21 - 11/12/21	\$	2,940.99	\$	1,350.99
11/12/21 - 12/14/21	\$	1,998.24	\$	408.24
12/14/21 - 01/14/22	\$	(650.06)	\$	(2,240.06)
01/14/21 - 02/11/22	\$	79.50	\$	(1,510.50)

TOTAL \$ **12,374.80** \$ **2,834.80**



Sewerage Treatment Plant



23542 Moulton Pkwy, Laguna Woods, CA 92637

Savings Report - 2022-02

Jan 11, 2022 - Feb 11, 2022

SCE TOU 8 Option D (< 2kV)

Demand Charges	Before Storage		After Storage		Savings	
Maximum Demand Charges	968kW	\$18,367.97	970kW	\$18,393.31	(1)kW	\$(25.34)
Winter Mid-Peak (Weekdays)	912kW	\$8,660.09	912kW	\$8,664.00	(0)kW	\$(3.91)
Sub-total		\$27,028.06		\$27,057.31		\$(29.25)
Energy Charges	Before Storage		After Storage		Savings	
Winter Mid-Peak	85,713kWh	\$8,964.77	48,229kWh	\$5,044.29	37,484kWh	\$3,920.48
Winter Off-Peak	201,154kWh	\$19,069.38	231,239kWh	\$21,921.50	(30,086)kWh	\$(2,852.11)
Winter Super Off-Peak	127,557kWh	\$9,745.34	140,117kWh	\$10,704.97	(12,561)kWh	\$(959.62)
Sub-total		\$37,779.50		\$37,670.76		\$108.75
Other Monthly Charges	Before Storage		After Storage		Savings	
Customer and Other		\$716.13		\$716.13		\$ -
Sub-total		\$716.13		\$716.13		\$ -
Total	Before Storage		After Storage		Savings	
		\$65,523.69		\$65,444.20		\$79.50

Note: The above data is calculated by Genability using utility meter data. If there were any gaps in the utility data, they were filled with Stem meter data. Your actual utility bill may look different from the data displayed above due to either issues in the utility data we were provided or in the Stem meter data collected. Some discrepancies are normal and to be expected. For this reason, Stem completes a thorough review of all data and reconciles discrepancies by comparing the Genability calculations of the energy storage system cost savings and total bill values with your utility bills. If you have an outstanding performance guarantee term, any discrepancies identified are adjusted for differences and reflected in your true up term statement.

NATURAL RESOURCE RESULTS

To: Board of Directors, *Municipal Water District of Orange County*

From: Natural Resource Results

RE: Monthly Board Report – March 2022

Appropriations

The federal government has extended its Continuing Resolution (CR) until March 11th. Senator Richard Shelby, the Senate's top Republican appropriator said last that they were making progress on a bipartisan omnibus bill. Meanwhile, some members in Congress are beginning to take fiscal year 2023 appropriations requests. President Biden's fiscal 2023 budget request to Congress is delayed until late March.

Infrastructure

To help states, tribes, and local governments navigate the Beltway bureaucracy, the White House published a guidebook that lays out where to find the money and when applications will be accepted. At 465 pages, the guidebook can be found here: [link](#). Updated timelines and application information will be housed on a separate website where there is a search feature: [link](#).

With respect to EPA implementation, the Local Government Advisory Committee, which provides the EPA with a ground-level view of the agency's work, submitted recommendations ([link](#)) which EPA adopted ([link](#)). The committee members are mostly mayors, council members, and city officials. They urged the EPA to consider climate change and environmental justice when it doles out infrastructure money. They also asked that smaller communities without large staff receive technical help to navigate the application process.

PFAS Drinking Water Regulations

The EPA will hold two public discussions on how its regulation of two forever chemicals will affect environmental justice communities. The virtual meetings will be held March 2 and April 5. Registration is required: [link](#).

The EPA has stated that it will move as quickly as possible to issue updated health advisories for PFOA and PFOS that reflect the newest science and input from the Science Advisory Board. Concurrently, EPA will continue to develop a proposed PFAS National Primary Drinking Water Regulation for publication in Fall 2022. EPA anticipates issuing a final regulation in Fall 2023 after considering public comments on the proposal.

Colorado River, Salinity Control

The Paradox injection well is still not in operation but Reclamation is moving toward initiating a new six-month injection test with the goal of testing late spring or early summer. For the well to be turned on the Bureau needs their seismologist to finish the report and determine a “safe” injection rate. The contractors will then need a month or two to get things up and running before Paradox is operational again. In the long term, Reclamation continues to work on a Seismic Hazard and Risk Analysis. While the Bureau is making progress, it is unclear when their analysis will be finalized.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

To:	Municipal Water District of Orange County
From:	Syrus Devers, Best Best & Krieger
Date:	March 2nd, 2022
Re:	State Legislative Report

Updates on the Delta Conveyance will soon return as a regular feature of this report. The Department of Water Resources (DWR) appears to be serious about opening the 90 day public comment period on the state and federal environmental review documents (EIR/EIS) as early as May and no later than June. There are different requirements under federal and state regulations. By working on both simultaneously, DWR must conform to the most prescriptive requirements of each and they are taking a very conservative approach. That means they are going out of their way to avoid indicating a preference for any particular alternative and considering a wide range of alternatives. They are looking at tunnel capacities from a low of 3,000 cfs to 7,500 cfs., and three different tunnel routes. Opponents of the tunnel argue that allowing the State Water Project to continue to degrade will force Southern California to develop new water supplies. An interesting part of the final report will be an analysis of the impacts of doing just that. Under the “no project” alternative required by CEQA (EIR), DWR says it will address a broad range of impacts that would be expected if the Delta Conveyance is not completed.

Turning to legislation, it initially appeared that the Legislature might focus its attention on other pressing issues rather than water and not introduce a large number of bills relating to water policy, but in the final days for the bill introduction deadline an almost record number of water-related bills came out. The major focus will be on indoor water use efficiency standards, which has been discussed previously in this report. Last month’s report described the potential consequences of Assemblymember Friedman introducing a second bill on the same subject in violation of the Joint Rules. That report obviously rocked the Capitol because Friedman dropped her plans and Senator Hertzberg introduced the bill. (Maybe it wasn’t because of the report, but who’s to say?) The bill is SB 1157 and it is included in staff recommendations.

Another bill for MWDOC to watch (and also included in staff recommendations) is AB 2142 (Gabriel) on turf replacement. (Specifically exclusion from income tax for the turf removal credit.) The reason for calling it out this year is that the bill might finally have a chance of passing. Previous attempts have been blocked by the former Chair of the powerful Assembly Appropriations Committee, Lorena Gonzales, who left the Legislature to lead the also powerful California Labor Federation. Gonzales was replaced as Chair by Assemblymember Chris Holden of Pasadena...a former author of the bill.

MWDOC - Bill Matrix

Item No. 6d

Prepared by BB&K, March, 2022

A. Priority Support/Oppose

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority	Notes 1
AB 1845	Calderon D	Metropolitan Water District of Southern California: alternative project delivery methods.	2/18/2022- Referred to Coms. on L. GOV. and W.,P., & W.	2/18/2022- A. L. GOV.	Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district, if using this procurement process, to follow certain procedures, including preparing and issuing a request for qualifications, preparing a request for proposals including the scope and needs of the project or contract, and awarding projects based on certain criteria for projects utilizing either lowest responsible bidder or best value selection criteria.	Out for Analysis	A. Priority Support/ Oppose	Recommended for position on March 2nd
AB 1944	Lee D	Local government: open and public meetings.	2/18/2022- Referred to Com. on L. GOV.	2/18/2022- A. L. GOV.	Current law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public when the legislative body has elected to allow members to participate via teleconferencing.	Out for Analysis	A. Priority Support/ Oppose	Proposed for April agenda.
AB 2142	Gabriel D	Income taxes: exclusion: turf replacement water conservation program.	2/15/2022- From printer. May be heard in committee March 18.	2/15/2022- A. PRINT	The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income.	Out for Analysis	A. Priority Support/ Oppose	Recommended for position on March 2nd

					Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program.			
AB 2157	Rubio, Blanca D	Urban water use objectives: indoor residential water use.	2/15/2022- From printer. May be heard in committee March 18.	2/15/2022- A. PRINT	Existing law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and in collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Existing law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use, beginning January 1, 2025, establishes the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would make a nonsubstantive change to the provision requiring the department and the board to collaborate with, and seek input from, stakeholders with regard to the studies, investigations, and report.	Watch	A. Priority Support/ Oppose	Spot bill, but still a priority.
AB 2278	Kalra D	Natural resources: coastal and ocean resources.	2/17/2022- From printer. May be heard in committee March 19.	2/16/2022- A. PRINT	Current law creates the California Ocean Protection Act, which includes various legislative findings and declarations related to coastal and ocean resources. This bill would make a nonsubstantive change to these provisions.	Watch	A. Priority Support/ Oppose	Possible return of AB 3030
AB 2387	Garcia, Eduardo D	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood	2/18/2022- From printer. May be heard in committee March 20.	2/17/2022- A. PRINT	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance	Watch	A. Priority Support/ Oppose	

		Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.			of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. This bill contains other related provisions.			
AB 2449	Rubio, Blanca D	Open meetings: local agencies: teleconferences .	2/18/2022- From printer. May be heard in committee March 20.	2/17/2022- A. PRINT	Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.	Watch	A. Priority Support/ Oppose	
AB 2451	Wood D	State Water Resources Control Board: drought planning.	2/18/2022- From printer. May be heard in committee March 20.	2/17/2022- A. PRINT	Would require the State Water Resources Control Board to establish a Drought Section within the Division of Water Rights, as specified. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds during times of water shortage for drought preparedness and climate resiliency and for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage. The bill would require the state board to adopt those principles and guidelines no later than March 31, 2023, as specified.	Watch	A. Priority Support/ Oppose	
SB 45	Portantino D	Short-lived climate pollutants: organic waste reduction	1/24/2022- Read third time. Passed. (Ayes 36.	1/24/2022- A. DESK	Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic		A. Priority Support/ Oppose	Bond intended for the Nov. '22 ballot.

		goals: local jurisdiction assistance.	Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.		waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals. This bill would require the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.			
SB 230	Portantino D	State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program.	1/26/2022- Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/26/2022- A. DESK	Would require the State Water Resources Control Board to establish, maintain, and direct a dedicated program called the Constituents of Emerging Concern in Drinking Water Program for 5 years to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel for 3 years to review and provide recommendations to the state board on CECs for further action, among other duties. The bill would require the state board to provide a final report to the Legislature by June 1, 2026, on the work conducted by the panel.	Support	A. Priority Support/ Oppose	Support position adopted April 7th.
SB 1157	Hertzberg D	Urban water use objectives: indoor residential water use.	2/18/2022- From printer.	2/17/2022-S . RLS.	Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Existing law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons	Out for Analysis	A. Priority Support/ Oppose	Recommended for position on March 2nd

					per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.			
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B. Watch

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority	Notes 1
AB 1001	Garcia, Cristina D	Environment: mitigation measures for air and water quality impacts: environmental justice.	2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment .	2/1/2022-S. RLS.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would authorize mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air or water quality of a disadvantaged community, to include measures for avoiding, minimizing, or compensating for the adverse effects on that community.	Watch	B. Watch	
AB 1774	Seyarto R	California Environmental Quality Act: water conveyance or storage projects: judicial review.	2/10/2022-Referred to Coms. on NAT. RES. and JUD.	2/10/2022-A. NAT. RES.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that	Watch	B. Watch	

					effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects.			
AB 1817	Ting D	Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).	2/18/2022- Referred to Com. on E.S. & T.M.	2/18/2022- A. E.S. & T.M.	Would prohibit, beginning January 1, 2024, any person from distributing, selling, or offering for sale in the state any textile articles that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in textile articles to comply with these provisions.		B. Watch	
AB 2313	Bloom D	Water: judges and adjudications.	2/17/2022- From printer. May be heard in committee March 19.	2/16/2022- A. PRINT	(1) Current law authorizes the Judicial Council to conduct institutes and seminars for the purpose of orienting judges to new judicial assignments, keeping them informed concerning new developments in the law, and promoting uniformity in judicial procedure, as specified. This bill would encourage the Judicial Council to establish a program that provides training and education to judges in specified actions relating to water, as defined. The bill would provide that the program may be funded by an appropriation from the General Fund in the annual Budget Act or another statute. The bill would authorize the Chairperson of the Judicial Council to assign to certain actions relating to water a judge with that training or education. This bill contains other related provisions and other existing laws.	Watch	B. Watch	
AB 2477	Rodriguez D	Local Emergency Preparedness, Hazard Mitigation, and Mutual Aid	2/18/2022- From printer. May be heard in committee	2/17/2022- A. PRINT	Would establish a Local Emergency Preparedness, Hazard Mitigation, and Mutual Aid Fund to, upon appropriation by the Legislature, support staffing, planning, emergency mitigation priorities, and enhancing	Watch	B. Watch	

		Fund.	March 20.		mutual aid to help local governments meet emergency management, preparedness, readiness, and resilience goals. The bill would require the Controller, upon appropriation by the Legislature, to transfer \$500,000,000 annually to the fund. The bill would require the Office of Emergency Services to establish the Local Emergency Preparedness, Hazard Mitigation, and Mutual Aid Fund Committee under the Standardized Emergency Management System Advisory Board. The bill, on or before July 1, 2023, would require the committee to adopt guidelines identifying eligible uses of the funds distributed pursuant to these provisions for the mitigation, prevention, preparedness, response, and recovery phases of emergency management that supports the development of a resilient community and enhances mutual aid.			
AB 2605	Villapudua D	Water quality: state certification.	2/19/2022- From printer. May be heard in committee March 21.	2/18/2022- A. PRINT	The State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge requirements in accordance with the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act. Under federal law, any applicant seeking a federal license or permit for an activity that may result in any discharge into the navigable waters of the United States is required to first seek a state water quality certification, as specified. The Porter-Cologne Water Quality Control Act authorizes the state board to certify or provide a statement to a federal agency, as required pursuant to federal law, that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state board will not reduce water quality below applicable standards. The federal act provides that if a state fails or refuses to act on a request for this certification within a reasonable period of time, which shall not exceed one year after receipt of the request, then the state certification requirements are waived with respect to the federal application. This bill would authorize the state board to delegate its authority regarding the above-described issuance of a certificate or statement to the regional boards.	Watch	B. Watch	
AB 2639	Quirk D	Water quality control plans and water rights permits.	2/19/2022- From printer. May be	2/18/2022- A. PRINT	Would require the State Water Resources Control Board, on or before December 31, 2023, to adopt a final update of a specified water	Watch	B. Watch	

			heard in committee March 21.		quality control plan for the Bay-Delta and to implement the final San Joaquin River/Southern Delta update of that specified water quality control plan, as provided. The bill would prohibit the state board from approving any new water right permits or extensions of time for any existing permits resulting in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until the state board has taken those actions.			
AB 2740	Dahle, Megan R	Water resources: desalination.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	Current law requires the Department of Water Resources, not later than July 1, 2004, to report to the Legislature, on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Current law requires the department to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise the department in carrying out these duties and in making recommendations to the Legislature. This bill would repeal these provisions.	Watch	B. Watch	
AB 2742	Friedman D	Water meters: urban water suppliers.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	The Water Measurement Law generally requires the installation of a water meter as a condition of new water service on and after January 1, 1992. The law, with certain exceptions, requires an urban water supplier to install water meters on all municipal and industrial service connections that are located in its service area on or before January 1, 2025. This bill would delay that requirement for an urban water supplier to install the water meters to on or before January 1, 2030.	Watch	B. Watch	
AB 2857	Bauer-Kahan D	Groundwater.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	Current law relating to groundwater management declares the intent of the Legislature to encourage local agencies to work cooperatively to manage groundwater resources within their jurisdictions, and makes related legislative findings and declarations. This bill would make nonsubstantive changes to those legislative findings and declarations.	Watch	B. Watch	
AB 2876	Bigelow R	Sustainable Groundwater Management Act.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to	Watch	B. Watch	

					be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act requires all relevant state agencies to consider the policies of the act, and any adopted groundwater sustainability plans, when revising or adopting policies, regulations, or criteria, or when issuing orders or determinations, where pertinent. This bill would make nonsubstantive changes to the latter provision.			
AB 2877	Garcia, Eduardo D	Water infrastructure projects: tribal governments.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	Would state the intent of the Legislature to enact subsequent legislation that would create the Tribal Government Water Infrastructure Grant Fund in the State Treasury to provide grants to tribal governments for water infrastructure projects.	Watch	B. Watch	
AB 2895	Arambula D	Water transfers.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	Current law regulates water transfers and authorizes a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses. Current law defines a temporary change for these purposes to mean a change of point of diversion, place of use, or purpose of use involving a transfer or exchange of water or water rights for a period of one year or less. This bill would make nonsubstantive changes to the definition of a temporary change.	Watch	B. Watch	
AB 2919	Fong R	Dams: water: fishway.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	Current law requires the owner of a dam to allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. This bill would make nonsubstantive changes to that provision.	Watch	B. Watch	
SB 832	Dodd D	Water rights: measurement of diversion.	1/19/2022-Referred to Com. on	1/19/2022-S.N.R. & W.	Current law requires a person who diverts 10 acre-feet or more of water per year under a permit or license to	Watch	B. Watch	

			N.R. & W.		install and maintain a device or employ a method capable of measuring the rate of direct diversion, rate of collection to storage, and rate of withdrawal or release from storage. Current law requires the measurements to be made using the best available technologies and best professional practices using a device or methods satisfactory to the State Water Resources Control Board, as specified in regulations adopted by the state board. Current law requires a permittee or licensee to maintain a record of all diversion monitoring, as provided, and to include those records with annual reports required to be submitted to the state board. Current law authorizes the state board to modify these requirements if the state board finds that strict compliance with these requirements is infeasible, is unreasonably expensive, would unreasonably affect public trust uses, or would result in the waste or unreasonable use of water, or that the need for monitoring and reporting is adequately addressed by other conditions of the permit or license. This bill would clarify existing law that a person diverting 10 acre-feet or more of water per year under a registration is subject to these water diversion measurement, recording, and reporting requirements.			
SB 890	Nielsen R	Department of Water Resources: Water Storage and Conveyance Fund: water storage and conveyance.	2/23/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.	2/9/2022-S. N.R. & W.	Would establish the Water Storage and Conveyance Fund in the State Treasury to be administered by the Department of Water Resources. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair and reservoir storage costs, including environmental planning, permitting, design, and construction and all necessary road and bridge upgrades required to accommodate capacity improvements. The bill would require the department to expend from the fund, upon appropriation by the Legislature, specified monetary amounts to complete funding for the construction of the Sites Reservoir, and to restore the capacity of 4 specified water conveyance systems, as prescribed, with 2 of those 4 expenditures being in the form of a grant to the Friant Water Authority and to the San Luis and Delta-Mendota Water Authority. This bill would make these provisions inoperative on July 1, 2030, and would repeal it as of January 1, 2031.	Watch	B. Watch	

SB 892	Hurtado D	Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector.	2/17/2022-Set for hearing March 15.	2/9/2022-S.G.O.	Would require the Office of Emergency Services (CalOES) to develop, propose, and adopt reporting requirements applicable to companies and cooperatives in the food and agriculture industry if they identify a significant and verified cyber threat or active cyberattack. The bill would require a water and wastewater systems sector entity serving more than 3,300 people to report their risk assessments and emergency response plan required by the America's Water Infrastructure Act of 2018 to the California Cybersecurity Integration Center, the Department of Water Resources, and the State Water Resources Control Board.	Watch	B. Watch	
SB 1059	Becker D	Water Recycling in Landscaping Act: recycled water producers.	2/23/2022-Referred to Coms. on GOV. & F. and N.R. & W.	2/23/2022-S.GOV. & F.	The Water Recycling in Landscaping Act requires a recycled water producer, as defined, if the recycled water producer determines that within 10 years they will provide recycled water that meets specified conditions within the boundaries of a local agency, to notify the local agency of that fact and other specified information. This bill would instead require a recycled water producer to provide that notification if they determine that within 8 years they will provide recycled water that meets specified conditions within the boundaries of a local agency.	Watch	B. Watch	
SB 1078	Allen D	Sea Level Rise Revolving Loan Pilot Program.	2/23/2022-Referred to Com. on N.R. & W.	2/23/2022-S.N.R. & W.	Would require the Ocean Protection Council, in consultation with the State Coastal Conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program for purposes of providing low-interest loans to local jurisdictions for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property located in specified communities, including low-income communities, as provided. The bill would require the council, before January 1, 2024, in consultation with other state planning and coastal management agencies, as provided, to adopt guidelines and eligibility criteria for the program. The bill would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program from the conservancy, in consultation with the council, if the local jurisdiction develops and submits to the conservancy a vulnerable coastal property plan and completes all other requirements imposed by the council. The bill would require the conservancy, in consultation with the council, to	Watch	B. Watch	

					review the plans to determine whether they meet the required criteria and guidelines for vulnerable coastal properties to be eligible for participation in the program. This bill contains other related provisions.			
SB 1219	Hurtado D	Water: State Water Resources Control Board dissolution: Blue Ribbon Commission.	2/18/2022-From printer.	2/17/2022-S . RLS.	Current law establishes the State Water Resources Control Board within the California Environmental Protection Agency with specified duties relating to, among other things, administering water rights, the Porter-Cologne Water Quality Control Act, and the California Safe Drinking Water Act. Current law establishes the Department of Water Resources within the Natural Resources Agency and prescribes the jurisdiction and various general administrative authorities and duties of the department regarding, among other things, matters pertaining to water resources and dams in the state. This bill would dissolve the board as of January 1, 2025.	Watch	B. Watch	Possible priority bill, but unlikely to move.
SB 1476	Bradford D	Water replenishment districts: contracts.	2/22/2022-From printer.	2/18/2022-S . RLS.	The Water Replenishment District Act provides for the formation of water replenishment districts with prescribed powers for the purposes of replenishing the groundwater supplies within the district. The act requires contracts and other documents executed by a district that require or authorize the district to expend \$10,000 or more to be authorized by the board of directors and signed by the president and the secretary, except as specified. This bill would make nonsubstantive changes to those provisions relating to water replenishment district contracting.	Watch	B. Watch	

C. Spot Bill

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority	Notes 1
AB 2201	Bennett D	State water policy: water rights.	2/15/2022-From printer. May be heard in committee March 18.	2/15/2022-A. PRINT	Existing law declares general state policies regarding water use, water rights, and the regulation of the waters of California. This bill would make nonsubstantive changes to one of those provisions relating to water rights.	Watch	C. Spot Bill	
AB 2940	Dahle, Megan R	Water rights: reasonable and beneficial use of water.	2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT	Current law declares that the right to water is limited to that water that is reasonably required for the beneficial use to be served, and does not extend to the waste or unreasonable use, unreasonable method of use, or unreasonable method of diversion of water. This bill would make nonsubstantive changes to that provision.	Watch	C. Spot Bill	

SB 1442	Borgeas R	Water conservation and reclamation projects.	2/22/2022-From printer.	2/18/2022-S . RLS.	Current law establishes the Water Conservation Projects Act of 1985 and declares the intent of the Legislature to encourage local agencies and private enterprise to implement water conservation and reclamation projects. This bill would make nonsubstantive changes to related legislative findings and declarations.	Watch	C. Spot Bill	
SB 1459	Caballero D	State water policy.	2/22/2022-From printer.	2/18/2022-S . RLS.	The Porter-Cologne Water Quality Control Act requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. This bill would make nonsubstantive changes to that provision.	Watch	C. Spot Bill	
SB 1485	Rubio D	Water quality: statewide program.	2/22/2022-From printer.	2/18/2022-S . RLS.	The Porter-Cologne Water Quality Control Act designates the State Water Resources Control Board and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality. The act requires the state board and the regional boards to, among other things, coordinate their respective activities to achieve a unified and effective water quality control program in the state. This bill would make nonsubstantive changes to the latter provision.	Watch	C. Spot Bill	

Total Measures: 37

Total Tracking Forms: 37

Metropolitan Water District of Southern California
State Legislative Matrix
February 7, 2022 – Second Year of Legislative Session

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
Metropolitan-sponsored bills	SB 230 Portantino (D) Sponsors: Metropolitan and the California Municipal Utilities Association (CMUA)	Amended 1/20/2022 Assembly Desk	State Water Resources Control Board: Constituents of Emerging Concern Program Seeks to create a statewide program to identify and evaluate Constituents of Emerging Concern (CECs) in drinking water sources.	CO-SPONSOR Based on October 2019 Board Action	Metropolitan and CMUA are co-sponsoring legislation in response to growing public concern about CECs in drinking water. The bill would establish a five-year CEC Drinking Water Program at the State Water Resources Control Board. The program would set up a consistent and science-based approach for assessing the public health and drinking water consequences of CECs, with the intent to improve knowledge and future regulatory determinations. The bill excludes PFAS from the program of review and requires the State Water Board to present a final report to the Legislature. The recent amendments make implementation of a CEC Drinking Water Program contingent upon an appropriation by the Legislature.
Drinking Water	AB 588 Garcia, E. (D) Sponsors: Association of California Water Agencies	Amended 3/30/2021 Assembly Environmental Safety and Toxics Committee Died in Committee	California Safe Drinking Water Act: compliance Would allow the State Water Resources Control Board to approve a compliance period of not less than 30 days and no more than 6 months for new primary drinking water standards and would allow an	SUPPORT Based upon Board-adopted 2021 State Legislative Priorities and Principles	The bill would create flexibility for water agencies to comply with new primary drinking water standards. Metropolitan supports granting more time to comply if a contaminant requires extensive treatment and capital investments. Large water agencies with adequate resources may be able to comply sooner with new MCLs, but smaller systems may need longer lead times to invest in routine

Metropolitan Water District of Southern California
State Legislative Matrix
February 7, 2022 – Second Year of Legislative Session

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
	California Association of Mutual Water Companies		additional 12 months on a case-by- case basis.		monitoring and treatment. Water agencies granted longer compliance periods would have to report on progress.
Water Quality and Treatment	AB 377 Rivas, R. (D) Sponsor: California Coastkeeper Alliance	Amended 4/13/2021 Assembly Appropriations Committee Died in Committee	Water quality: impaired waters Would require the State Water Resources Control Board and Regional Water Quality Control Boards to evaluate impaired surface waters and report to the Legislature a plan to bring them in to attainment by January 1, 2050. Requires by January 1, 2023 the State Water Board and Regional Boards prioritize enforcement of surface water quality standards and creates the Waterway Recovery Account to provide funding to bring impaired surface water segments into compliance	WATCH Based upon Board-adopted 2021 State Legislative Priorities and Principles	The April 13 amendment substantively revised the bill. The blanket prohibitions on the issuance of new, renewed, or remodified NPDES waivers, waste discharge requirements, and permits with best management practices have been removed. There is still language with provisions pertaining to new enforcement procedures for discharges that are “causing or contributing to an exceedance of water quality standard in a surface water of the state.” However, it is too early to assess how, or if, the State and Regional boards will take enforcement action on low-threat drinking water discharges to bring “all water segments” into attainment by the 2050 target date.
Water Governance and Funding	AB 1195 C. Garcia (D) Sponsor: Author	Amended 5/24/2021 Senate Natural Resources and Water Committee Two-year bill	Drinking water. Requires the State Water Resources Control Board (State Water Board) to appoint a commissioner to implement the Safe and Affordable Fund for Equity and Resilience Program (SAFER Program) in Southern Los Angeles County.	OPPOSE UNLESS AMENDED Based upon May 2021 Board Action	Seeks to address the needs of public water systems in Southern Los Angeles County struggling to provide safe and affordable retail water. The May 24 amendments limit the role of the commissioner to focus on implementation of the SAFER Program and create a pilot program with Los Angeles County LAFCO to extend service or consolidate struggling systems.

Metropolitan Water District of Southern California
State Legislative Matrix
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Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
Delta/State Water Project	AB 979 Frazier (D) Sponsor: Author	Amended 4/13/2021 Assembly Appropriations Committee Died in Committee	Sacramento-San Joaquin Delta: projects: sea level rise analysis report Requires a local or state agency and private developers undertaking a project in the San Joaquin- Sacramento Delta to complete and submit to the Delta Stewardship Council, Delta Protection Commission and Legislature a report that analyzes the impact of sea-level rise (SLR) on the project.	OPPOSE Based upon Board-adopted 2021 State Legislative Priorities and Principles	Metropolitan is seeking additional amendments to further clarify the role of the commissioner; strike a provision that grants the commissioner the authority to audit public water systems and bypass the public process created by the Legislature; and strike a section that would grant the State Water Board jurisdiction over decisions to transfer or abandon groundwater rights. The bill as amended on April 13, 2020 would apply to Metropolitan as owners of Delta islands and the Department of Water Resources as operator of the State Water Project. A SLR analysis be required using Ocean Protection Council scenarios from a 2018 guidance document including one projecting an additional 22 feet of rise at the Golden Gate bridge. It could add significant costs and delays to Delta levees or habitat restoration projects including the DCP, an action covered under the Delta Reform Plan. Any updates to the plan already require the Delta Stewardship Council to consider sea level rise.
Water/Energy Nexus	AB 1161 E. Garcia (D)	Amended 4/13/2021	Electricity: eligible renewable energy and zero-carbon resources: state agencies: procurement	OPPOSE	SB 100 (DeLeon, 2018) set a state goal for 100% carbon-free resources for all state agencies by 2045. Staff have

Metropolitan Water District of Southern California
State Legislative Matrix
February 7, 2022 – Second Year of Legislative Session

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
	Sponsor: Author	Assembly Utilities and Energy Committee Died in Committee	Requires the Department of Water Resources (DWR) to procure newly eligible renewable energy resources or zero-carbon resources, and associated energy storage, for state agencies to satisfy their 100% renewable energy goals by December 31, 2030.	Based upon Board-adopted 2021 State Legislative Priorities and Principles	concerns that this bill misplaces the burden of procuring renewable and carbon-free resources and associated storage onto DWR. Procuring energy for other state agencies is outside DWR's purpose and core expertise. Moreover, accelerating the state's goal of 100% renewable and carbon-free energy resources for all state agencies by 2045 to 2030 could dramatically increase Metropolitan's retail electricity rates above what is mandated by SB 100.
Water Bond Infrastructure Funding	AB 1500 Garcia, E. (D) and Mullin (D) Sponsor: Author	Amended 5/11/2021 Assembly Rules Committee Two-year bill	Safe Drinking Water, Wildlife Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022 Places a \$ 7.080 billion wildfire and water bond on the June 2022 primary election ballot for voter approval.	SUPPORT AND SEEK AMENDMENTS Based upon Board adopted 2021 State Legislative Priorities and Principles and Board action on AB 3256 (Garcia, 2020) 06/09/2020	Would provide funding for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. Metropolitan is seeking amendments to ensure adequate funding for recycled water projects, water quality monitoring and treatment, and subsidence repairs to conveyance infrastructure projects.
Water Bond Infrastructure Funding	SB 559 Hurtado (D) Sponsors:	Amended 8/30/2021	Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund	WATCH Based upon Board adopted 2021	Portions of the California Aqueduct, the Friant Kern Canal and the Delta Mendota Canal have lost capacity due to subsidence. The Fund would upon

Metropolitan Water District of Southern California
State Legislative Matrix
February 7, 2022 – Second Year of Legislative Session

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
	Friant Water Authority, San Luis & Delta Mendota Water Authority, and State Water Contractors	Senate Inactive File Two-year bill	Establishes the Canal Conveyance Capacity Restoration Fund that would upon appropriation provide up to \$785 million in funding for the Department of Water Resources (DWR) to help pay for subsidence repairs to the State Water Project and Central Valley Project water conveyance systems and for necessary road and bridge upgrades.	State Legislative Priorities and Principles	appropriation provide funding to DWR to support a 10-year program to restore the capacity of the canals and ensure a more secure water supply. Funds could be used to cover one-third of the cost to restore the capacity of the canals. A federal companion bill is envisioned that would provide one-third the cost and local partners would contribute the remaining one-third of the cost. The creation of the Fund is contingent upon all the following: an appropriation of funds; an agreement is executed to provide for local cost share; and the provision of adequate cost share as determined by the DWR Director. The August 8 Assembly Amendments are problematic causing the State Water Contractors and Metropolitan to withdraw support for the bill.
Innovation	SB 351 Caballero (D) Sponsor: California Municipal Utilities Association	Amended 4/20/2021 Senate Appropriations Committee Died in Committee	Water Innovation Act of 2021 Would create the Office of Water Innovation at the California Water Commission to foster the adoption of new technologies and other innovative approaches in the water sector. Creates the Water Innovation Fund, with monies available upon appropriation, to the Department of Water Resources and State Water	SUPPORT Based upon Board adopted 2021 State Legislative Priorities and Principles	The water sector is facing a myriad of challenges from climate change, aging infrastructure, groundwater contamination, subsidence and freshwater ecosystems vulnerable to climate change. Innovative technologies and approaches are needed to ensure a reliable water supply while trying to address the challenges. An Office of Water Innovation could increase collaboration among state agencies on innovative

Metropolitan Water District of Southern California
State Legislative Matrix
February 7, 2022 – Second Year of Legislative Session

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
			Resources Control Board to support water innovation.		approaches, engage stakeholders, and review regulations that may inhibit innovation in order to recommend regulatory reforms.
Governance	AB 703 B. Rubio (D) Sponsor: Three Valleys Municipal Water District	Amended 04/29/2021 Assembly Local Government Died in Committee	Open meetings: local agencies: teleconferences Amends the Ralph M. Brown Act to allow a local agency to use teleconferencing and removes certain noticing provisions for each teleconferencing location, requires the local agency to allow all members of the public to observe the meeting and address the legislative body in person and remotely by teleconference or internet option, and requires a quorum of members participate in person from a location noticed in the meeting agenda.	SUPPORT Based upon Board Action on 3/9/2021	Metropolitan currently hosts teleconferencing public meetings in accordance with Executive Order, N-29-20. AB 703 allows the option to hold teleconferenced meetings into the future after the COVID-19 public health emergency is over and the Executive Order is lifted as long as a quorum of the Board's directors participate in person, give notice and post agendas as prescribed, and the public can address the Board in person or by teleconference.



STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Sherri Seitz, Public Relations / Emergency Preparedness Administrator

Subject: Public Education and Outreach Report

Bill Message:

Customer March/April bill message:

Remember to use water wisely! Find and fix leaks as soon as possible, adjust your irrigation timers, replace your landscape with California Friendly plants, use a broom to clean driveways/patios and sidewalks, take shorter showers, turn off the faucet when brushing your teeth, wash full loads of laundry, and scrape food off plates before placing them in the dishwasher.

Newsletter

The next ETWD newsletter is scheduled to be distributed in April. Topics to include water conditions and conservation efforts, CAG interest information, a highlight of a drought tolerant plant, Calscape.org information, Oso Lift Station project highlight, introduce new staff, Streams of Hope Campaign and checking for leaks.

Laguna Woods Village Television:

Vice President Havens interviewed with Lisa Hart on March 11, 2022. She discussed how ETWD scrubs the water clean in regards to recycled water and how it has benefited the Laguna Woods Village residents. President Kathryn Freshley will be interviewed next month.

Laguna Woods Village Third Mutual Board Meeting

Dennis Cafferty spoke at the LWV Third Mutual Board Meeting on Tuesday, March 15, 2022. His topic was on Water Supply Conditions and Water Conservation.

Laguna Woods Village Third Mutual Gate 11 Meeting

ETWD staff will speak to the Gate 11 residents at the next Gate 11 meeting on April 12, 2022 at 10:00 am on Water Supply Conditions and Water Conservation.

OC Streams of Hope Public Arts Campaign

ETWD coordinated with Kristine DeYoung, President of the Laguna Woods Art Association about group participation in the Streams of Hope Public Arts Campaign. The Wyland Foundation delivered the Stella whale on Thursday, March 10, 2022. The group of six artists completed the project over the weekend. The artists were Marlene Johnson, Sherri Bashore, Yong Kapoor, Mary Sinclair, Sue S. Mills, Kristine DeYoung. The Stella's title is "Water is Life-Let's Protect It" to bring awareness to reducing waterway pollution. A photo of their artwork is listed below. MWDOC's consultant will be interviewing the artists and ETWD staff on the project in the next couple of weeks.



The Inside the Outdoors department of the Department of Education is reaching out to El Toro High School, the high school that ETWD sponsors, to invite them to participate in the campaign for student groups. We are awaiting confirmation.

Laguna Woods Village Concerned Citizens


ETWD will staff a booth at the Laguna Woods Village Concerned Citizens Earth Day event on Thursday, April 21, 2022 at 2:00 pm in Clubhouse 1.

Mission Viejo Earth Day/Arbor Day Celebration

ETWD will staff a booth at the City of Mission Viejo's Earth Day/Arbor Day Celebration on Saturday, April 23, 2022 on Oso Creek Trail from 8:00 a.m. to 12:00 noon.

Lake Forest Chamber of Commerce/City of Lake Forest – State of the City & Meet the Mayor Event

ETWD is sponsoring the table drought tolerant centerpieces for the event on Tuesday, April 26, 2022.



The poster is for the "State of the City & Meet the Mayor" event featuring Mayor Robert Pequeno. It includes logos for the Lake Forest Chamber of Commerce and the City of Lake Forest. The event is scheduled for Tuesday, April 26, 2022, from 5:30 pm to 8:00 pm at the Lake Forest Civic Center. A list of activities includes comments from the mayor, meetings with city council members and chamber members, food from local restaurants, a coffee bar, and drawing prizes. Corporate and event sponsors are listed at the bottom, along with a registration link.

The Lake Forest Chamber of Commerce & City of Lake Forest
are proud to present their annual "signature" event

STATE OF THE CITY & MEET THE MAYOR
Robert Pequeno
Tuesday, April 26, 2022
5:30 pm - 8:00 pm
Lake Forest Civic Center
100 Civic Center Drive
Lake Forest, CA 92630

• Comments from Honorable Mayor Robert Pequeno
• Meet Lake Forest City Council Members & City Staff
• Meet Lake Forest Chamber Members & Directors
• Fiercely Fresh Food by Local Lake Forest Restaurants

• Coffee Bar Provided by Patch Coffee
• No Host Bar
• Opportunity Drawing Prizes
• More Fun to Come!

Members \$35/Guest & Prospective Members \$50

Corporate Chamber Sponsors:
Panasonic, COX, CHS, HOAG, Apple, T-Mobile, Kwikie, Takata, etc.

Event Sponsors:
Various local businesses and organizations.

Register at lakeforestCAchamber.com



STAFF REPORT

To: Board of Directors

Meeting Date: March 24, 2022

From: Sherri Seitz, Public Relations / Emergency Preparedness Administrator

Subject: Water Use Efficiency Report

Rebate Programs:

The SoCal WaterSmart regional rebate program is available to ETWD customers provided by the Metropolitan Water District of Southern California, the Metropolitan Water District of Orange County and ETWD.

The following tables reflect the ETWD customer device rebates available to customers from July/August 2021 through June 30, 2022.

Select device purchases are eligible for rebates while meeting eligibility requirements and subject to funding availability. Rebate information can be found at www.etwd.com/conservation/rebates.

Residential Rebate Programs:

Device	MET Rebate	MWDOC Grant	ETWD Rebate	Total Rebate (up to)
High Efficiency Clothes Washer	\$85		\$115	\$200
Premium High Efficiency Toilet	\$40		\$60	\$100
Rotating Sprinkler Nozzles (min 30 per home)	\$2 ea			\$2
Smart Irrigation Timer	\$80	\$100	\$70	\$250
Turf Removal Program (up to 5,000 sq ft)*	\$2 sq. ft.	\$1 sq. ft.	\$1 sq. ft.	\$4 sq. ft.
Soil Moisture Sensor System <1 Acre >1 Acre	\$80 \$35/station	\$100	\$70	\$250 \$35/station

Water Use Efficiency Report

Page 2

Hose Bib Irrigation Controller	\$35			\$35
Rain Barrels	\$35		\$15	\$50
Cisterns				
(200 -500 gallon)	\$250			\$250
(501-999 gallon)	\$300			\$300
(1,000 gallon or more)	\$350			\$350
Spray to Drip Irrigation (up to 5,000 sf of converted area per fiscal year)		\$0.50 sq. ft.		\$0.50 sq. ft.

*Designated recycled water sites are not eligible for turf removal rebates. MWDOC Grant funding based on availability. ETWD has discontinued funding of synthetic turf rebates.

Commercial Rebate Programs:

Device	MET Rebate	MWDOC Grant	ETWD Rebate	Total Rebate (up to)
Premium High Efficiency Toilet	\$40			\$40
Multi-family Premium High Efficiency Toilet	\$40			\$40
Zero Water/Ultra Low Water Urinal	\$200			\$200
Plumbing Flow Control Valve (min. 10)	\$5			\$5
Smart Irrigation Timer/Central Computer Irrigation Controller/Soil Moisture Sensor System/Hose Bib Irrigation Controller	\$35/station			\$35/station
Rotating Sprinkler Nozzles (minimum quantity of 15)	\$2			\$2
Rotating Nozzles – Large Rotary	\$13			\$13
Turf Removal Program (up to 50,000 sq ft MET-MWDOC/up to 10,000 sq. ft. ETWD funding)*	\$2 sq. ft*	\$1 sq. ft. Funding available through 2/16/22		\$3 sq. ft.* Until 2/16/22 \$2 sq. ft * as of 2/17/22
Spray to Drip Irrigation (up to 45,000 sq. ft)		\$0.50 sq. ft.		\$0.50 sq. ft.

*Designated recycled water sites are not eligible for turf removal rebates. Synthetic turf is not eligible for the turf removal rebate. Additional commercial rebates available online at ocwatersmart.com. MWDOC Grant funding based on availability.

Actual Customer Rebate and Budget Analysis:

The following ETWD supplemental rebates are in addition to the Metropolitan Water District device rebates and the Municipal Water District of Orange County turf removal program that have been paid.

Device December 2021	Total # Rebates Paid	ETWD Supplemental Amount	Budget 21/22	ETWD Supplemental Rebate Total
High Efficiency Clothes Washer	0	\$115	\$9,200	\$575
Premium High Efficiency Toilet	0	\$60	\$3,000	\$0
Smart Irrigation Timer/Soil Moisture Sensor System	0	\$75	\$2,100	\$0
Rain Barrels Cisterns	0	\$15	\$225	\$0
Total			\$14,525	\$575

Turf Removal Program December 2021	Total sq.ft. Paid	ETWD Supplementa l Amount	Budget 21/22	ETWD Supplemental Rebate Total
Turf Removal Residential	810	\$1 sq. ft.	\$10,000	\$810

Water Use Efficiency Plan Update:

The District Water Budget-Based Tiered Conservation Rate Structure (WBBTCRS) pricing structure is the primary plan that gives customers the incentive needed to be efficient. The Plan efforts initially will concentrate on those customers continually in the Inefficient and Excessive Tiers (Tiers 3 and 4). [As of February 2022, year-to-date sales, residential accounted for 64% of the overall Tier 3 usage and dedicated irrigation accounted for 51% of Tier 4 usage.](#)

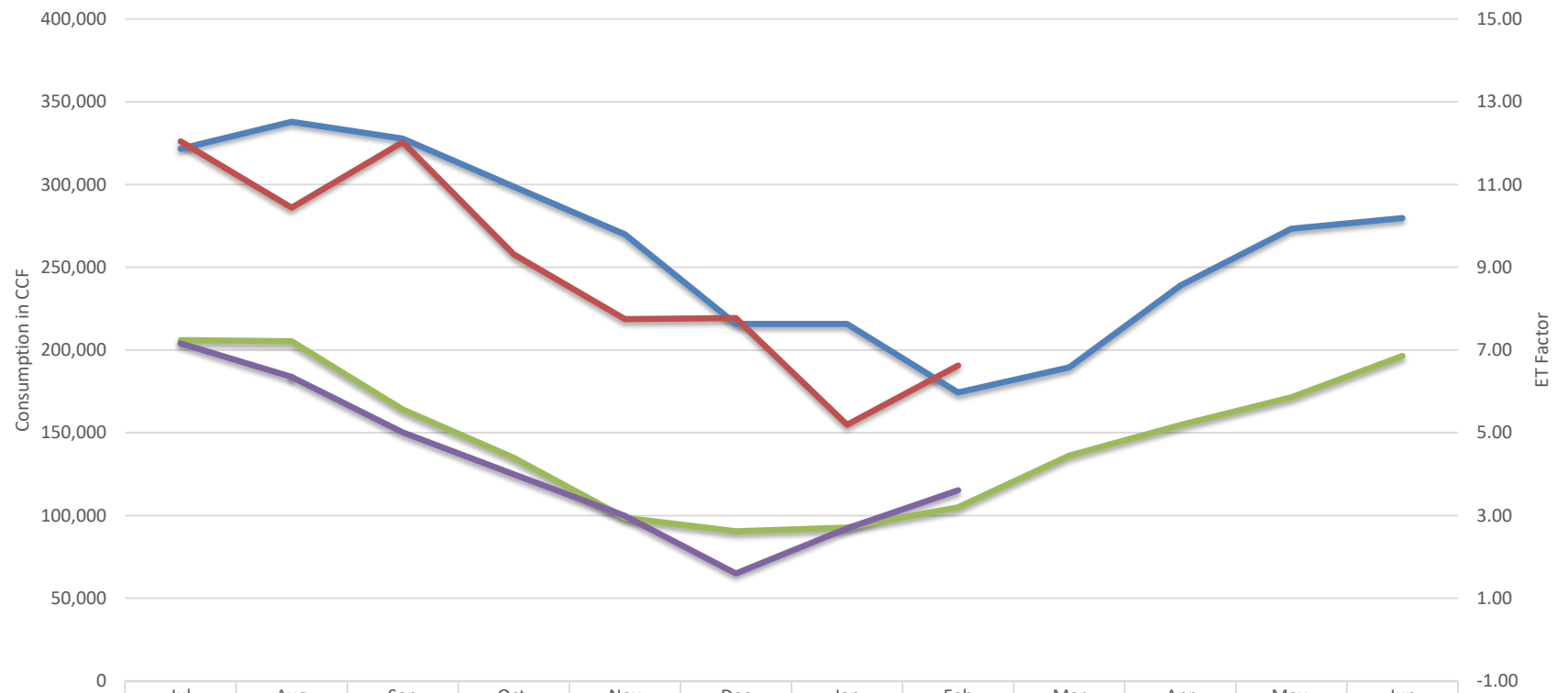
Total Consumption Comparison to Evapotranspiration (ET) Factor::

Included in this month's Water Use Efficiency Report is a chart comparing the current fiscal year 2020/21 consumption and ET factor to the fiscal 2019/20 consumption and ET factor. [The ET factor increased 11.1% from February 2021 when compared to February 2022. There was a 9% decrease in consumption reflected in February 2022.](#)

**MWDOC Water Use Efficiency Program Savings and Implementation Report/ETWD
Water Use Efficiency Program Savings Report:**

The current MWDOC and ETWD's Program Savings Reports follow this report. MWDOC's report show all their client agencies current participation levels in water use efficiency programs and savings calculations. ETWD's report show current District customer participation in water use efficiency programs along with savings provided in acre/feet per year, million gallons per year and avoided water costs based on those calculations.

Total Consumption Comparison



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
FY 2020-2021	321,599	337,881	327,731	298,688	269,822	215,708	215,719	174,359	189,493	239,022	273,284	279,630
FY 2021-2022	326,076	285,955	325,642	257,784	218,693	219,231	154,838	190,655				
FY 20/21 ET	7.24	7.21	5.56	4.40	2.95	2.62	2.71	3.20	4.45	5.19	5.86	6.86
FY 21/22 ET	7.16	6.35	5.01	4.00	2.99	1.60	2.69	3.61				
%	101%	85%	99%	86%	81%	102%	72%	109%				

El Toro Water District Water Use Efficiency Program Savings

Program	Program Start Year	Program/Total Years	Avoided Water Use Acre Feet/Annual	Avoided Water Use Million Gallons/Annual	Avoided Water Costs Based on MWDOC Rate (\$2.16 CCF) Annual
High Efficiency Toilet (HET)	2005	16	54.68	17.82	\$51,459
High Efficiency Clothes Washers--Residential	2001	20	25.10	8.18	\$23,622
*SoCal Water Smart Commercial Plumbing Fixtures Rebate Program (ULFT's, HET's, Urinals, HECW, Cooling Tower Conductivity Controllers)	2002	19	53.63	17.48	\$50,471
SmarTimer Program--Irrigation Timers	2004	17	190.46	62.07	\$179,242
Rotating Nozzles Rebate Program	2007	14	147.36	48.02	\$138,681
Turf Removal Program	2010	11	62.83	20.48	\$59,129
Rain Barrels	2013	8	0.16	0.05	\$151
Spray to Drip	2013	8	4.89	1.59	\$4,602
**Water Smart Landscape Program - Ended 2016	1997	20	242.90	79.16	\$228,594
Synthetic Turf Rebate Program-Ended 2011	2007	8	0.90	0.29	\$847
***Ultra Low Flush Toilets (ULFT)--Ended 2009	1992	16	193.20	58.00	\$167,487
Computer Controlled Irrigation System--Gate 11--Ended 2006	2001	6	8.88	2.89	\$8,357
Totals			985.0	321.0	\$926,976

* Formerly the Save Water Save a Buck - Commercial Rebate Program

** Formerly the Landscape Performance Certification Program

*** Correction on date and total

Because of our participation in Water Use Efficiency Programs, the District will not be using an estimated 321.0 million gallons of water per year.

Orange County

Water Use Efficiency Programs Savings and Implementation Report

Retrofits and Acre-Feet Water Savings for Program Activity

Program	Program Start Date	Retrofits Installed in	Month Indicated		Current Fiscal Year		Overall Program		
			Interventions	Water Savings	Interventions	Water Savings	Interventions	Annual Water Savings[4]	Cumulative Water Savings[4]
High Efficiency Clothes Washer Program	2002	January-22	88	0.24	1,192	12.22	125,571	4,119	39,542
High Efficiency Toilet (HET) Program	2005	January-22	10	0.04	180	7.66	60,813	2,248	27,035
Flow Monitoring Devices (FMD) Program	2021	January-22	1	0.00	6	0.05	6	0.30	0.05
Commercial Plumbing Fixture Rebate Program	2002	January-22	0	0.00	489	10.57	111,403	5,295	66,239
Industrial Process/Water Savings Incentive Program (WSIP)	2006	January-22	1	6.96	1	4.06	39	1,291	6,342
Turf Removal Program ^[3]	2010	December-21	19,525	0.22	137,918	-0.60	23,695,247	3,318	22,225
Spray-to-Drip Program ^[3]	2013	January-22	82,095	0.75	139,025	3.34	1,541,989	209	795
Smart Timer Program - Irrigation Timers	2004	January-22	50	0.43	1,226	79.74	32,380	9,467	73,506
Rotating Nozzles Rebate Program	2007	January-22	0	0.00	1,193	3.96	571,862	2,793	28,004
Rain Barrels Rebate Program	2013	January-22	4	0.00	46	0.03	8,642	16	98
Recycled Water Retrofit	2015	January-22	0	0.00	4	7.95	182	3,687	18,868
Water Smart Landscape Program [1]	1997						12,677	10,621	72,668
Home Water Certification Program	2013						312	7,339	15,266
Synthetic Turf Rebate Program	2007						685,438	96	469
Ultra-Low-Flush-Toilet Programs ^[2]	1992						363,926	13,452	162,561
Home Water Surveys ^[2]	1995						11,867	160	1,708
Showerhead Replacements ^[2]	1991						270,604	1,667	19,083
Total Water Savings All Programs			9	281,280	129	27,492,958	58,448	539,174	

⁽¹⁾ Water Smart Landscape Program participation is based on the number of water meters receiving monthly Irrigation Performance Reports.

⁽²⁾ Cumulative Water Savings Program To Date totals are from a previous Water Use Efficiency Program Effort.

⁽³⁾ Turf Removal and Spray-to-Drip Interventions are listed as square feet.

⁽⁴⁾ Cumulative Annual water savings represents both active program savings and passive savings realized due to plumbing code changes over time.

HIGH EFFICIENCY CLOTHES WASHERS INSTALLED BY AGENCY
through MWDOC and Local Agency Conservation Programs

Agency	FY 01/02	FY 02/03	FY03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	FY 11/12	FY 12/13	FY13/14	FY14/15	FY15/16	FY16/17	FY17/18	FY18/19	FY19/20	FY20/21	FY21/22	Total	Current FY Water Savings Ac/Ft (Cumulative)	Cumulative Water Savings across all Fiscal Years	15 yr. Lifecycle Savings Ac/Ft
Brea	17	107	178	132	143	132	175	156	42	186	144	93	115	114	76	57	55	53	36	50	14	2,075	0.17	594.31	1,074
Buena Park	9	45	88	81	84	85	114	146	59	230	145	105	106	91	76	54	50	45	28	56	26	1,723	0.22	505.15	892
East Orange	3	8	20	20	11	18	22	17	3	23	10	10	8	8	8	3	1	6	2	2	2	205	0.02	61.63	106
El Toro	21	88	108	103	83	91	113	130	32	162	112	134	121	111	65	47	50	40	29	41	14	1,695	0.19	501.83	877
Fountain Valley	36	127	209	196	178	205	219	243	72	289	158	115	102	110	76	65	48	39	34	36	7	2,564	0.07	804.81	1,327
Garden Grove	39	173	278	243	243	238	304	332	101	481	236	190	162	165	251	127	87	69	62	102	42	3,925	0.33	1,163.35	2,031
Golden State	37	195	339	374	342	339	401	447	168	583	485	265	283	359	260	138	156	92	94	141	52	5,550	0.61	1,677.95	2,872
Huntington Beach	114	486	857	738	680	761	750	751	211	963	582	334	295	319	225	180	139	92	113	164	44	8,798	0.51	2,688.22	4,552
Irvine Ranch	159	626	1,087	1,093	1,445	1,976	2,060	1,844	1,394	2,621	2,170	1,763	1,664	1,882	1,521	1,369	1,194	882	480	505	273	28,008	2.90	8,448.60	14,492
La Habra	8	40	86	81	66	96	136	83	22	179	128	82	114	87	66	53	48	48	45	65	21	1,554	0.22	436.43	804
La Palma	3	5	13	21	18	33	35	51	25	76	46	34	25	34	29	10	14	7	12	7	7	505	0.06	162.18	261
Laguna Beach	17	88	119	84	68	57	77	77	27	96	57	38	37	39	32	19	20	18	16	25	11	1,022	0.13	286.98	529
Mesa Water	24	117	228	240	212	239	249	246	73	232	176	114	86	89	113	79	53	38	41	99	21	2,769	0.25	842.91	1,433
Moulton Niguel	158	630	841	640	570	652	716	742	250	1,127	679	442	421	790	688	574	524	356	295	422	142	11,659	1.66	3,176.46	6,033
Newport Beach	17	144	343	277	243	245	270	259	57	197	142	116	92	95	66	61	51	41	26	35	15	2,792	0.16	800.02	1,445
Orange	58	247	304	358	330	366	365	403	111	349	262	218	163	160	124	80	73	55	59	90	31	4,206	0.30	1,375.36	2,176
San Juan Capistrano	16	95	120	107	102	109	103	127	43	190	110	76	73	92	63	33	32	23	26	35	5	1,580	0.08	483.37	818
San Clemente	32	182	235	170	136	204	261	278	63	333	206	140	94	141	75	70	83	62	61	73	30	2,929	0.32	871.10	1,516
Santa Margarita	140	510	743	573	592	654	683	740	257	1,105	679	553	662	792	466	367	271	212	248	307	103	10,657	1.15	3,064.07	5,514
Santiago	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.00	0.00	-
Seal Beach	13	28	57	39	46	47	46	57	7	81	51	31	29	38	23	9	17	8	21	14	5	667	0.06	193.75	345
Serrano	9	16	54	39	39	30	31	23	7	21	20	13	10	26	8	11	8	2	7	4	2	380	0.03	100.60	197
South Coast	35	138	165	97	103	107	130	148	43	183	112	89	79	68	43	44	36	28	30	29	18	1,725	0.19	509.10	893
Trabuco Canyon	10	63	76	58	44	69	60	62	28	82	62	30	45	47	34	28	22	13	12	13	8	866	0.10	255.93	448
Tustin	21	89	152	138	127	152	146	144	45	174	97	78	59	80	66	44	48	34	29	64	18	1,805	0.15	534.59	934
Westminster	37	159	235	196	186	213	171	233	74	329	208	121	82	109	149	84	65	45	35	79	20	2,830	0.16	839.99	1,464
Yorba Linda	36	214	342	355	333	288	350	367	117	394	273	181	167	156	123	55	66	43	61	75	26	4,022	0.26	1,263.01	2,081
MWDOC Totals	1,069	4,620	7,277	6,453	6,424	7,406	7,987	8,106	3,331	10,686	7,350	5,365	5,094	6,002	4,726	3,661	3,211	2,351	1,902	2,533	957	106,511	10.28	31,641.68	20,577
Anaheim	917	677	904	1,364	701	854	847	781	860	910	477	331	285	295	266	213	173	135	119	204	71	11,384	0.61	5,060.03	5,890
Fullerton	40	196	369	289	263	269	334	330	69	397	270	200	186	211	165	107	99	113	84	95	37	4,123	0.35	1,605.77	2,133
Santa Ana	15	69	188	269	244	236	235	257	87	355	190	163	131	132	259	141	124	128	49	154	127	3,553	0.98	1,234.87	1,838
Non-MWDOC Totals	972	942	1,461	1,922	1,208	1,359	1,416	1,368	1,016	1,662	937	694	602	638	690	461	396	376	252	453	235	19,060	1.94	7,900.68	3,682
Orange County Totals	2,041	5,562	8,738	8,375	7,632	8,765	9,403	9,474	4,347	12,348	8,287	6,059	5,696	6,640	5,416	4,122	3,607	2,727	2,154	2,986	1,192	125,571	12.22	39,542.36	24,260

HIGH EFFICIENCY TOILETS (HETs) INSTALLED BY AGENCY

through MWDOC and Local Agency Conservation Programs

Agency	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	Total	Cumulative Water Savings across all Fiscal Years
Brea	38	146	154	4	6	1	2	1	0	460	175.05
Buena Park	96	153	112	13	3	0	2	2	0	691	303.40
East Orange CWD RZ	13	26	24	0	0	0	2	1	0	89	35.41
El Toro WD	218	869	264	12	6	10	5	2	1	2,061	874.84
Fountain Valley	41	132	220	7	8	1	3	2	1	838	385.50
Garden Grove	63	350	363	7	4	5	3	2	1	1,499	666.30
Golden State WC	142	794	512	9	11	5	7	9	1	2,823	1,237.66
Huntington Beach	163	1,190	628	4	3	4	2	12	3	2,925	1,194.85
Irvine Ranch WD	810	1,777	2,798	638	239	162	66	43	21	17,440	8,253.69
Laguna Beach CWD	45	112	81	1	4	0	2	4	0	398	168.75
La Habra	37	94	83	5	1	0	0	3	0	594	291.57
La Palma	21	59	52	4	2	4	3	0	0	231	95.67
Mesa Water	147	162	162	7	3	3	15	4	0	1,643	859.82
Moulton Niguel WD	400	2,497	1,939	49	38	21	17	20	8	5,794	2,083.27
Newport Beach	49	168	243	11	6	0	0	3	3	737	302.00
Orange	142	978	416	17	10	5	4	6	2	2,206	890.25
San Juan Capistrano	35	140	202	3	9	4	0	0	2	538	208.45
San Clemente	72	225	246	11	6	10	1	5	4	898	370.39
Santa Margarita WD	528	997	1,152	114	33	11	15	28	10	3,406	1,227.11
Seal Beach	17	50	69	-1	0	0	0	0	0	857	531.14
Serrano WD	2	40	55	3	0	3	0	0	0	124	44.64
South Coast WD	102	398	235	11	7	0	0	0	0	1,028	398.14
Trabuco Canyon WD	10	108	169	2	3	2	0	2	4	350	122.83
Tustin	64	132	201	12	10	4	7	5	2	1,534	784.45
Westminster	35	161	359	3	4	0	0	5	0	1,340	631.28
Yorba Linda WD	40	280	379	12	8	2	6	0	0	1,267	550.54
MWDOC Totals	3,330	12,038	11,118	958	424	257	162	159	63	51,771	22,687.00
Anaheim	156	1,188	614	70	19	5	11	11	1	5,912	2,947.47
Fullerton	61	293	286	14	9	8	7	4	1	1,084	452.36
Santa Ana	33	602	293	20	0	4	8	5	1	2,039	947.92
Non-MWDOC Totals	250	2,083	1,193	104	28	17	26	20	3	9,035	4,347.75
Orange County Totals	3,580	14,121	12,311	1,062	452	274	188	179	66	60,806	27,034.75

FLOW MONITORING DEVICES INSTALLED BY AGENCY
through MWDOC and Local Agency Conservation Programs

Agency	FY 21/22	FY 22/23	Total Program	Cumulative Water Savings across all Fiscal Years
Brea	1	0	1	0.01
Buena Park	0	0	0	-
East Orange	0	0	0	-
El Toro	0	0	0	-
Fountain Valley	0	0	0	-
Garden Grove	0	0	0	-
Golden State	0	0	0	-
Huntington Beach	0	0	0	-
Irvine Ranch	1	0	1	0.01
La Habra	0	0	0	-
La Palma	0	0	0	-
Laguna Beach	0	0	0	-
Mesa Water	0	0	0	-
Moulton Niguel	0	0	0	-
Newport Beach	0	0	0	-
Orange	0	0	0	-
San Juan Capistrano	0	0	0	-
San Clemente	0	0	0	-
Santa Margarita	3	0	3	0.02
Seal Beach	0	0	0	-
Serrano	0	0	0	-
South Coast	0	0	0	-
Trabuco Canyon	0	0	0	-
Tustin	0	0	0	-
Westminster	0	0	0	-
Yorba Linda	0	0	0	-
MWDOC Totals	5	0	5	0.04

Anaheim	0	0	0	-
Fullerton	1	0	1	0.01
Santa Ana	0	0	0	-
Non-MWDOC Totals	1	0	1	0.01

Orange County Totals	6	0	6	0.05
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COMMERCIAL PLUMBING FIXTURES INSTALLED BY AGENCY^[1]
through MWDOC and Local Agency Conservation Programs

Agency	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22	Totals	Cumulative Water Savings across all Fiscal Years
Brea	0	10	91	734	242	0	74	154	0	1,835	847
Buena Park	23	56	591	133	49	0	94	0	0	2,632	1,803
East Orange CWD RZ	0	0	0	0	0	0	0	0	0	0	0
El Toro WD	212	6	268	35	737	717	0	0	0	2,516	1,019
Fountain Valley	0	1	249	0	895	0	398	0	0	2,165	1,042
Garden Grove	1	167	676	410	0	354	388	0	489	3,193	2,375
Golden State WC	1	0	1,008	53	93	86	80	0	0	3,124	2,874
Huntington Beach	144	7	783	641	10	208	270	0	0	3,442	2,555
Irvine Ranch WD	451	725	11,100	5,958	1,599	1,000	15	2	0	30,482	13,589
La Habra	0	0	340	42	0	0	59	0	0	984	848
La Palma	0	0	0	509	0	0	0	0	0	675	243
Laguna Beach CWD	27	0	0	0	0	0	0	0	0	446	466
Mesa Water	0	79	661	782	0	110	19	2	0	4,385	3,280
Moulton Niguel WD	0	3	413	281	506	4,392	764	0	0	6,939	2,115
Newport Beach	0	566	0	0	0	1,596	16	0	0	3,446	2,193
Orange	271	81	275	2,851	458	532	383	2	0	6,405	3,064
San Juan Capistrano	14	0	0	0	0	0	0	0	0	260	548
San Clemente	0	1	0	0	0	0	321	0	0	753	574
Santa Margarita WD	0	2	90	743	598	699	0	0	0	2,247	604
Seal Beach	0	0	0	184	278	0	0	0	0	816	657
Serrano WD	0	0	0	0	0	0	0	0	0	0	0
South Coast WD	0	382	0	0	0	0	0	0	0	1,320	851
Trabuco Canyon WD	0	0	0	0	0	0	0	0	0	11	22
Tustin	0	75	358	212	2	408	254	0	0	2,066	1,367
Westminster	28	0	146	177	25	0	252	186	0	1,601	1,514
Yorba Linda	0	0	226	84	338	0	83	0	0	1,016	881
MWDOC Totals	1,172	2,161	17,275	13,829	5,830	10,102	3,470	346	489	82,759	45,330
Anaheim	342	463	3,072	309	1,808	686	592	211	0	17,050	11,016
Fullerton	0	178	476	621	274	384	356	0	0	3,792	2,696
Santa Ana	17	5	1,293	238	582	7	920	66	0	7,312	7,197
Non-MWDOC Totals	359	646	4,841	1,168	2,664	1,077	1,868	277	0	28,154	20,910
Orange County Totals	1,531	2,807	22,116	14,997	8,494	11,179	5,338	623	489	110,913	66,239

[1] Retrofit devices include ULF Toilets and Urinals, High Efficiency Toilets and Urinals, Multi-Family and Multi-Family 4-Liter HETs, Zero Water Urinals, High Efficiency Clothes Washers, Cooling Tower Conductivity Controllers, Ph Cooling Tower Conductivity Controllers, Flush Valve Retrofit Kits, Pre-rinse Spray heads, Hospital X-Ray Processor Recirculating Systems, Steam Sterilizers, Food Steamers, Water Pressurized Brooms, Laminar Flow Restrictors, and Ice Making Machines.

INDUSTRIAL PROCESS/WATER SAVINGS INCENTIVE PROGRAM

Number of Projects by Agency

Agency	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22	Overall Program Interventions	Annual Water Savings[1]	Cumulative Water Savings across all Fiscal Years[1]
Brea	0	0	0	0	0	0	0	0	0	0
Buena Park	1	0	0	0	0	0	0	2	54	677
East Orange	0	0	0	0	0	0	0	0	0	0
El Toro	0	0	0	1	0	0	0	1	9	25
Fountain Valley	0	1	0	0	0	0	0	1	23	100
Garden Grove	1	0	0	0	1	0	0	2	7	12
Golden State	0	0	0	0	1	0	0	2	58	131
Huntington Beach	2	0	1	0	0	0	0	6	180	1152
Irvine Ranch	2	1	1	0	0	1	1	12	154	1061
La Habra	1	0	0	0	0	0	0	1	0	2
La Palma	0	0	0	0	0	0	0	0	0	0
Laguna Beach	0	0	0	0	0	0	0	0	0	0
Mesa Water	0	0	0	0	0	0	0	0	0	0
Moulton Niguel	0	0	0	0	0	0	0	0	0	0
Newport Beach	0	0	0	0	0	0	0	1	21	139
Orange	1	2	1	0	0	0	0	5	97	811
San Juan Capistrano	0	0	0	0	0	0	0	0	0	0
San Clemente	0	0	0	0	0	0	0	0	0	0
Santa Margarita	0	0	0	0	0	0	0	0	0	0
Seal Beach	0	0	0	0	0	0	0	0	0	0
Serrano	0	0	0	0	0	0	0	0	0	0
South Coast	1	1	0	0	0	0	0	2	134	582
Trabuco Canyon	0	0	0	0	0	0	0	0	0	0
Tustin	0	0	0	0	0	0	0	0	0	0
Westminster	0	0	0	1	0	0	0	1	117	254
Yorba Linda	0	0	0	1	0	0	0	1	20	56
MWDOC Totals	9	5	3	3	2	1	1	37	875	5003
Anaheim	0	0	0	0	0	0	0	0	0	0
Fullerton	0	0	0	0	1	0	0	1	282	540
Santa Ana	1	0	0	0	0	0	0	1	135	799
OC Totals	10	5	3	3	3	1	1	39	1291	6342

[1] Acre feet of savings determined during a one year monitoring period.

If monitoring data is not available, the savings estimated in agreement is used.

TURF REMOVAL BY AGENCY^[1]
through MWDOC and Local Agency Conservation Programs

Agency	FY 16/17		FY 17/18		FY 18/19		FY 19/20		FY 20/21		FY 21/22		Total Program		Cumulative Water Savings across all Fiscal Years
	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res	Comm.	
Brea	8,354	479	9,853	27,234	3,180	44,733	8,244	0	3,745	0	0	0	240,986	516,940	692.02
Buena Park	3,741	0	4,586	0	1,230	0	7,222	0	2,688	0	0	0	108,264	18,116	111.88
East Orange	0	0	0	0	0	0	0	0	0	0	5,000	0	48,120	0	49.34
El Toro	13,139	48,019	7,273	42,510	12,856	9,895	5,203	21,290	6,320	3,667	630	0	149,368	582,259	691.13
Fountain Valley	3,679	0	8,631	0	5,764	28,700	734	0	4,095	20,921	12,223	0	139,952	62,424	168.09
Garden Grove	11,504	0	4,487	0	0	0	0	0	0	0	0	0	287,921	117,403	435.07
Golden State	0	0	0	0	0	48,595	0	0	0	0	0	0	581,902	394,867	1,020.23
Huntington Beach	9,560	21,534	14,236	6,032	9,539	40,135	10,225	13,193	19,238	1,097	13,390	0	592,110	476,162	1,040.06
Irvine Ranch	231,483	46,725	86,893	61,037	55,346	203,014	23,465	30,267	14,662	18,545	6,607	11,490	1,510,939	3,476,460	4,589.15
La Habra	0	0	3,003	0	1,504	0	6,102	0	6,369	0	0	1,907	80,683	90,019	163.84
La Palma	0	0	0	0	0	0	0	0	0	0	0	0	15,141	59,760	71.71
Laguna Beach	3,059	0	589	0	0	0	1,217	0	0	0	1,425	0	76,887	48,788	131.26
Mesa Water	4,173	77,033	17,373	77,785	3,023	0	16,189	47,075	18,700	1,620	9,552	0	451,638	344,029	668.60
Moulton Niguel	220,749	0	98,271	0	106,574	0	81,778	18,951	38,555	184,371	12,463	25,193	1,781,641	3,043,376	4,581.30
Newport Beach	2,924	0	5,938	6,499	0	90,403	1,294	0	756	8,070	823	494	129,478	547,999	608.66
Orange	12,847	2,366	11,956	0	13,645	1,798	2,190	0	15,343	0	3,501	0	506,230	400,776	907.48
San Clemente	4,267	0	33,083	7,098	6,500	0	6,420	13,719	10,148	50,000	1,727	6,067	422,051	537,990	874.72
San Juan Capistrano	2,624	40,748	0	0	0	0	0	0	0	40,286	0	0	365,415	387,563	794.04
Santa Margarita	17,010	28,094	62,706	25,000	24,616	23,198	11,357	51,999	18,645	39,873	973	0	913,956	1,309,523	2,090.25
Seal Beach	1,234	0	752	0	0	0	996	0	780	3,962	2,572	0	39,900	20,377	56.70
Serrano	5,450	0	555	0	4,000	0	840	0	0	0	0	0	182,940	4,403	180.92
South Coast	14,967	0	13,319	7,806	7,574	0	25,465	50,879	2,817	66,624	1,409	0	360,923	582,890	881.38
Trabuco Canyon	1,465	0	4,788	0	1,536	0	4,752	49,533	1,520	0	5,182	0	75,807	160,245	202.76
Tustin	11,173	0	16,926	0	13,189	6,894	15,343	6,936	15,919	0	11,963	0	387,922	61,329	399.95
Westminster	11,112	0	10,033	0	5,924	0	1,962	0	1,237	0	191	0	116,141	58,533	159.80
Yorba Linda	19,420	0	9,529	3,696	12,590	12,020	7,773	0	1,090	0	3,136	0	534,166	145,403	643.25
MWDOC Totals	613,934	264,998	424,780	264,697	288,590	509,385	238,771	303,842	182,627	439,036	92,767	45,151	10,100,481	13,447,634	22,213.58

Anaheim	0	0	0	0	0	0	0	0	0	0			0	0	-
Fullerton	0	0	0	0	0	0	0	0	0	0			0	9,214	11.24
Santa Ana	0	0	0	0	0	0	0	0	0	0			0	0	-
Non-MWDOC Totals	0	0	0	0	0	0	0	0	0	0	0	0	0	9,214	11.24

Orange County Totals	613,934	264,998	424,780	264,697	288,590	509,385	238,771	303,842	182,627	439,036	92,767	45,151	10,100,481	13,456,848	22,225
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[1] Installed device numbers are listed as square feet

SPRAY-TO-DRIP BY AGENCY^[1]
through MWDOD and Local Agency Conservation Programs

Agency	FY 16/17		FY 17/18		FY 18/19		FY 19/20		FY 20/21		FY 21/22		Total Program		Cumulative Water Savings across all Fiscal Years
	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res.	Comm.	Res	Comm.	
Brea	0	0	325	0	0	0	2,026	0	1,023	0	949	0	5,073	30,833	21.68
Buena Park	0	0	0	0	0	0	0	0	1,589	0	0	0	1,589	3,814	2.94
East Orange	0	0	0	0	0	0	0	0	0	0	5,000	0	5,000	0	0.34
El Toro	0	0	0	11,473	3,084	14,770	0	0	0	4,000	0	0	4,584	68,883	39.15
Fountain Valley	0	0	361	1,429	1,145	19,427	0	0	2,443	0	10,271	0	15,470	20,856	10.39
Garden Grove	0	0	0	0	0	0	0	0	0	0	0	0	2,125	0	2.00
Golden State	0	0	0	0	0	0	0	0	0	0	0	0	1,000	0	0.87
Huntington Beach	0	0	1,350	0	0	0	1,140	5,309	12,159	0	7,292	0	25,316	14,792	13.57
Irvine Ranch	1,625	0	3,089	0	7,972	63,159	8,879	20,569	20,249	38,048	6,644	4,050	56,083	258,943	141.82
La Habra	0	0	0	0	0	0	0	0	3,021	0	0	0	3,021	0	0.50
La Palma	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Laguna Beach	1,500	0	924	0	0	0	0	0	0	0	656	0	5,455	0	3.39
Mesa Water	0	0	2,163	0	2,602	7,547	6,640	0	11,062	0	1,438	0	26,405	12,444	13.72
Moulton Niguel	0	0	0	120,459	0	6,478	0	627	0	0	0	4,670	15,125	330,918	205.43
Newport Beach	0	0	1,600	0	1,495	0	0	0	301	0	457	0	3,853	52,244	35.64
Orange	0	0	0	0	4,732	0	687	0	1,927	0	2,819	0	12,415	13,152	14.19
San Juan Capistrano	0	0	0	0	0	0	0	0	0	0	0	0	2,125	0	1.77
San Clemente	0	0	2,343	8,505	0	0	0	0	5,746	0	3,135	0	12,849	8,505	7.19
Santa Margarita	625	0	5,720	0	1,533	0	2,368	15,344	11,004	0	655	0	66,905	241,355	214.76
Seal Beach	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Serrano	875	0	1,554	0	0	0	0	0	0	0	0	0	3,304	0	2.34
South Coast	625	0	0	0	0	0	1,913	30,912	0	1,018	0	69,554	7,413	134,710	37.40
Trabuco Canyon	0	0	0	0	0	0	0	0	1,748	0	0	0	1,748	0	0.16
Tustin	0	0	0	0	5,066	0	958	5,461	9,613	0	9,966	5,305	29,603	10,766	9.40
Westminster	0	0	0	0	463	0	0	0	445	0	0	0	1,783	15,339	10.71
Yorba Linda	0	0	0	4,125	3,652	0	0	0	0	0	250	5,914	6,152	10,039	5.52
MWDOD Totals	5,250	0	19,429	145,991	31,744	111,381	24,611	78,222	82,330	43,066	49,532	89,493	314,396	1,227,593	794.89

Anaheim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Fullerton	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Santa Ana	0	0	0	0	0	0	0	0	0	0	0	0	0	0	-
Non-MWDOD Totals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00

Orange County Totals	5,250	0	19,429	145,991	31,744	111,381	24,611	78,222	82,330	43,066	49,532	89,493	314,396	1,227,593	795
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[1] Installed device numbers are listed as square feet

SMART TIMERS INSTALLED BY AGENCY
through MWDOC and Local Agency Conservation Programs

Agency	FY 13/14		FY 14/15		FY 15/16		FY16/17		FY17/18		FY18/19		FY19/20		FY20/21		FY21/22		Total Program		Cumulative Water Savings across all Fiscal Years
	Res	Comm	Res	Comm	Res	Comm	Res	Comm	Res	Comm	Res	Comm	Res	Comm	Res	Comm	Res	Comm	Res	Comm.	
Brea	4	0	43	6	20	4	31	4	32	0	33	0	31	0	49	0	20	0	276	80	716.67
Buena Park	0	0	4	10	7	4	10	7	15	3	17	7	22	1	28	1	7	0	113	53	266.58
East Orange CWD RZ	0	0	2	0	1	0	11	1	6	0	1	0	1	0	5	0	2	0	38	1	42.94
El Toro WD	11	0	8	9	9	17	33	8	29	4	34	0	21	3	28	1	20	0	227	363	3,237.77
Fountain Valley	4	0	7	10	13	1	33	12	28	12	36	4	41	(2)	38	0	19	4	234	54	325.17
Garden Grove	9	0	10	14	13	11	28	0	27	2	36	3	31	0	23	0	13	0	218	43	288.83
Golden State WC	9	25	39	12	35	16	56	37	88	6	85	15	89	0	79	0	48	0	566	213	1,316.81
Huntington Beach	20	35	19	2	42	12	88	94	70	30	105	65	71	21	75	2	32	8	593	386	1,918.71
Irvine Ranch WD	71	59	67	310	239	207	344	420	416	78	379	105	292	146	1,300	104	204	51	4,156	2,719	17,080.17
La Habra	2	0	4	7	3	1	12	7	8	0	19	3	22	(2)	19	0	9	0	113	45	307.25
La Palma	2	0	2	0	3	2	1	0	5	0	7	0	6	0	14	0	4	0	46	2	14.49
Laguna Beach CWD	71	0	86	0	86	1	27	0	11	0	8	0	15	0	11	0	3	0	545	20	349.16
Mesa Water	15	2	17	28	36	12	149	41	49	0	34	55	31	3	30	2	15	0	477	214	1,222.28
Moulton Niguel WD	40	45	46	95	163	100	236	129	284	33	316	64	279	45	632	78	226	46	2,651	1,067	5,800.75
Newport Beach	168	75	11	9	28	43	30	12	24	0	21	0	11	32	16	12	9	7	1,119	460	3,645.01
Orange	13	9	18	31	51	13	69	10	61	13	93	26	99	15	95	2	32	6	665	227	1,446.65
San Juan Capistrano	6	11	6	19	20	8	22	8	23	5	20	1	24	9	17	0	9	5	315	145	963.02
San Clemente	28	2	28	24	26	3	37	13	38	41	36	0	35	16	36	30	11	38	1,207	499	3,725.02
Santa Margarita WD	64	93	53	321	189	136	326	221	273	220	222	37	223	31	226	176	124	31	2,222	1,867	9,486.98
Seal Beach	1	36	1	12	2	2,446	2	4	5	0	6	31	10	0	6	0	5	0	39	2,533	10,238.29
Serrano WD	0	0	4	0	11	2	4	0	8	0	10	0	9	0	13	0	5	1	83	3	27.55
South Coast WD	8	4	104	73	9	11	7	0	15	2	7	7	14	0	4	3	3	0	321	224	1,640.91
Trabuco Canyon WD	2	0	6	1	16	50	13	3	20	0	33	0	35	0	38	0	12	0	241	157	1,294.78
Tustin	9	1	18	14	33	8	33	23	27	1	37	0	40	0	52	0	18	1	317	82	539.28
Westminster	2	0	13	17	7	1	17	12	22	0	24	0	20	0	17	0	6	0	154	44	304.83
Yorba Linda	12	5	32	2	61	27	72	71	68	10	74	4	111	5	134	9	64	1	789	212	1,329.70
MWDOC Totals	571	402	648	1,026	1,123	3,136	1,691	1,137	1,652	460	1,693	427	1,583	323	2,985	420	920	199	17,725	11,713	67,529.60

Anaheim	9	26	7	52	30	34	87	10	66	0	142	73	111	9	177	20	49	8	789	567	3,785.91
Fullerton	8	0	40	26	32	12	53	7	45	0	77	0	61	8	93	2	31	9	506	218	1,403.93
Santa Ana	7	8	9	27	22	26	15	3	16	0	24	20	19	129	34	0	10	0	185	249	787.00
Non-MWDOC Totals	24	34	56	105	84	72	155	20	127	0	243	93	191	146	304	22	90	17	1480	1034	5,976.83

Orange County Totals	595	436	704	1,131	1,207	3,208	1,846	1,157	1,779	460	1,936	520	1,774	469	3,289	442	1,010	216	19,205	12,747	73,506
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ROTATING NOZZLES INSTALLED BY AGENCY
through MWDOC and Local Agency Conservation Programs

Agency	FY 16/17			FY 17/18			FY 18/19			FY 19/20			FY 20/21			FY 21/22			Total Program			Cumulative Water Savings across all Fiscal Years
	Small		Large	Small		Large	Small		Large	Small		Large	Small		Large	Small		Large	Small		Large	
	Res	Comm.	Comm.	Res	Comm.	Comm.	Res	Comm.	Comm.	Res	Comm.	Comm.	Res	Comm.	Comm.	Res	Comm.	Comm.	Res	Comm.	Comm.	
Brea	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	572	2,749	0	101.41
Buena Park	0	0	0	0	0	0	0	0	0	49	0	0	0	0	0	0	0	0	558	173	2,535	1,090.08
East Orange	0	0	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	781	0	0	30.00
El Toro	55	242	0	36	0	0	0	0	0	0	0	0	30	0	0	0	0	0	3,435	46,222	890	2,063.05
Fountain Valley	0	0	0	85	0	0	0	283	0	0	0	0	124	0	0	36	0	0	955	283	0	34.54
Garden Grove	55	98	0	52	0	0	0	0	0	72	0	0	0	0	0	0	0	0	1,057	299	0	51.50
Golden State	207	6,008	0	161	-495	0	35	259	0	63	0	0	50	0	0	0	0	0	3,757	11,080	0	468.71
Huntington Beach	149	3,362	0	-37	0	0	0	0	0	65	0	0	80	0	0	0	0	0	3,905	12,526	2,681	1,830.10
Irvine Ranch	335	9,511	0	356	-215	0	72	0	0	157	0	0	566	0	0	432	0	0	48,720	94,346	2,004	6,907.49
La Habra	0	0	0	0	0	0	0	0	0	0	0	0	31	0	0	0	0	0	512	1,236	900	484.36
La Palma	0	2,385	0	33	0	0	0	0	0	0	0	0	0	0	0	0	0	0	89	2,890	0	73.82
Laguna Beach	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12,139	2,896	0	536.16
Mesa Water	113	0	0	36	0	0	0	0	0	50	0	0	0	0	0	0	0	0	2,116	385	343	266.00
Moulton Niguel	153	5,872	0	893	0	0	713	38	0	687	0	0	355	0	0	265	0	0	14,787	20,553	2,945	2,514.60
Newport Beach	0	0	0	45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	46,723	21,413	0	2,629.38
Orange	0	0	0	0	0	0	30	0	0	67	0	0	30	0	0	0	0	0	3,297	1,072	0	170.94
San Juan Capistrano	75	123	0	59	0	0	40	1,400	0	58	0	0	0	0	0	0	0	0	5,415	10,489	0	656.16
San Clemente	0	0	0	146	0	0	0	0	0	35	0	0	44	0	0	30	0	0	10,244	7,538	1,343	1,182.81
Santa Margarita	15	0	0	224	0	0	30	0	0	229	0	0	30	0	0	132	0	0	16,810	6,921	611	1,200.54
Seal Beach	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	155	7,852	0	253.87
Serrano	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3,405	0	0	139.60
South Coast	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8,130	18,870	0	890.74
Trabuco Canyon	0	4,339	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,086	5,130	0	236.37
Tustin	65	-341	0	30	0	0	47	0	0	55	0	0	30	0	0	0	0	0	3,533	1,058	0	182.25
Westminster	105	0	0	50	0	0	42	0	0	0	0	0	0	0	0	0	0	0	556	0	0	19.21
Yorba Linda	213	0	0	0	0	0	34	0	0	0	0	0	0	0	0	95	0	0	6,210	4,359	500	657.14
MWDOC Totals	1,556	31,599	0	2,199	-710	0	1,043	1,980	0	###	0	0	1,370	0	0	990	0	0	199,947	280,340	14,752	24,670.83

Anaheim	147	3,953	0	0	0	0	0	0	0	0	0	0	73	0	0	102	0	0	4,195	49,799	105	2,058.74
Fullerton	65	3,034	0	0	0	0	140	0	0	75	0	0	60	0	0	101	0	0	3,286	11,309	1,484	1,048.29
Santa Ana	0	1,106	0	0	0	0	0	0	0	34	0	0	0	0	0	0	0	0	893	5,752	0	225.97
Non-MWDOC Totals	212	8,093	0	0	0	0	140	0	0	109	0	0	133	0	0	203	0	0	8,374	66,860	1,589	3,333.00

Orange County Totals	1,768	39,692	0	2,199	-710	0	###	1,980	0	###	0	0	1,503	0	0	1,193	0	0	208,321	347,200	16,341	28,003.84
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RAIN BARRELS INSTALLED BY AGENCY
through MWDOC and Local Agency Conservation Programs

Agency	FY 13/14	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	Total Program	Cumulativ e Water Savings across all Fiscal Years
Brea	0	15	61	8	2	0	2	1	0	0	89	1.01
Buena Park	5	9	148	24	5	3	2	2	1	0	199	2.18
East Orange	8	8	23	0	0	0	1	4	0	0	44	0.51
El Toro	5	4	78	13	7	6	2	4	1	0	120	1.25
Fountain Valley	8	22	210	136	16	6	1	4	0	0	403	4.40
Garden Grove	16	34	237	38	17	5	11	7	4	0	369	4.06
Golden State	14	43	239	207	11	9	8	10	2	0	543	5.89
Huntington Beach	147	294	700	50	11	6	8	10	4	0	1,230	15.00
Irvine Ranch	21	101	778	82	24	19	9	27	8	0	1,069	11.69
La Habra	12	15	39	4	1	0	2	0	1	0	74	0.88
La Palma	0	0	4	4	0	0	0	0	2	0	10	0.09
Laguna Beach	67	279	85	7	1	1	10	0	3	0	453	5.80
Mesa Water	8	64	229	32	14	8	11	2	4	0	372	4.16
Moulton Niguel	2	74	259	63	12	12	5	2	5	0	434	4.79
Newport Beach	3	4	52	5	5	1	3	2	0	0	75	0.80
Orange	8	41	284	31	15	12	2	2	4	0	399	4.43
San Juan Capistrano	20	70	192	4	3	4	0	2	0	0	295	3.46
San Clemente	7	54	95	6	8	3	0	1	2	0	176	2.04
Santa Margarita	30	29	237	46	9	6	2	6	2	0	367	4.15
Seal Beach	8	20	37	4	2	2	-2	0	0	0	71	0.88
Serrano	0	11	21	8	0	0	0	0	2	0	42	0.47
South Coast	14	97	55	14	3	1	0	0	0	0	184	2.28
Trabuco Canyon	0	11	44	2	1	0	0	1	0	0	59	0.68
Tustin	9	23	175	27	5	5	7	3	0	0	254	2.82
Westminster	5	8	118	63	23	13	16	27	0	0	273	2.55
Yorba Linda	5	20	183	18	0	3	0	4	0	0	233	2.67
MWDOC Totals	422	1,350	4,583	896	195	125	100	121	45	0	7,837	88.94

Anaheim	12	27	235	18	2	8	7	11	1	0	321	3.54
Fullerton	16	13	171	19	0	2	5	4	0	0	230	2.59
Santa Ana	8	46	154	31	2	0	7	6	0	0	254	2.90
Non-MWDOC Totals	36	86	560	68	4	10	19	21	1	0	805	9.03

Orange County Totals	458	1,436	5,143	964	199	135	119	142	46	0	8,642	97.97
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RECYCLED WATER ON-SITE RETROFIT PROGRAM

Number of Projects by Agency

Agency	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21	FY 21-22	Total	Cumulative Water Savings across all Fiscal Years
Brea	0	0	0	0	0	0	0	0	0	0.00
Buena Park	0	0	0	0	0	0	0	0	0	0.00
East Orange CWD	0	0	0	0	0	0	0	0	0	0.00
El Toro WD	10	14	3	0	0	5	11	4	47	6,139.31
Fountain Valley	0	0	0	0	0	0	0	0	0	0.00
Garden Grove	0	0	0	0	0	0	0	0	0	0.00
Golden State WC	0	0	0	0	0	0	0	0	0	0.00
Huntington Beach	0	0	0	0	0	0	0	0	0	0.00
Irvine Ranch WD	0	3	3	2	1	1	0	0	10	1,380.35
La Habra	0	0	0	0	0	0	0	0	0	0.00
La Palma	0	0	0	0	0	0	0	0	0	0.00
Laguna Beach CWD	0	0	0	0	0	0	0	0	0	0.00
Mesa Water	0	0	0	1	0	0	0	0	1	175.45
Moulton Niguel WD	1	1	37	1	1	1	0	0	42	649.77
Newport Beach	0	0	1	0	0	0	0	0	1	743.38
Orange	0	0	0	0	0	0	0	0	0	0.00
San Juan Capistrano	0	0	0	4	2	0	1	0	7	182.68
San Clemente	1	16	6	0	0	0	0	0	23	4,447.77
Santa Margarita WD	0	17	14	4	0	0	0	0	35	2,503.77
Santiago	0	0	0	0	0	0	0	0	0	0.00
Seal Beach	0	0	0	0	0	0	0	0	0	0.00
Serrano WD	0	0	0	0	0	0	0	0	0	0.00
South Coast WD	0	4	6	1	0	1	2	0	14	1,092.45
Trabuco Canyon WD	0	0	1	0	0	0	0	0	1	1,374.49
Tustin	0	0	0	0	0	0	0	0	0	0.00
Westminster	0	0	0	0	0	0	0	0	0	0.00
Yorba Linda WD	0	0	0	0	0	0	0	0	0	0.00
MWDOC Totals	12	55	71	13	4	8	14	4	181	18,689.41

Anaheim	0	0	0	0	1	0	0	0		178.74
Fullerton	0	0	0	0	0	0	0	0		0.00
Santa Ana	0	0	0	0	0	0	0	0		0.00
Non-MWDOC Totals	0	0	0	0	1	0	0	0	0	178.74

Orange County Totals	12	55	71	13	5	8	14	4	181	18,868.15
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I hereby certify that the following Agenda was posted at least 72 hours prior to the time of the Board Meeting so noticed below, at the usual agenda posting location of the South Orange County Wastewater Authority [SOCWA] and at www.socwa.com.



Betty Burnett, General Manager
SOCWA and the Board of Directors thereof

*Regular Meeting of The
South Orange County Wastewater Authority
Board of Directors*

March 3, 2022
8:30 a.m.

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED ON THE WEBSITE AT WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA ATTACHMENTS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY BOARD OF DIRECTORS IN CONNECTION WITH A MATTER SUBJECT TO DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE BOARD OF DIRECTORS ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"), BUT ARE NOT OPEN TO THE PUBLIC DURING THE PERIOD OF STAY AT HOME ORDERS. IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE BOARD OF DIRECTORS LESS THAN SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

FOR MEETING PARTICIPATION:

Join Zoom Meeting
<https://socwa.zoom.us/>

Meeting ID: 899 2397 3214
Passcode: 564387

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South Orange County Wastewater Authority
Board of Directors Meeting
March 3, 2022

AGENDA

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ORAL COMMUNICATIONS

Members of the public may address the board regarding an item on the agenda or may reserve this opportunity during the meeting at the time the item is discussed by the board. There will be a three-minute limit for public comments.

PAGE NO

4. CONSENT CALENDAR

- A. Minutes of Board of Directors1
- Board of Directors Regular Meeting of February 3, 2022
- ACTION The Board will be requested to approve subject Minutes.
- B. Minutes of Executive Committee10
- Executive Committee Special Meeting of February 14, 2022
- ACTION The Executive Committee will be requested to approve subject Minutes as submitted; and the Board will be requested to receive and file subject Minutes.
- C. Minutes of PC 23 Committee 11
- PC 23 Committee Special Meeting of February 14, 2022
- ACTION The PC 23 Committee will be requested to approve subject Minutes as submitted; and the Board will be requested to receive and file subject Minutes.
- D. Minutes of PC 12 Committee 12
- PC 12 Committee Special Meeting of January 19, 2022
- ACTION The PC 12 Committee will be requested to approve subject Minutes as submitted; and the Board will be requested to receive and file subject Minutes.
- E. Minutes of Engineering Committee24
- Engineering Committee Meeting of January 13, 2022
- ACTION The Board of Directors will be requested to receive and file subject Minutes.

South Orange County Wastewater Authority
Board of Directors Meeting
March 3, 2022

AGENDA

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- F. Minutes of Finance Committee 28
- Finance Committee Meeting of November 16, 2021

ACTION The Board of Directors will be requested to receive and file
subject Minutes.

- G. Financial Reports for the Month of November 2021 32

The reports included are as follows:

1. Summary of Disbursements for November 2021 (Exhibit A)
2. Schedule of Funds Available for Reinvestment (Exhibit B)
 - Local Agency Investment Fund (LAIF)
3. Schedule of Cash and Investments (Exhibit C)
4. Capital Schedule (Exhibit D)
 - Capital Projects – Graph (Exhibit D-1)
5. Budget vs. Actual Expenses:
 - Operations and Environmental Summary (Exhibit E-1)
 - Operations and Environmental by PC (E-1.2)
 - Residual Engineering, after transfer to Capital (Exhibit E-2)
 - Administration (Exhibit E-3)
 - Information Technology (IT) (Exhibit E-4)

ACTION The Finance Committee recommends that the Board of Directors
ratify the November 2021 disbursements, totaling \$1,907,236, for
the period from November 1, 2021, through November 30, 2021, and
to receive and file the November 2021 Financial Reports as
submitted.

- H. Financial Reports for the Month of December 2021 50

The reports included are as follows:

1. Summary of Disbursements for December 2021 (Exhibit A)
2. Schedule of Funds Available for Reinvestment (Exhibit B)
 - Local Agency Investment Fund (LAIF)
3. Schedule of Cash and Investments (Exhibit C)
4. Capital Schedule (Exhibit D)
 - Capital Projects – Graph (Exhibit D-1)
5. Budget vs. Actual Expenses:
 - Operations and Environmental Summary (Exhibit E-1)
 - Operations and Environmental by PC (E-1.2)
 - Residual Engineering, after transfer to Capital (Exhibit E-2)
 - Administration (Exhibit E-3)
 - Information Technology (IT) (Exhibit E-4)
6. Mid-year Fringe Pool and Fringe Rate Forecast (Exhibit E-5)
(No recommended change)

ACTION The Finance Committee recommends that the Board of Directors ratify
the December 2021 disbursements, totaling \$6,929,879, for the period
from December 1, 2021, through December 31, 2021, and to receive and
file the December 2021 Financial Reports as submitted.

South Orange County Wastewater Authority
Board of Directors Meeting
March 3, 2022

AGENDA

PAGE NO

- I. Q2 FY 2021-22 Cash Roll Forward as of December 31, 202169
- ACTION The Finance Committee recommends that the Board of Directors receive and file the Q2 Fiscal Year 2021-22 Cash Roll Forward as submitted.
- J. Uniform Purchasing Policy and Procedure – Proposed Revisions 85
- ACTION The Finance Committee recommends that the Board of Directors approve the revised Uniform Purchasing Policy and Procedures.
- K. Operations Reports – January 2022 114
1. Monthly Operations Report
2. SOCWA Ocean Outfall Discharges by Agency
3. Beach Ocean Monitoring Report
4. Recycled Water Report
5. Pretreatment Report
- ACTION The Board will be requested to receive and file the January 2022 Operations Reports.
- L. Capital Improvement Program Status Report 157
- ACTION Information Item
- M. Capital Improvement Program Project Financial Status and Change Orders [Project Committees 2, 15, and 17]..... 164
- ACTION Information Item
- N. AB 361 – Allowing for Virtual Meetings – Findings and Approval to continue virtual meetings 183
- ACTION The staff recommends that the Board of Directors approve the following findings and actions:
1. The Board hereby FINDS AND DECLARES that it has considered the circumstances of the proclaimed state of emergency declared by the Governor on March 4, 2020 relating to the Covid-19 pandemic;
2. Based on the information provided in this staff report and pursuant to the information and discussion presented in the March 3, 2022 Board meeting, the Board hereby FINDS AND DECLARES that as a result of the Covid-19

AGENDA

PAGE NO

pandemic, meeting in person presents imminent risks to the health or safety of attendees, and directly impacts the ability of the members to meet safely in person; and that state and/or local officials continue to impose or recommend measures to promote social distancing;

3. The Board hereby makes these findings and approves for the upcoming 30-day period, March 3, 2022 to April 2, 2022, regular and special meetings of the SOCWA Board and its Standing Committees and Project Committees will continue to be virtual meetings held in accordance with AB 361'S Public Notice and Public Participation requirements.
4. Staff is hereby directed to notice the upcoming board and committee meetings as a virtual meeting if the proclaimed state of emergency remains, and to place AB 361 findings on the agenda for consideration at April 7, 2022 Regular Board meeting so that the Board can at that point in time make a determination regarding whether as a result of the emergency, meeting in person would continue to present imminent risks to the health or safety of attendees.

5. ENGINEERING MATTERS

- A. JBL Package B Temporary Flow Monitoring – Authorization to continue ADS Contract
[Project Committee 2] 186

ACTION Staff recommends that the Board of Directors authorize the General Manager to continue flow metering services provided by ADS Environmental in an amount not to exceed \$112,200 for the remaining time period of the Package B Project.

6. GENERAL MANAGER'S REPORTS

- A. Commodity Purchase with Industrial Solution Services for 40% Urea
[Project Committees 2, and 17] 187

ACTION Staff recommends that the Board of Directors authorize the General Manager to purchase from Industrial Solution Services 40% Urea in a not to exceed \$125,000 over the coming two years.

- B. Biosolids Management Update (Verbal Report).....
• Director of Operations, Jim Burror

ACTION Information Item

South Orange County Wastewater Authority
Board of Directors Meeting
March 3, 2022

AGENDA

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- C. General Counsel's Updates.....
- D. General Manager's Report 189

ACTION Information Items, Board Discussion and Direction

- E. Upcoming Meetings Schedule:

- March 9, 2022, Regional Board Permit Hearing ACOO, SJCOO
- March 10, 2022, Engineering Committee Meeting
- March 11, 2022, All Hands Meeting JPA and PC Agreements
- March 15, 2022, Finance Committee Meeting
- March 29, 2022, Finance Committee Budget Kickoff
- TBD, Special Meeting PC 15, Sludge Force Main Project Mitigation
- TBD, Special Meeting PC 2 Eng'r & Board, Package B, Increase to Solids Contingency and Change Order(s)

ACTION Information Item

7. CLOSED SESSION

1. A Closed Session pursuant to government code section § 54957
 - Public employee discipline/dismissal/release
2. A Closed Session pursuant to Government Code Section § 54957(a)
 - Cyber Security/Security of Essential Public Services
3. Report out of Closed Session.

8. OTHER MATTERS

Open discussion or items received too late to be agendized.

Note: Determine the need to take action on the following item(s) introduced by the General Manager which arose subsequent to the agenda being posted. [Adoption of this action requires a two-thirds vote of the Board, or if less than two-thirds are present a unanimous vote.]

ADJOURNMENT

THE NEXT SOCWA BOARD MEETING
APRIL 7, 2022

**NOTICE OF REGULAR MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

ENGINEERING COMMITTEE
TELECONFERENCE MEETING**

**March 10, 2022
8:30 a.m.**

Join Zoom Meeting by clicking on the link below:

Join Zoom Meeting
<https://socwa.zoom.us/>

Meeting ID: 829 0586 9837
Passcode: 866437

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+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
+1 253 215 8782 US (Tacoma)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)

Find your local number: <https://socwa.zoom.us/j/kbcKhyDf4V>

NOTICE IS HEREBY GIVEN that a Regular Meeting of the South Orange County Wastewater Authority (SOCWA) Engineering Committee was called to be held by Teleconference on **March 10, 2022, at 8:30 a.m.** SOCWA staff will be present and conducting the call at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED WITH THE AGENDA THE WEB-SITE WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA ATTACHMENTS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY ENGINEERING COMMITTEE IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE ENGINEERING COMMITTEE ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"), BUT ARE NOT OPEN TO THE PUBLIC DURING THE PERIOD OF STAY AT HOME ORDERS. IF SUCH

WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE ENGINEERING COMMITTEE LESS THAN SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

AGENDA

1. Call Meeting to Order

2. Public Comments

THOSE WISHING TO ADDRESS THE ENGINEERING COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.

3. Approval of Minutes

- Engineering Committee Meeting of February 10, 2022

Recommended Action: Staff recommends the Engineering Committee to approve subject Minutes as submitted.

4. Operations Report

- Verbal Update: Information provided to AQMD related to bypass pumping for critical repairs and odor impacts.

Recommended Action: Information Items.

5. Capital Improvement Construction Projects Report

Recommended Action: Information Item.

6. Aliso Creek Environmental Restoration and Mitigation Update [Project Committee 15]

- Verbal Update

Recommended Action: Information Item

7. J.B. Latham Package B

- **Solids Contingency Increase [Project Committee 2]**

Recommended Action: Staff recommends that the Engineering Committee recommend to the PC-2 Board of Directors to approve the addition of \$200,000 of contingency to the J.B. Latham Package B Solids Project (3287-000) for a total Solids contingency of \$1,857,400.

- **Authorization to Issue Change Order Payments for Package B on Engineering Committee Approval**

Recommended Action: Staff recommends that the Engineering Committee recommend to the PC-2 Board of Directors to authorize the General Manager to issue payments within contingency amounts for Change Orders for Package B work after consideration and approval by the Engineering Committee in order to shorten time for flow of funding to the Contractor.

8. Draft Capital Budget FY 2022-23

- **Detailed review of Items delivered to the Committee Members on March 2, 2020, and as attached to this Agenda**

Recommended Action: Committee Discussion, Comments and Recommendations

Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Engineering Committee at least 72 hours prior to the scheduled time of the Regular Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 72 hours prior to the time of the above-referenced Engineering Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 4th day of March 2022.



Betty Burnett, General Manager/Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

**NOTICE OF SPECIAL MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY**

BOARD OF DIRECTORS

**ALL-HANDS WORKSHOP REGARDING WITHDRAWAL AND
REVISIONS TO JOINT POWERS AGREEMENT**

March 11, 2022

DoubleTree Suites 34402 Pacific Coast Hwy, Dana Point, California.

11:00 a.m.

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Joint Powers Authority Agreement All-Hands Workshop was called to be held on **March 11, 2022 at 11:00 a.m.** at the **DoubleTree Suites located at 34402 Pacific Coast Hwy, Dana Point, California.**

This meeting is set as an in-person meeting of the SOCWA Agency General Managers and due to the number of Managers on the SOCWA Board it is required to be posted and held as an open and public Special Meeting of the Board.

THE MEETING ROOM IS WHEELCHAIR ACCESSIBLE. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS (I.E., ACCESS TO AN AMPLIFIED SOUND SYSTEM, ETC.) PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5421 AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON WRITTEN REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA EXHIBITS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY JOINT POWERS AUTHORITY AGREEMENT ALL-HANDS WORKSHOP MEMBERS IN CONNECTION WITH A MATTER SUBJECT TO DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE JOINT POWERS AUTHORITY ALL-HANDS WORKSHOP MEMBERS ARE AVAILABLE FOR PUBLIC INSPECTION IN THE AUTHORITY OFFICE, 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"). IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE JOINT POWERS AUTHORITY ALL-HANDS WORKSHOP LESS THAN TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING, THEY WILL BE AVAILABLE IN THE RECEPTION AREA OF THE AUTHORITY OFFICE AT THE SAME TIME AS THEY ARE DISTRIBUTED TO THE JOINT POWER AUTHORITY AGREEMENT ALL-HANDS WORKSHOP MEMBERS, EXCEPT THAT, IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IN THE JOINT POWERS AUTHORITY AGREEMENT ALL-HANDS WORKSHOP MEETING ROOM.

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AGENDA

Convene at DoubleTree Suites, Dana Point, California

Lunch is available for meeting invitees and staff

1. Call Meeting to order
Matt Collings, Board Chairman
2. Roll Call
3. Public Comments/Oral Communications
4. Joint Powers of Authority (JPA) Agreement
Discussion [Working Lunch]
 - a. Opening Remarks – Board Chairman
 - b. Presentation from Ad-Hoc Committee
 - c. Discussion of IRWD Withdrawal Proposal
 - d. Discussion of SJC Withdrawal
 - e. Amendment to JPA Agreement Draft
Withdrawal Provisions
5. Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Board of Directors at least 24 hours prior to the scheduled time of the Regular Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced Engineering Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 7th day of March 2022.



Betty Burnett, General Manager/Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

**NOTICE OF SPECIAL MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY**

**FINANCE COMMITTEE
TELECONFERENCE MEETING**

**March 15, 2022
10:30 a.m.**

Join Zoom Meeting by clicking on the link below:

Join Zoom Meeting
<https://socwa.zoom.us/>

Meeting ID: 840 4086 9136
Passcode: 707524

One tap mobile
+16699006833,,84040869136#,,,,*707524# US (San Jose)
+12532158782,,84040869136#,,,,*707524# US (Tacoma)

Dial by your location
+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
+1 253 215 8782 US (Tacoma)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)

Find your local number: <https://socwa.zoom.us/j/707524>

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Finance Committee was called to be held by teleconference on **March 15, 2022**, located at 34156 Del Obispo Street, Dana Point, California.

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED WITH THE AGENDA ON THE WEB-SITE WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA ATTACHMENTS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY FINANCE COMMITTEE IN CONNECTION WITH A MATTER SUBJECT TO DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE FINANCE COMMITTEE ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"), BUT ARE NOT OPEN TO THE PUBLIC DURING THE PERIOD OF STAY AT HOME ORDERS. IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE FINANCE COMMITTEE LESS THAN TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS

March 15, 2022

ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

AGENDA**1. Call Meeting to Order****2. Public Comments**

THOSE WISHING TO ADDRESS THE FINANCE COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.

3. Approval of Minutes

- Finance Committee Meeting of February 15, 2022

Recommended Action: Staff recommends the Finance Committee to approve minutes as submitted.

4. Financial Reports for the Month of January 2022

The reports included are as follows:

- a. Summary of Disbursements for February 2022 (Exhibit A)
- b. Schedule of Funds Available for Reinvestment (Exhibit B)
 - Local Agency Investment Fund (LAIF)
- c. Schedule of Cash and Investments (Exhibit C)
- d. Capital Schedule (Exhibit D)
 - Capital Projects – Graph (Exhibit D-1)
- e. Budget vs. Actual Expenses:
 - Operations and Environmental Summary (Exhibit E-1)
 - Operations and Environmental by PC (E-1.2)
 - Residual Engineering, after transfer to Capital (Exhibit E-2)
 - Administration (Exhibit E-3)
 - Information Technology (IT) (Exhibit E-4)

Recommended Action: Staff recommends that the Finance Committee recommend to the Board of Directors to ratify the January 2022 disbursements for the period from January 1, 2022, through January 31, 2022, totaling \$3,838,632, and to receive and file the January 2022 Financial Reports as submitted.

5. FY 2022-23 Operations & Maintenance / Environmental Budget**❖ Staff PowerPoint Presentation**

- Key Budget Assumptions:
 - Expected Inflationary, Property/Liability Insurance, UAL Required Payment, and Supply Chain Increases drive Budget Growth:
 - Electricity
 - Natural Gas
 - Chemicals
 - O&M Maintenance & Services

March 15, 2022

- Biosolids Hauling
- Property/Liability Insurance, and increase of \$77k or 19% over FY 2021-22 projected actuals.
- COLA, 4.0% estimate, MOU Max, (CPI March final, 4-12-2022)
(January CPI, 7.5%, December 6.6%, November, 6.0%)
January was the largest over-the-year increase in the CPI-U for Los Angeles-Long Beach-Anaheim since June 1982. Food prices rose 7.3 percent. Energy prices jumped 33.3 percent, largely the result of an increase in the price of gasoline. The index for all items less food and energy rose 5.5 percent over the year.
- 3% Average Merit (MOU)
- O&M Environmental Budget Change Year-Over-Year (YOY)
- Staffing Overview
- Major Cost Drivers
- Summary O&M by Member Agency
- O&M by Project Committee and Member Agency

Recommended Action: Committee discussion and comments

6. Actuary Firms Open Task Order Two-Year Contract Renewals

- Bartel Associates continuation of:
 - Fiscal Yearend Net Pension Liability Change
 - Termination Liability Template
 - Potential Changes to Board Approved Methodology for Distribution of Long-Term Liabilities
- Nyhart continuation of:
 - Fiscal Yearend Net OPEB Liability Change
 - Termination Liability for OPEB
 - OPEB Valuation Reports

Recommended Action: Staff Recommends that the Finance Committee recommend to the Board of Directors to authorize the General Manager to acquire the services of Bartel Associates and Nyhart over a two-year period in the amount of \$15,000.

Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Finance Committee at least 24 hours prior to the scheduled time of the Special Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced Finance Committee at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 10th day of March 2022.



Betty Burnett, General Manager/Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

WORKSHOP MEETING OF THE
BOARD OF DIRECTORS WITH MET DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Board Room, Fountain Valley, California
March 2, 2022, 8:30 a.m.

Due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e), MWDOC will be holding this Board and Committee meeting by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:
<https://zoom.us/j/8828665300>

Telephone Audio: (669) 900 9128 fees may apply
(877) 853 5247 Toll-free
Webinar ID: 882 866 5300#

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC PARTICIPATION/COMMENTS

At this time members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize item(s), which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present or, if less than two-thirds of the Board members are present a unanimous vote.)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

NEXT RESOLUTION NO. 2124

ACTION ITEMS

1. APPROVE CONTINUATION OF REMOTE MEETINGS PURSUANT TO AB 361 AND MAKE REQUIRED FINDINGS

Recommendation: Vote to continue virtual meetings pursuant to AB 361 for an additional 30 days based on the findings that (1) it has reconsidered the circumstances of the state of emergency for

COVID-19, and (2) state and local officials continue to impose or recommend measures to promote social distancing.

2. AB 1845 (CALDERON) – METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA: ALTERNATIVE PROJECT DELIVERY METHODS

Recommendation: Adopt a Support position on AB 1845 (Calderon) and join Metropolitan's coalition letter.

3. AB 2142 (GABRIEL) – INCOME TAXES: TURF REPLACEMENT, WATER CONSERVATION PROGRAM

Recommendation: Adopt a Support position on AB 2142 (Gabriel) and join ACWA, the bill sponsor's coalition, and send a letter to the Orange County delegation.

4. SB 1157 (HERTZBERG) – URBAN WATER USE OBJECTIVES: INDOOR RESIDENTIAL WATER USE

Recommendation: Adopt an Oppose Unless Amended position on SB 1157 (Hertzberg).

5. CONSIDERATION OF A SUPPORT POSITION FOR THE DOHENY OCEAN DESALINATION PROJECT

Recommendation: Consider adopting a support position for the Doheny Ocean Desalination Project.

PRESENTATION/DISCUSSION ITEMS

6. LEGISLATIVE ACTIVITIES

- a. Federal Legislative Report (NRR)
- b. State Legislative Report (BBK)
- c. Legal and Regulatory Report (Ackerman)
- d. MWDOC Legislative Matrix
- e. Metropolitan Legislative Matrix

Recommendation: Review and discuss the information presented.

7. INPUT OR QUESTIONS ON MET ISSUES FROM THE MEMBER AGENCIES/MET DIRECTOR REPORTS REGARDING MET COMMITTEE PARTICIPATION

Recommendation: Receive input and discuss the information presented.

8. PRESENTATION STAFF REGARDING MET'S INTEGRATED RESOURCES PLAN (IRP) NEEDS ASSESSMENT FINDINGS

Recommendation: Review and discuss the information presented.

INFORMATION ITEMS

9. WATER SUPPLY CONDITIONS UPDATE

Recommendation: Review and discuss the information presented.

10. MET ITEMS CRITICAL TO ORANGE COUNTY (The following items are for informational purposes only – a write up on each item is included in the packet. Discussion is not necessary unless requested by a Director)

- a. MET's Finance and Rate Issues
- b. MET's Integrated Resources Plan Update
- c. MET's Water Supply Conditions
- d. Colorado River Issues
- e. Delta Conveyance Activities and State Water Project Issues

Recommendation: Review and discuss the information presented.

11. METROPOLITAN (MET) BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS

- a. Summary regarding February MET Board Meetings
- b. Review items of significance for MET Board and Committee Agendas

Recommendation: Review and discuss the information presented.

ADJOURNMENT

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodations should make the request with adequate time before the meeting for the District to provide the requested accommodations.

MEETING OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
ADMINISTRATION & FINANCE COMMITTEE
March 9, 2022, 8:30 a.m.

Due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e), MWDOC will be holding this Board and Committee meeting by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:

<https://zoom.us/j/8828665300>

Telephone Audio: (669) 900 9128 fees may apply
(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

A&F Committee:

Director Seckel, Chair
Director Thomas
Director Dick

Staff: R. Hunter, J. Berg, H. Chumpitazi,
H. De La Torre, K. Davanaugh, C. Harris

Ex Officio Member: Director Yoo Schneider

MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

PUBLIC COMMENTS - Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING -- Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

PROPOSED BOARD CONSENT CALENDAR ITEMS

1. TREASURER'S REPORT
 - a. Revenue/Cash Receipt Report – February 2022
 - b. Disbursement Approval Report for the month of March 2022
 - c. Disbursement Ratification Report for the month of February 2022
 - d. GM Approved Disbursement Report for the month of February 2022

- e. Consolidated Summary of Cash and Investment – January 2022
 - f. OPEB and Pension Trust Fund monthly statement
- 2. FINANCIAL REPORT
 - a. Combined Financial Statements and Budget Comparative for the Period Ending January 31, 2022

ACTION ITEMS

- 3. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) 2023-2025 BOARD OF DIRECTORS CALL FOR NOMINATIONS – SOUTHERN NETWORK REGION, SEAT B

DISCUSSION ITEMS

- 4. YEAR (FY) 2022-23 SECOND DRAFT BUDGET
- 5. RESERVE AND FUND POLICY REVIEW

INFORMATION ITEMS – (THE FOLLOWING ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY – BACKGROUND INFORMATION IS INCLUDED IN THE PACKET. DISCUSSION IS NOT NECESSARY UNLESS REQUESTED BY A DIRECTOR.)

- 6. SOLE SOURCE CONTRACT WITH STETSON ENGINEERS
- 7. SOLE SOURCE CONTRACT REGARDING WEBSITE ENHANCEMENTS FOR SEARCH ENGINE OPTIMIZATION
- 8. DEPARTMENT ACTIVITIES REPORTS
 - a. Administration
 - b. Finance and Information Technology
- 9. MONTHLY WATER USAGE DATA, TIER 2 PROJECTION, AND WATER SUPPLY INFORMATION

OTHER ITEMS

- 10. REVIEW ISSUES REGARDING DISTRICT ORGANIZATION, PERSONNEL MATTERS, EMPLOYEE BENEFITS FINANCE AND INSURANCE

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item

consequently is advised.

Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

MEETING OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the

PLANNING & OPERATIONS COMMITTEE

March 14, 2022, 8:30 a.m.

Due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e), MWDOC will be holding this Board and Committee meeting by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:

<https://zoom.us/j/8828665300>

Telephone Audio: (669) 900 9128 fees may apply
(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

P&O Committee:

Director Tamaribuchi, Chair
Director McVicker
Director Nederhood

Staff: R. Hunter, J. Berg, V. Osborn,
H. De La Torre, T. Dubuque,
D. Micalizzi, H. Baez, T. Baca

Ex Officio Member: Director Yoo Schneider

MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

ROLL CALL

PUBLIC COMMENTS - Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING -- Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

ACTION ITEMS

1. APPROVAL OF TRI-COUNTY FUNDING AREA COORDINATING COMMITTEE (TRI-COUNTY FACC) THIRD AMENDMENT TO MEMORANDUM OF UNDERSTANDING FOR SHARING OF FUNDS WITHIN THE SAN DIEGO FUNDING AREA BY THE SOUTH ORANGE COUNTY INTEGRATED REGIONAL WATERSHED MANAGEMENT (IRWM) AREA FOR PROPOSITION 1 IRWM FUNDS

2. ADOPT RESOLUTION APPROVING THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (CalOES) HIGH-FREQUENCY COMMUNICATIONS EQUIPMENT PROGRAM GRANT SUBAWARD

DISCUSSION ITEMS

3. UPDATE ON COVID-19 (ORAL REPORT)

INFORMATION ITEMS (The following items are for informational purposes only – background information is included in the packet. Discussion is not necessary unless requested by a Director.)

4. RECAP OF THE FEBRUARY 23RD WATER POLICY DINNER
5. 2022 OC WATER SUMMIT UPDATE
6. STATUS REPORTS
 - a. Ongoing MWDOC Reliability and Engineering/Planning Projects
 - b. WEROC
 - c. Water Use Efficiency Projects
 - d. Public and Government Affairs
7. REVIEW OF ISSUES RELATED TO PLANNING OR ENGINEERING PROJECTS, WEROC, WATER USE EFFICIENCY, FACILITY AND EQUIPMENT MAINTENANCE, WATER STORAGE, WATER QUALITY, CONJUNCTIVE USE PROGRAMS, EDUCATION, PUBLIC AFFAIRS PROGRAMS AND EVENTS, PUBLIC INFORMATION PROJECTS, PUBLIC INFORMATION CONSULTANTS, DISTRICT FACILITIES, and MEMBER-AGENCY RELATIONS

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Fountain Valley, California
March 16, 2022, 8:30 a.m.

Due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e), MWDOC will be holding this Board and Committee meeting by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:
<https://zoom.us/j/8828665300>

Telephone Audio:	(669) 900 9128 fees may apply (877) 853 5247 Toll-free
Webinar ID:	882 866 5300#

AGENDA

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS/PARTICIPATION

At this time, members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken. If the item is on the Consent Calendar, please inform the Board Secretary before action is taken on the Consent Calendar and the item will be removed for separate consideration.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize items(s) which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present, or, if less than two-thirds of the Board members are present, a unanimous vote of those members present.)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

NEXT RESOLUTION NO. 2124

CONSENT CALENDAR (Items 1 to 5)

(All matters under the Consent Calendar will be approved by one motion unless a Board member requests separate action on a specific item)

1. MINUTES

- a. February 2, 2022 Workshop Board Meeting
- b. February 16, 2022 Board Meeting

Recommendation: Approve as presented.

2. COMMITTEE MEETING REPORTS

- a. Planning & Operations Committee Meeting: February 14, 2022
- b. Administration & Finance Committee Meeting: February 9, 2022
- c. Executive Committee Meeting: February 17, 2022

Recommendation: Receive and file as presented.

3. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of February 28, 2022
- b. Disbursement Registers (February/March)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of January 31, 2022
- d. PARS Monthly Statement (OPEB Trust)

Recommendation: Receive and file as presented.

4. FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period ending January 31, 2022

Recommendation: Receive and file as presented.

5. APPROVE CONTINUATION OF REMOTE MEETINGS PURSUANT TO AB 361 AND MAKE REQUIRED FINDINGS

Recommendation: Vote to continue virtual meetings pursuant to AB 361 for an additional 30 days based on the findings that (1) it has reconsidered the circumstances of the state of emergency for COVID-19, and (2) state and local officials continue to impose or recommend measures to promote social distancing.

End Consent Calendar

ACTION CALENDAR**6-1 APPROVAL OF TRI-COUNTY FUNDING AREA COORDINATING COMMITTEE (TRI-COUNTY FACC) THIRD AMENDMENT TO MEMORANDUM OF UNDERSTANDING FOR SHARING OF FUNDS WITHIN THE SAN DIEGO FUNDING AREA BY THE SOUTH ORANGE COUNTY INTEGRATED REGIONAL WATERSHED MANAGEMENT (IRWM) AREA FOR PROPOSITION 1 IRWM FUNDS**

Recommendation: Authorize the President of the board to execute the Third Amendment to the Memorandum of Understanding (MOU) for Integrated Regional Water Management Planning and Funding in the San Diego Funding Area, as attached. Approval of the Amendment will provide for approximately \$3.27 million in remaining Proposition 1 Integrated Regional Watershed Management (IRWM) implementation grant funds for the South Orange County IRWM funding area.

**6-2 ADOPT RESOLUTION APPROVING THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (CalOES) HIGH-FREQUENCY COMMUNICATIONS EQUIPMENT PROGRAM GRANT SUBAWARD
RES. NO. _____**

Recommendation: Adopt the Resolution for execution of the California Office of Emergency Services (CalOES) High-Frequency Communication Equipment Program application and approve designation of the WEROC Director of Emergency Management and the General Manager as designated Authorized Agents, the ability to accept and implement the award once received.

INFORMATION CALENDAR (All matters under the Information Calendar will be Received/Filed as presented following any discussion that may occur)

7. GENERAL MANAGER'S REPORT, MARCH 2022 (ORAL AND WRITTEN)

Recommendation: Receive and file report(s) as presented.

8. MWDOC GENERAL INFORMATION ITEMS

- a. Board of Directors - Reports re: Conferences and Meetings
- b. Requests for Future Agenda Topics

Recommendation: Receive and file as presented.

CLOSED SESSION ITEMS**9. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 13, 2010, et al., former Los Angeles Superior Court, Case No. BS 126888, transferred on October 21, 2010, to San Francisco Superior Court, Case No. CPF-10-510830 and related appeal.

10. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 10, 2012 to be Effective January 1, 2013 and January 1, 2014; and Does 1-10, et al., former Los Angeles Superior Court, Case No. BS137830, transferred on August 23, 2012, to San Francisco Superior Court, Case No. CPF-12-512466 and related appeal.

11. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water of Southern California on April 8, 2014, et al., former Los Angeles Superior Court, Case No. BC547139, transferred on December 2, 2014, to San Francisco Superior Court, Case No. CPF-14-514004.

12. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 12, 2016, effective January 1, 2017 and January 1, 2018, et al., former Los Angeles Superior Court, Case No. No. BS161729, transferred to San Francisco Superior Court, Case CPF-16-515282.

13. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9. One Case: San Diego County Water Authority v. Metropolitan Water District of Southern California; all persons interested in the validity of the rates adopted by the Metropolitan Water District of Southern California on April 10, 2018 to be effective January 1, 2019, and Jan. 1, 2020, et al., Los Angeles Superior Court, Case No. BS 173868, Transferred to San Francisco Superior Court, Case CPF-18-516389.

ADJOURNMENT

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public

meeting by contacting Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

GENERAL MANAGER'S REPORT OF STAFF ACTIVITIES MARCH 2022

MWDOC Agencies Managers Meeting

MWDOC held its Member Agency Managers' meeting at its office in Fountain Valley on Thursday, February 17, 2022.

In attendance were: M. McGee – Buena Park, D. Youngblood – EOCWD, D. Cafferty – El Toro WD, M. Dunbar – Emerald Bay SD, M. Sprague & H. Lee – Fountain Valley, C. Pasillas – Garden Grove, K. Vecchiarelli – Golden State WC, A. Papa & C. Davis – Huntington Beach, P. Weghorst – Irvine Ranch WD, J. Lopez, D. Atwater, L. Rocha, K. Young & M. Collings – Moulton Niguel WD, S. Catron & M. Vukojevic – Newport Beach, M. Markus & J. Kennedy, K. O'Toole – OCWD, J. Diaz & Sonny Tran – Orange, D. Rebensdorf – San Clemente, D. Ferons – Santa Margarita WD, I. Lee – Seal Beach, J. Vilander – Serrano WD, F. Paludi – Trabuco Canyon WD, S. Miller – Westminster, J. DeCriscio & D. Davert – Yorba Linda WD

Staff in attendance were: R. Hunter, H. De La Torre, A. Heide, C. Lingad, C. Busslinger, V. Osborn, M. Baum-Haley, J. Berg, K. Hostert, H. Baez, D. Micalizzi, H. Chumpitazi

General Meeting Information/Discussion Items:

- MWDOC Draft Agendas
- MWDOC FY2022-23 Budget
- MWDOC Facilitated Discussions Update
- WEROC Update
- Engineering Update
- Water Supply Update
- Metropolitan Update
 - Metropolitan FY 2022-23 & 2023-24 Budget
 - IRP Update
 - Strategic Priorities
- **Announcements:**
 - MWDOC Policy Dinner

Next meeting will tentatively be held on March 17, 2022.

Meetings

- Charles Busslinger and Chris Lingad met with ETWD on February 2, 2022, to discuss contingency planning for ETWD's R-6 Reservoir rehabilitation planned for mid-2022.
- MWDOC staff and ABS Consulting, IDS Group, and Optima RPM participated in construction progress meetings in February regarding the admin building

Meetings – continued	<p>seismic retrofit and remodel. Meetings concerning closeout and final punch list items are being held.</p> <ul style="list-style-type: none"> • Charles Busslinger and Chris Lingad held a meeting with CDM Smith and The Brattle Group on February 22, 2022, to discuss the Economic Benefits Study and the Reliability Study Update. • Charles Busslinger and Chris Lingad met with the impacted agencies of the AMP PCCP rehabilitation work on February 24, 2022. A discussion was held to determine if the additional facility and pipeline improvements could be made in South Orange County to extend shutdown durations and reduce the total amount of shutdowns. • Charles Busslinger and Chris Lingad attended the fourth meeting of the NWRI Direct Potable Reuse Expert Panel on February 28, 2022. The purpose of the meeting was for the panel to provide comments and recommendations on DDW's criteria on DPR feasibility.
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ENGINEERING & PLANNING

East Orange County Feeder No. 2 (EOCF#2) Emergency Pilot Program	<p>Staff and Means Consulting continue to work with Metropolitan (MET) on defining and phasing a scope of work for emergency pump-in of local water supplies into EOCF #2 under MET Admin Code 4519: Emergency Deliveries of Member Agency Water Supplies in Metropolitan's System. The program is intended to enhance water supply reliability in the event of a prolonged emergency. As indicated previously, this is a multi-year effort. The intended outcome of this effort is a set of guidelines for MET member agencies to use to establish their emergency pump-in programs to MET's system. Hazen & Sawyer is also providing technical assistance for this effort. Staff is planning to meet with the Orange County EOCF #2 Joint Power Agreement members and capacity right holders to discuss the pilot project.</p>
Economic Benefit Studies and Modeling Work to Quantify the Benefits of Local Projects in the Context of MET's 2020 Integrated Resources Plan (IRP)	<p>MWDOC staff continues working with the Brattle Group and CDM Smith on the Economic Benefits Studies. The studies will be useful in helping MWDOC, and our agencies better understand the reliability benefits provided by potential supply investments at both the MET level and at the Orange County level by quantifying their economic benefits. The studies are looking at two main sectors of the economy: Residential and Business sectors. The benefits are being quantified by looking at the 'avoided costs' of water shortages to both of these sectors of the economy.</p> <p>Wallace Walrod, the economist for Orange County Business Council and sub-consultant for the Brattle Group, is leading the business portion of the economic benefit studies and is surveying the business community to determine how they might be impacted by both emergency water shortages (i.e., earthquakes) which are severe shorter-term shortages; and by longer-term and less severe shortages (i.e., droughts).</p> <p>Cal State University, Fullerton's Social Science Research Center (CSUF) has completed surveys of over 400 Orange County businesses. Dr. Walrod and Dr.</p>

Economic Benefit Studies and Modeling Work to Quantify the Benefits of Local Projects in the Context of MET's 2020 Integrated Resources Plan (IRP) – continued	<p>Boarnet are currently analyzing the data and preparing a report. A presentation of business survey results is anticipated at P&O Committee once the data has been analyzed.</p> <p>The residential impact analysis is being conducted by David Sunding of the Brattle Group, using available residential information.</p>
Reliability Study Update	<p>Staff is working with CDM Smith on an update to the reliability study. The update will look at a total of 5 scenarios that include recent information, including uncertainty about the Delta Conveyance Project and more recent Climate Change impact information. The update will incorporate the latest demand forecasts from the 2020 Urban Water Management Planning efforts, update project cost information, and include updated information from MET's 2020 IRP process. Staff participated in a meeting with MET staff and CDM Smith on September 25, 2021, to discuss supply projections for the State Water Project and the Colorado River Aqueduct related to the reliability study update.</p> <p>Staff anticipates the update to be completed in the next few months. Staff will then bring the study results to the Board for discussion.</p>
Doheny Ocean Desalination Project	<p>South Coast Water District (SCWD) continues to develop the Doheny Ocean Desalination Project. SCWD is currently working through multiple due diligence items to move the project forward, including; permitting, plant sizing and siting, financing, and project delivery method. SCWD anticipates having all necessary permits by the end of Summer 2022 and estimates an online date of 2026 if approved by the SCWD Board.</p> <p>On July 22, 2021, SCWD conducted its 7th workshop on the SCWD Integrated Water Resources Plan (IWRP). Included in that plan was a consideration of a strategy for various options for the Doheny Ocean Desalination Project. The SCWD Board approved an adaptive management strategy which includes proceeding with efforts to secure partners for a 5 MGD Doheny Ocean Desalination Project. If SCWD is unsuccessful in securing partners, SCWD will proceed with the construction of a smaller 2 MGD project that does not have future expansion capabilities.</p> <p>SCWD held a Special Board Meeting on September 2, 2021, to discuss the financial implications of the project. Clean Energy Capital (CEC) presented a water cost analysis for the project where CEC presented cost projections for a 2 MGD project with an estimated 1st-year water cost of \$1,928/AF in 2021\$, and a 5 MGD project</p>

Doheny Ocean Desalination Project – continued	<p>with an estimated 1st-year water cost of \$1,479/AF in 2021\$ (later updated to \$1,807/AF in 2027\$ vs. \$1,545/AF MET Rate in 2027\$). The SCWD Board actions included accepting the water cost analysis; initiating a Public Outreach Program supporting the implementation of the project; re-engaging with task-related consultants for the development of necessary contract activities; and authorizing the SCWD General Manager to develop a partnership education plan to pursue and secure partnerships with local agencies to realize the cost savings a 5 MGD project provides.</p> <p>The third-party hydrogeology study of the San Juan Basin has been extended and includes work optimizing the north and south portions of the basin.</p>
Poseidon Resources Huntington Beach Ocean Desalination Project	<p>On April 29, 2021, the Santa Ana Regional Water Quality Control Board (SARWQCB) conditionally renewed Poseidon's permit governing the seawater intake and waste discharges.</p> <p>The next step for Poseidon is to seek a Coastal Development Permit (CDP) from the California Coastal Commission (CCC). Poseidon has requested to delay the March 17th CCC hearing on the CDP until later this spring.</p>
Shutdowns	<p>Diemer Water Treatment Plant</p> <p>MET plans to repair a chlorine diffuser pipe at the Diemer WTP, requiring a seven-day full-plant shutdown. A meeting was held on February 3rd to inform MET of the agencies' local supply conditions for this calendar year. Shutdown dates are being reevaluated by MET staff at this time.</p> <p>Orange County Feeder</p> <p>MET is planning to reline and replace valves in a section of the Orange County Feeder from Bristol Ave to Corona Del Mar – this is the last section of this 80-year-old pipeline to be lined.</p> <p>MET has delayed the relining project and has proposed new shutdown dates of September 15, 2022, through June 15, 2023.</p> <p>Orange County Feeder Extension</p> <p>MET plans to reline 300-linear feet of the OC Feeder extension affecting the City of Newport Beach, IRWD, and LBCWD. MWDOC and the City are meeting with MET staff to review the Traffic Control Plan details.</p> <p>MET has delayed the relining project by one year and has proposed new shutdown dates of June 16, 2023, through July 10, 2023.</p> <p>Orange County Reservoir (OC Feeder)</p> <p>The decommissioning of the Orange County Reservoir has been rescheduled to March 20, 2022, through March 25, 2022. This work will affect the cities of Brea and La Habra.</p> <p>Lake Mathews Facility Shutdown</p> <p>MET has canceled the Lake Mathews Facility shutdown, previously scheduled to begin on March 14, 2022, due to low State Water Project supplies. This shutdown</p>

Shutdowns – continued	<p>will be rescheduled for the 2022-2023 shutdown season. During the shutdown, the following agencies will be affected: OCWD, YLWD, Serrano WD, IRWD, TCWD, ETWD, SMWD, MNWD, and the City of San Clemente.</p> <p>Allen-McColloch Pipeline</p> <p>MET has completed 50% of the preliminary design of the AMP PCCP rehabilitation and is expected to be complete with the design by 2023. Preliminary design work currently underway includes identifying priority reaches, developing access locations, conducting geotechnical assessments, modeling a surge analysis, conducting real property assessments, identify permitting requirements, and development of a feeder isolation plan. A draft project schedule will be developed at the completion of the preliminary design. Rehabilitation of individual reaches will be based on the ongoing condition assessments, priorities, and shutdown schedules.</p> <p>MET plans to inspect additional sections of the AMP PCCP in FY 23-24.</p> <p>MWDOC staff continues to lead working group meetings with the impacted AMP agencies to discuss options that may reduce the number of shutdowns needed while also helping to increase reliability for future shutdowns. Potential sites are being looked at for their potential to extend shutdown durations and provide additional long-term reliability benefits.</p>
<h2 style="text-align: center;">MET ITEMS CRITICAL TO ORANGE COUNTY</h2>	
MET Finance and Rate Issues	<p><u>Current Update</u></p> <p>Water Transactions for November 2021 totaled 150.0 thousand acre-feet (TAF), which was 11.4 TAF higher than the budget of 138.6 TAF. This translates to \$132.0 million in revenues for November 2021, which were \$8.8 million higher than the budget of \$123.2 million. Year-to-date water transactions through November 2021 were 789.6 thousand acre-feet (TAF), which was 57.8 TAF higher than the budget of 731.8 thousand acre-feet (TAF). Year-to-date water revenues through November 2021 were \$714.1 million, which was \$41.8 million higher than the budget of \$672.3 million. As of November 30, 2021, Metropolitan's investment portfolio balance was \$1.35 billion.</p> <p><u>Biennial Budget Process</u></p> <p>Metropolitan embarks on its biennial budget every two years and the associated rates and charges, including a ten-year forecast. A draft budget is expected to come out in the next week. Prior to Board approval, which is anticipated at the April 12 Board Meeting, Metropolitan staff will hold the first of three Board workshops on February 7 at the Finance and Insurance Committee.</p> <p>The two-year budget will cover Fiscal Years 2022/23 and 2023/24 and include the rates and charges for Calendar Years 2023 and 2024. The the 100 percent Supply</p>

MET Finance and Rate Issues – continued	Alternative will be reintroduced as the demand management cost recovery method used in the proposals commencing with the 2023 rates and charges.
MET Integrated Resources Plan Update	<p>Over the past two years, Metropolitan has worked on a new formulation of the Integrated Water Resources Plan (IRP). This first phase of the 2020 IRP incorporates scenario planning and features findings from a regional needs assessment. These findings are organized into five areas: (1) State Water Project dependent areas, (2) storage, (3) demand management, (4) Metropolitan imported supply, and (5) local supply. The findings will inform the selection and implementation of actions to address risks to Metropolitan's reliability.</p> <p>The Metropolitan Board will discuss the updated findings at the February 22 IRP Special Committee and seek Board adoption of the 2020 IRP Regional Needs Assessment Report at the March Board meeting. Once adopted, Metropolitan will begin a collaborative IRP implementation phase and adaptive management plan to identify specific actions informed by the needs assessment findings. This One Water approach will bring together imported and local supplies, storage, and demand management.</p> <p>The IRP's goal in guiding Metropolitan's investments is to avoid retail water shortages and mandatory end-user cutbacks. The 2020 IRP Needs Assessment highlights important risk areas to Metropolitan's reliability goal. The draft findings from the 2020 IRP Needs Assessment to fall within five key focus areas. These findings are summarized below. The scenario analyses found plausible reliability outcomes by the year 2045, with potential annual supply-demand gaps ranging from none under Scenario A to as high as 1.2 MAF under Scenario D. As Metropolitan proceeds towards implementation in the next phase of the IRP, specific actions must address these gaps in a manner consistent with the portfolio category analysis.</p> <p><i>Finding Area 1: <u>SWP Dependent Areas</u></i></p> <ul style="list-style-type: none"> • Vulnerabilities in the SWP Dependent Areas are more severe given the reduced reliability of SWP supplies. Actions identified in the implementation phase must prioritize addressing the SWP Dependent Area's reliability challenges. • New core supplies and new/or existing storage must first address and reach SWP Dependent Areas. • System flexibility and distribution system investments can increase SWP Dependent Areas' access to existing core supplies and storage. • Shortages on the Colorado River Aqueduct limit the effectiveness of system distribution improvements. <p>Water demand in Metropolitan's service area is met by combining its imported supplies via the SWP and Colorado River Aqueduct, storage reserves, and local supply production. These spatially diversified water supplies increase reliability by buffering supply impacts that may occur with any one source. In general, when one</p>

MET Integrated Resources Plan Update – continued	<p>or more supply sources is challenged, the other sources are dependent on more to satisfy the region's demand.</p> <p>However, portions of Metropolitan's service area cannot receive water from imported supply sources and do not have enough local supply to meet demand. Those portions of Metropolitan's service area where Colorado River supply cannot access referred to as "SWP Dependent Areas" are particularly concerned if low SWP Table A Allocations become more frequent.</p> <p>A crucial finding of this IRP recognizes that SWP Dependent Areas present a serious vulnerability to regional water reliability. Across scenarios, this vulnerability emerges as a common thread among foreseeable risks. Whenever shortages occur in any scenario, they involve a mismatch between accessible supplies and demands in the SWP Dependent Areas. This puts additional pressure on the Colorado River, local and storage supplies to satisfy a larger proportion of the regional demand. Consequently, resolving reliability issues for the SWP Dependent Areas will address the larger reliability issues for the entire region.</p> <p>As SWP core supplies become less reliable over time, as analyzed in the IRP scenarios, the risks to reliability posed by the SWP Dependent Areas are exacerbated. Because of these vulnerabilities, actions identified in the Implementation Phase should prioritize addressing SWP Dependent Areas. New core supplies and new/or existing storage must first address and reach SWP Dependent Areas. However, investing in conveyance and distribution to improve core, local, and storage supply access to the SWP Dependent Areas should also be evaluated to determine if overall system reliability is compromised. Additionally, potential shortages in the Colorado River, as seen in Scenario D, can limit the effectiveness of system improvements.</p> <p><i>Finding Area 2: <u>Storage</u></i></p> <ul style="list-style-type: none"> • Storage is a vital component in maintaining reliability under current and future conditions. • Expanding existing or developing new storage programs may be needed to help balance new core supply development to meet potential future shortages. • Storage programs with even modest put/take capacities can help reduce the need for flexible supply. <p>Storage is vital to reliability undercurrent and plausible future conditions. Core supplies and storage capabilities work together in tandem; dependable core supplies are needed to fill and refill storage before and after dry years, and ample storage capacity is needed to make the most of opportunities for core supplies when they become available. Three major findings related to storage emerge from the IRP analysis:</p> <ol style="list-style-type: none"> 1. Expanding existing or developing new storage programs will be needed to help balance new core supply development and mitigate future shortages. This may include policies and programs enabling Metropolitan's use of local storage during drought conditions. 2. A holistic approach is important when evaluating storage options. Evaluation of put and take capabilities should take into account not only
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<p>MET Integrated Resources Plan Update – continued</p>	<p>the amounts and timing of water that can be moved but also spatial considerations, such as the source of water and access to the various parts of Metropolitan's distribution system. New storage development and or expanding distribution flexibility to move existing storage to the SWP Dependent Areas should be investigated in the implementation phase.</p> <p>3. Without further action to extend these agreements, Metropolitan will lose access to more than 1.6 MAF of capacity by 2037. Furthermore, several of Metropolitan's existing storage programs will be expiring over the next 15 years within the planning horizon of the 2020 IRP. The IRP reliability analyses assume that these programs will remain in place. Still, their possible expiration remains a threat to regional reliability until such programs are extended or replaced with an equivalent or expanded capabilities. This is an example of the active management that is constantly required and highlights the ongoing need for collaboration with Metropolitan's banking partners. These known administrative risks are apart from other, more uncertain operational risks, such as contamination, new regulatory restrictions, and seismic disturbances.</p> <p><i>Finding Area 3: Demand Management</i></p> <ul style="list-style-type: none"> • Metropolitan's future reliability is susceptible to increases and decreases in demands. • It is important to pay attention to demand rebound, demand growth, and demand reductions and intervene as necessary. • Managing demands through the efficient use of water reduces dependency on supplies, helps preserve storage, and helps avoid the need for extraordinary conservation measures. <p>Conservation has long underpinned Metropolitan's long-term water supply reliability strategy. Metropolitan administers regional conservation programs and co-funds member agency conservation programs designed to achieve greater water use efficiency and bolster water-conserving ethics. Conservation comes from two areas of change: structural conservation, which involves increasing water use efficiency, and behavioral conservation, which involves modifying consumer water-using behavior through messaging, education, pricing, and mandates. Of these two forms of conservation, structural conservation is more permanent, akin to a core supply. Water-efficient device retrofits, landscape conversions, plumbing codes, and leak prevention all contribute to ongoing structural water savings. Conservation device retrofits help to recover storage in future years by lowering demands in all years, not only drought years. In contrast, behavioral conservation is less permanent and can wax and wane due to various influences that may be outside of Metropolitan's direct ability of control. The IRP recognizes water use behavior, represented by per capita water use, as a major uncertainty for regional demands over time.</p> <p>The IRP scenarios confirm that Metropolitan's future reliability is highly sensitive to changes in water demands. Under Scenario A, with low demands and stable imports, no net shortages are anticipated through the year 2045. Demands also remain low in Scenario C, with low frequencies of net shortages occurring throughout the planning</p>
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MET Integrated Resources Plan Update – continued	<p>horizon. Meanwhile, Scenarios B and D consider what might happen if per capita water demands rebound to levels approaching historical usage. While Scenario B shows similar frequencies of net shortages as Scenario C, the magnitudes of such shortages are greater. Under Scenario D, where there is both increase in demands on Metropolitan and a significant loss of imported core supply, there is a high risk of shortage and an inability to ever refill storage to capacity by the year 2045.</p> <p>Increased demands, whether from growth or per capita use, represent a major risk to reliability. Demands can increase from rebounding per capita water use, but even with efficient use, total demands can still increase as the population and economy grow over time. Baseline conservation programs help with every scenario. Monitoring demands and intervening as appropriate will be critical. Managing demands through efficient use of water reduces dependency on costly supplies, helps preserve storage, and defers the need for disruptive extraordinary conservation measures such as emergency declarations and water supply allocations. Conservation programs should be scalable and adaptive to changing conditions and consider the financial stability of volumetric-based revenues in light of changing demands.</p> <p><i>Finding Area 4: Metropolitan <u>Imported Supplies</u></i></p> <ul style="list-style-type: none"> • Existing imported supplies are at risk from various drivers of uncertainty. • Maintaining existing imported supply reliability reduces the need for new core supply development and leverages years of investments. • SWP supplies, which are highly susceptible to varying hydrologic conditions, provide water for storage in normal and wet years for use in dry years. <p>Imported supplies remain essential as core supplies to the region. They are a valuable legacy of decades of planning and investment. As source waters, they provide good water quality and supply benefits that, once lost, are very difficult to replace. Metropolitan's core supplies from the Colorado River Aqueduct are generally less susceptible to volatility from year-to-year hydrologic conditions than Metropolitan's core supplies from the SWP. However, all of the region's imported supplies face significant risk from various drivers of uncertainty, including climate change. While there is little scope for obtaining new additional imported core supplies, taking action to preserve the region's legacy imported supplies is crucial for several reasons.</p> <p>Imported supplies, primarily the SWP supplies, uniquely reinforce reliability by leveraging Metropolitan's storage capacity in wet periods for use in dry years and diversifying supply sources across multiple watersheds. Because water resources available to the Metropolitan service area come from three geographically distinct regions—Northern California, the Colorado River, and local resources—a relatively dry year affecting one of these three regions can be offset by relatively abundant supplies from the other two regions. For example, a year of ample precipitation within Metropolitan's service area tends to depress demand and enhances local water resources, further reducing demands on imported supplies. A wet year in the Sacramento-San Joaquin watersheds increases the SWP Table A allocation, facilitating reduced diversions from the Colorado River in favor of storing supplies in Lake Mead or the Desert Water Agency/Coachella Valley Water District Advanced Delivery Account.</p>
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MET Integrated Resources Plan Update – continued	<p>Conversely, a shortfall on the SWP may require system operational modifications to maximize Colorado River diversions and the delivery of Colorado River supplies to the SWP Dependent Areas. Each increment of existing imported supply reliability that is prevented from being lost offsets a need to develop new alternative core and flexible supplies that may be more costly may take considerable lead time to bring online, and may not be easily integrated into the region's water distribution system. SWP Dependent Areas are so-called because they currently rely on SWP water to meet at least part of their demands; any practical alternative supplies to meet SWP Dependent Area demands would also have to be potable and accessible to those relatively isolated portions of Metropolitan's distribution system.</p> <p><i>Finding Area 5: <u>Local Supply</u></i></p> <ul style="list-style-type: none"> • Maintaining existing and developing new local supplies is critical in helping manage demands on Metropolitan, which increases sustainability and reduces the dependency on imported supplies. • Impacts on reliability occur if local supply assumptions are not achieved; therefore, it is important to track the progress of local supply development as one of the signposts in the Adaptive Management Plan. • Should existing and future local supply levels deviate from IRP assumptions, additional actions may be needed. <p>Demand on Metropolitan's imported supplies is a function of total regional demands and the local supplies available within the region to meet them. Local supplies are the front line in securing regional reliability. Local supplies regularly meet roughly half of the region's total urban demands; it can be more than 60 percent in some years. Because imported core supplies cannot be expected to increase even in the face of population and economic growth, the region's reliance on existing and new local supplies relative to imported supplies will only grow in the future. The IRP scenarios reveal that safeguarding the region's vast inventory of existing local supplies is as crucial as preserving existing imported supplies.</p> <p>Continued performance of local supplies cannot be taken for granted, for as with imported supplies, many factors can impede local supply development and production, including funding, contamination, changing regulatory requirements, and climate change. For example, there has been a decline in groundwater production in the past 20 years, affected by the limited availability of imported supplies for replenishment, variability in natural replenishment from rainfall, and emerging contaminants. At the same time, the region has made substantial gains in recycled water development, but continued success will be more difficult moving forward. This is due to the reduction of available wastewater effluent, which stems from conservation, constraints in distribution systems, and rising costs from increasing salinity.</p> <p>The region's reliability is highly sensitive to local supplies, as it comprises such a large portion of the region's total supply. As a part of the Needs Assessment, Metropolitan engaged with member agencies and basin managers to identify the potential timing and implementation of planned projects and operation of groundwater basins appropriate for each IRP scenario. Impacts on reliability will</p>
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MET Integrated Resources Plan Update – continued	<p>occur if local supply assumptions are not achieved; therefore, it will be important to track the progress of local supply development as part of the signposts in the Implementation Phase. Metropolitan currently fosters local supplies through various programs and funding support, including its Local Resources Program. Modified actions by Metropolitan may be warranted should existing and future local supply levels deviate up or down from IRP assumptions. As Metropolitan increases its commitments to enhancing local supplies, Metropolitan's business model may also need to be reconsidered to ensure financial sustainability.</p>
Colorado River Issues	<p><u>500+ Plan Memorandum of Understanding</u></p> <p>Following the Metropolitan Board's approval of participation in the 500+ Plan at the December 14 Board meeting, representatives of the United States, Arizona, Central Arizona Water Conservation District, Nevada, Southern Nevada Water Authority, and Metropolitan signed the 500+ Plan memorandum of understanding (MOU) at a signing ceremony on December 15. The 500+ Plan MOU commits the parties to the goal of adding or retaining at least 500,000 acre-feet of water in Lake Mead in 2022 and 2023. In the MOU, the non-federal parties commit to collectively contributing \$100 million, with a federal commitment to work to match the nonfederal funding in the amount of \$100 million. The parties to the 500+ Plan MOU anticipate developing funding and implementation agreements starting in early 2022.</p> <p>On December 20, the Bureau of Reclamation released the spending plan for the \$210 million provided in the Extending Government Funding and Delivery Emergency Assistance Act (P.L. 117-43), including \$40 million for implementing the 500+ Plan. Of the \$40 million allocated, \$26 million will go to the Lower Colorado River Operations Program to continue implementing Drought Contingency Plan activities and \$14 million to shore up water firming rights for Tribal communities during times of shortage in the Central Arizona water supply. With the funding for the plan secured, Metropolitan staff has been in discussions with agricultural districts in California to explore additional conservation actions that could help meet the goals of the 500+ Plan.</p> <p><u>Quechan Seasonal Fallowing Agreement</u></p> <p>Following Metropolitan's Board authorization in November, on December 15, representatives from Metropolitan and the Fort Yuma Quechan Indian Tribe (Quechan Tribe) signed an agreement in which Metropolitan will pay the Quechan Tribe to seasonally fallow a portion of their currently irrigated lands from April through July of 2022 and 2023. The conserved water will be available to Metropolitan and reduce its need to take Intentionally Create Surplus out of Lake Mead to fill the Colorado River Aqueduct in dry years. Metropolitan and the Quechan tribe will evaluate the program during the two-year pilot fallowing program implementation and consider a longer-term program beginning in 2024. The seasonal fallowing program builds on an existing forbearance program between the agencies in which Metropolitan incentivizes the Quechan Tribe not to increase its water use that it has a legal right to use.</p>

Colorado River Issues – continued	<p><u>Colorado River Water Users Association Annual Conference</u></p> <p>After a one-year hiatus, the Colorado River Water Users Association held its annual conference in Las Vegas during December 14-16. Most of the speakers at the conference highlighted ongoing dry conditions facing the Colorado River Basin, recognizing the need for increased conservation to protect Lake Powell and Lake Mead. It was noted that there is a chance that Lake Powell could fall below its ability to generate power in 2022. The 500+ plan to protect Lake Mead was signed at the conference, but it was recognized that this is only a first step in developing a longer-term sustainability plan for the Colorado River. Metropolitan General Manager Adel Hagekhalil spoke to the conference attendees acknowledging that all agencies need to work together to protect the Colorado River and that no one can be left out of the solution.</p>
Delta Conveyance Activities and State Water Project Issues	<p><u>Delta Conveyance</u></p> <p>The California Department of Water Resources (DWR) is continuing to develop a public Draft Environmental Impact Report (EIR) under the California Environmental Quality Act for the Delta Conveyance Project (DCP).</p> <p>In late November, DWR amended its U.S. Department of the Army permit application pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (Section 404 permit application), which was submitted to the U.S. Army Corps of Engineers (USACE) to make the application consistent with the Bethany Alternative. The Bethany Alternative will be the proposed project in the Draft EIR that is expected to be released for public review in mid-2022. The Bethany Alternative is intended to align with the Section 404 directive to propose a project that would avoid and minimize impacts to waters of the United States to the extent practicable.</p> <p><u>Joint Powers Authority</u></p> <p>During the Delta Conveyance Design and Construction Authority (DCA) Special Board of Director's Meeting on December 16, the DCA adopted a resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of the DCA.</p> <p>The final regularly scheduled DCA Stakeholder Engagement Committee occurred on December 8, during which it received updates on the review process, presentations on the updated tunnel intake conceptual design, and ongoing DCA outreach efforts.</p> <p>During the Delta Conveyance Finance Authority (DCFA) regularly scheduled December 16 meeting, the DCFA adopted a resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of the DCFA.</p>

Delta Conveyance Activities and State Water Project Issues – continued	<p><u>Sites Reservoir</u></p> <p>On November 12, the Sites Project Authority released its Revised Draft EIR/Supplemental Draft Environmental Impact Statement for public review and comment. Metropolitan staff is reviewing the draft. The document's public review and comment period was extended to January 28, 2022.</p> <p>In their joint December 17 meeting, the Sites Project Authority Board (Authority Board) and the Sites Reservoir Committee (Reservoir Committee) authorized the Executive Director to submit the California Endangered Species Act Incidental Take Permit application to the California Department of Fish and Wildlife (CDFW) for the proposed Sites Reservoir Project (Project).</p> <p>On December 15, the California Water Commission determined that the Project is feasible, which allows the Project to remain eligible for funding under the \$2.7 billion Water Storage Investment Program created by Proposition 1, approved by the California voters in November 2014.</p> <p><u>Delta Islands</u></p> <p>In October 2021, a kick-off meeting with Delta experts was held as part of the California Department of Fish and Wildlife Planning Grant to conduct an island-wide planning effort that would integrate a mosaic of land use opportunities based on natural characteristics of the island and identified priorities among multiple benefits, including subsidence reversal, sustainable agriculture, carbon sequestration and reduction of greenhouse gas emissions, habitat restoration, improvement of water quality, and economic benefit. This effort, led by Metropolitan staff, is funded by a State Proposition 1 Delta Water Quality and Ecosystem Restoration Grant of \$1.088 million.</p> <p><u>Regulatory Activities</u></p> <p>In December, the Delta Stewardship Council (Council) began the technical input process for the Climate Adaptation Strategy phase of its Delta Adapts initiative. The Council is seeking expert input to the Adaptation Strategy through four topical focus groups: Water Supply Reliability, Ecosystems, Flood Risk Reduction, and Agriculture. Metropolitan staff will participate in all four focus groups over the next year.</p> <p>At its December 16 meeting, the Council elected Virginia Madueño as Vice-Chair, effective January 1, 2022. The role was most recently held by Randy Fiorini, whose appointment to the Council ended in 2020. Some additional changes in the Council Board membership could occur in the coming months, and Metropolitan staff will report any updates and status of activities in the months ahead.</p> <p>Metropolitan staff continued to participate in the collaborative groups called for in the 2019 Biological Opinions for the State Water Project (SWP) and Central Valley Project, and in the 2020 Incidental Take Permit (ITP) for Long-Term Operation of</p>
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Delta Conveyance Activities and State Water Project Issues – continued	<p>the SWP, to address science needs and inform management and operation of the water projects. In November and December, Metropolitan collaborated with state and federal agencies to develop a Juvenile Production Estimate (JPE) for Spring-run Chinook salmon. Current efforts are focused on developing objectives to be specific to requirements stated in the ITP.</p> <p>Metropolitan also continued working with state and federal agencies to develop a monitoring program for steelhead populations within the San Joaquin Basin and/or the San Joaquin River downstream of the confluence with the Stanislaus River. The workgroup continued the development of conceptual models that describe the life history and required monitoring for steelhead. Metropolitan staff also worked with DWR and CDFW scientists to develop a new entrainment risk model for larval longfin smelt. The entrainment risk model will be designed to help inform risk assessment evaluations and the development of a larval entrainment monitoring program.</p> <p>Metropolitan continued collaboration with the state and federal agencies to develop options related to a non-physical barrier at Georgiana Slough. The purpose of the barrier would be to deter emigrating juvenile salmon moving to the ocean from entering Georgiana Slough and thereafter the interior central and south Delta, where survival is lower relative to remaining in the mainstem Sacramento River.</p> <p><u>Science Activities</u></p> <p>Metropolitan staff participated in a technical workshop addressing preliminary results of a salmon research project conducted by Anchor QEA consultants and funded by the Delta Science Program and Metropolitan. The project's objective is to evaluate juvenile salmon behavioral responses to hydrodynamic conditions in the Delta. The workshop allowed stakeholders to review and provide constructive feedback on analyses and interpretation of how hydrodynamics may influence salmon behavior and routing in the South Delta. Anchor QEA will address comments and refine analyses and interpretation of results based on workshop comments and finalize a report by June 2022.</p> <p>Metropolitan staff attended the North American Society of Environmental Toxicology and Chemistry 2021 virtual conference in November. The conference included presentations on several studies supported by Metropolitan, including studies to evaluate floodplain toxicity to Chinook salmon and to develop a Relative Risk Assessment of contaminants in the Bay-Delta estuary on Delta smelt, Chinook salmon, and macroinvertebrates.</p> <p>Metropolitan staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). In December, CAMT discussed a draft report on the CAMT Monitoring Assessment workshop held in October to compile and communicate information from past and ongoing monitoring reviews. CAMT also discussed potential approaches to Task 2 of the Monitoring Assessment, which will assess CSAMP member policy objectives for monitoring.</p>
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Delta Conveyance Activities and State Water Project Issues – continued	<p>Metropolitan staff collaborated with the non-government environmental organizations on the CSAMP Salmon Recovery Initiative. The group completed the second set of workshops to develop metrics and targets to measure progress toward salmon recovery. The workshops generated productive discussions among environmental organizations, water agencies, and state and federal resource agencies to consider various ideas and approaches to defining salmon recovery in a broad sense, and all participants expressed their gratitude and enjoyment in participating in the process. The outreach efforts for Phase 2 are currently being planned and will start in January 2022. The objective of Phase 2 of the Salmon Recovery Initiative is to reach out to other Central Valley stakeholders to share and communicate what occurred in Phase 1, to define salmon recovery, assemble information about existing salmon conditions, ongoing and planned salmon-related actions, and related socioecological considerations.</p> <p>Two scientific papers recently published in the peer-reviewed journal San Francisco Estuary and Watershed Science reported on results from a Metropolitan-funded study evaluating historical salinity conditions in the BayDelta and the performance of several flow-salinity models for the Bay-Delta. The first paper (A Survey of X2 Isohaline Empirical Models for the San Francisco Estuary (escholarship.org)) reported on a survey of flow salinity models and found that for analyses spanning a long hydrologic record, an ensemble approach (multiple models) may be preferable to using a single model. The second paper (Apparent Seasonal Bias in Delta Outflow Estimates as Revealed in the Historical Salinity Record of the San Francisco Estuary: Implications for Delta Net Channel Depletion Estimates (escholarship.org)) reported on analyses using the historical salinity record and an ensemble of flow-salinity models to evaluate sources of seasonal bias in Delta outflow estimates.</p> <p>Metropolitan staff also co-authored two recently published papers collaborating with researchers from the Jet Propulsion Laboratory, U.S. Geological Survey, UC Merced, and Oregon State University, reporting on efforts to develop satellite imagery for use in the Bay Delta. The two papers published in IEEE Transactions on Geoscience and Remote Sensing (Using ECOSTRESS to Observe and Model Diurnal Variability in Water Temperature Conditions in the San Francisco Estuary IEEE Journals & Magazine IEEE Xplore), and Environmental Science and Technology (Decline in Thermal Habitat Conditions for the Endangered Delta Smelt as Seen from Landsat Satellites (1985–2019) (acs.org)) reported on studies using satellite imagery to examine habitat suitability conditions during the period 1985-2019 for Delta smelt and two non-native fish species – Largemouth bass and Mississippi silverside. The researchers found that warming waters in the Bay-Delta Estuary are reducing the available suitable habitat for Delta smelt.</p> <p><u>Habitat Restoration</u></p> <p>On December 3, Metropolitan staff participated in a tour organized by the Yolo Basin Foundation, Ducks Unlimited, Yolo County, and the CDFW to view recently completed infrastructure improvements in the Yolo Bypass Wildlife Area. The multi-purpose project increases seasonal wetland acreage, improves drainage and water supply for rice fields, and manages wetlands while improving access for farmers,</p>
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Delta Conveyance Activities and State Water Project Issues - continued	wetland managers, and the public. Metropolitan and the State Water Contractors are project partners and helped fund the modeling and design studies to support the project's development.
<h2 style="text-align: center;">EMERGENCY PREPAREDNESS</h2>	
COVID-19 (Corona Virus) Coordination	<ul style="list-style-type: none"> • Orange County continues to see a positive decline in COVID 19 cases and hospitalizations. Between February 2 and February 8, the seven-day average COVID-19 case rate in Orange County was 59.8 per 100,000 people, the positivity rate was 11.3 percent, and hospitalizations were at 619, with ICU admissions at 125. The positivity rate was 4 percent, and hospitalizations were at 179, with ICU admissions at 37. As of 3/7/2022, the seven-day average COVID-19 case rate in Orange County was 9.8 per 100,000 people. • The new state plan is called the “Smarter” plan (standing for shots, masks, awareness, readiness, testing, education, and Rx), includes maintaining a store of 75 million masks, increasing vaccination and daily testing numbers, monitoring wastewater for virus remnants and responding to surges in cases by quickly bringing in extra medical workers via contracts with national staffing companies. This has been presented as the State transitional (endemic plan). • The plan does not have many drastic or significant changes to current policy, and while numbers are dropping, it does not end the state of emergency nor give a timeframe in which that may happen. • ** There is no true Metrix to trigger a response. The state could use hospitalizations or case count depending on the variant. How bad (virulent) the variant is, what is considered bad will be left to decide at the time of occurrence (for example, during flu season, they could execute this plan). There is no matrix on how intervention, mitigation, response, etc., will be triggered. • On 2/17, state Senate President Pro Tem Toni Atkins announced that a Senate committee would consider a resolution to end the state of emergency at a hearing on March 15. • On 2/28, the California Department of Public Health's release of new indoor masking guidance, and Governor Gavin Newsom today signed an executive order (EO N-5-22) that updates the Division of Occupational Safety and Health (Cal/OSHA) COVID-19 Emergency Temporary Standard (ETS) in keeping with the current guidance. • In California, starting March 1, masks will no longer be required for unvaccinated workers indoors, consistent with the updated CDPH guidance. Still, they will be strongly recommended for all individuals in most indoor

COVID-19 (Corona Virus) Coordination – continued	<p>settings. Employers must still provide a face-covering upon request of an employee.</p> <ul style="list-style-type: none"> • The order also extends the current Emergency Temporary Standard through May 5, 2022, to ensure the Occupational Safety and Health Standards Board has time to review the new guidance in anticipation of the next re-adoption of the ETS.
February Incidents/ Events (Non- COVID)	<p>**The following events in which WEROC provided information and/or coordination or response to the EOC/CP.</p> <ul style="list-style-type: none"> • Emerald Fire 2/10/22 • Weather Event 2/26 • Jim Fire 3/2/2022 <p>Vicki can provide an additional oral update to WEROC activities specific to the event as required/requested.</p>
Coordination /Participation With Member Agencies And Outside Agencies Meetings Outside Of Programs Areas	<ul style="list-style-type: none"> • On 2/2, Vicki has a coordination meeting with the County Emergency Manager regarding the re-establishment of the County Drought Task Force. • On 2/3, the WEROC team attended the Orange County Emergency Management Organization (OCEMO) meeting. The meeting consisted of working group reports, regular committee reports, and a presentation was made by Vicki to the group title Emergency Management 101, essential items you should know. • On 2/3, Vicki attended the OCEMO Exercise Design Meeting. This group is focused on the Public Information Seminar being offered in March. The planning team is working on the final portions of the speakers and logistics for this training session for the Operational Area partners. • On 2/4, Vicki attended the WACO meeting and provided an update on the Operational Area activities. • On 2/8 and 2/22, Vicki attended the California Emergency Services Association (CESA) working group establishing the California Emergency Management Professional Certification Program. This project is important to establish the baseline standards of emergency management professional qualifications in the field of emergency management. • On 2/9, as the OA Water and Wastewater Coordinator, Vicki attended the Quarterly Operational Area Executive Board. Agenda items included the OA Manager report consisting of November 2021 Public Safety Power Shutoffs • December 2021 Debris Flows • Pipeline P00547 Incident • Pipeline P00919 Incident • January 2021 Tsunami • COVID-19 Update • Alert and Warning Seminar • Drought Task Force Recommended Action: Hear report. • Mutual Aid Regional Advisory Committee (MARAC) Update • Citizen Corps • Collaborating Organizations Active in Disaster of Orange County (COAD-OC) • Control One Report • County of Orange and Orange County Operational Area Emergency Management Annual. Additional discussion items included the

Coordination /Participation With Member Agencies And Outside Agencies Meetings Outside Of Programs Areas – continued	<p>Mutual Aid Coordinator (Law, Fire, and Public Works) updates, Alert & Warning, OCIAC Update, ISDOC Update, and the OA Water and Wastewater report.</p> <ul style="list-style-type: none"> • On 2/15, Vicki attended the CalWarn Board Meeting. The meeting focused on the discussion regarding SB 552 and the impacts on the CalWarn system for planning purposes. • On 2/16, Vicki attended the International Association of Emergency Managers, State Association Caucus. As the state president of the California Emergency Services Association, Vicki represented the California Association during this panel discussion, including Nevada, Arizona, Hawaii, and California, with other emergency managers regarding changes and challenges over the past couple of years. • On 2/17, Vicki attended the MWDOC Managers Meeting and gave a briefing on WEROC activities, including an overview of the WEROC budget. • On 2/23, Daniel attended the quarterly Terrorism Liaison Officer Meeting hosted by the OCIAC. • On 2/23, Vicki attended the MET Manager's meeting to see if there was any follow-up discussion needed on the WEROC Budget. There were no additional comments from the group. • On 2/23, Daniel attended the Operational Area Technology Subcommittee, covering changes to the AlertOC platform, WebEOC, and upcoming training. • On 2/23, Vicki attended the Water Policy Dinner. • On 2/24, Vicki and Janine met with OCWD Paula B and Ben Lo. To begin planning for the employee safety fair to be held in May • On 3/3, the WEROC team attended the OCEMO meeting, which had its regular subcommittee report-outs. Additionally, three presentations covered the WebEOC Incident management software system changes that the OC Sheriff Emergency Management Personnel made, upcoming planning efforts related to the Power Outage Annex, and a presentation on the US Postal Service Emergency Operations. • On 3/3, Vicki attended the OCEMO Exercise Design Meeting. This group is focused on the Public Information Seminar being offered in March. The planning team is working on the final portions of the speakers, and logistics for this training session for the Operational Area partners
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<p>Planning and Program Efforts</p>	<p>America's Water Infrastructure Act (AWIA)</p> <ul style="list-style-type: none"> The final audit of the three phases is currently in progress with Vicki and the MWDOC financial team. Once completed, the closeout of the AWIA project will be done, and the unused funding from each agency will be returned in compliance with the contract. <p>Annual Contact Refresh and Safety Center Update</p> <ul style="list-style-type: none"> Janine has concluded the annual refresh of all contact lists contained in the emergency contact databases maintained, including outlook, AlertOC, and Safety Center. <p>Cyber Security</p> <ul style="list-style-type: none"> Daniel sends out important information to the Cyber Security Distribution Group as received from the DHS or the OCIAC. <p>Tsunami</p> <ul style="list-style-type: none"> Following the Tsunami Advisory in January, Vicki has updated the WEROC Tsunami and contact group procedures. Additional conversation will occur between WEROC and city emergency managers regarding the communication and coordination efforts. <p>WEROC Budget and Funding Process</p> <ul style="list-style-type: none"> Vicki presented the WEROC budget and the WEROC goals and objectives to the MWDOC Member Agencies at the Managers Meetings. There were no comments or questions received. Additionally, Vicki attended the MET Managers' meetings, who are also WEROC funding agencies; no comments or questions were received from that group regarding the presented budget. <p>WEROC Emergency Operations Center Project/Funding –</p> <ul style="list-style-type: none"> WEROC Emergency Operations Center Funding continues to be pursued by WEROC Staff. This includes the submission of the project for Federal grants and appropriation opportunities. Phase 1 design of the EOC project did begin at the end of December. WEROC will present this information to agencies as phase 1 concludes. On 2/10, Vicki attended a planning meeting with Charles and the design firm regarding the WEROC EOC. The 30% designs and estimates should be received in March. WEROC and MWDOC staff met with the County Board of Supervisors Chafee on 2/15 and the County Board of Supervisor Do on 2/23. Vicki submitted the WEROC EOC project for a CalOES Hazard Mitigation Grant. Vicki is waiting to hear back from the state regarding an invitation for full application submittal. Vicki has discussions with DWR regarding the different funding sources they currently have in place to see if the WEROC EOC could be submitted as a project. The DWR funding in which this project could fall in line is only available for Delta Projects and not Southern California funding.
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Training And Exercises	<ul style="list-style-type: none"> • A look ahead between March and May, Vicki will be delivering 10 ICS-related courses to assist agencies with catching up with training. The schedule of dates and locations was sent to the WEROC Points of Contacts on 2/25. • Additionally, WEROC will be hosting a Logistics Workshop/ TTX Exercise on May 10. A save the date email and request for agency participation were sent to the WEROC POCs on 2/16. • WEROC will be collaborating with the OCIAC Cyber Workshop/TTX to occur next fiscal year. The planning efforts for this are beginning in March.
<h2 style="text-align: center;">WATER USE EFFICIENCY</h2>	
Alliance for Water Efficiency (AWE) Research Committee	<p>On February 9, Rachel Waite attended the AWE Research Committee, attended by staff from various AWE members across the United States and Canada. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Research Committee Activity: AMI and Meter Flow Restrictor Workgroups • Committee Project List • Committee 2022 Work Plan • Committee Chair and Vice-Chair for 2022 • AWE and CalWEP Updates • Member Research Activity Updates <p>The next meeting is tentatively scheduled for April 13.</p>
California Water Efficiency Partnership (CalWEP) Framework Joint Task Force Brain Storm	<p>On February 10, Rachel W. attended the first of two CalWEP Conservation Framework brainstorm sessions. On February 15, Andrea Antony-Morr attended the second session. The goal of these meetings was for participants to provide feedback to CalWEP on how they can best assist urban water suppliers with Conservation Framework compliance. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Residential Outdoor Standard <ul style="list-style-type: none"> ○ What Programs, Tools, and Research are needed? • CII Recommendations (Dedicated Irrigation Meters Standard and Performance Measures) • Resources and Guidance <p>A follow-up meeting is not currently scheduled.</p>

Orange County Data Acquisition Partnership (OCDAP)	<p>On February 15, Rachel W. attended the OCDAP Working Group Meeting. The working group collaborates on and organizes a regional effort to cost-share the acquisition of high-resolution aerial imagery and related products. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Status of RFP for Cycle 2 • Group Discussion on Cycle 2 Agreements • OCDAP Data Sharing Efforts and Projects Underway • OC GIS User Group <p>The next meeting is scheduled for March 14.</p>
Metropolitan Water Use Efficiency Workgroup Meeting	<p>On February 17th Joe Berg, Beth Fahl, Rachel W., Andrea Antony-Morr, Rachel Davis, and Sam Fetter attended Metropolitan's Water Use Efficiency Workgroup meeting. Topics on the agenda included:</p> <ul style="list-style-type: none"> • External Affairs Update • February Board Items <ul style="list-style-type: none"> o Conservation Update • MWD Updates <ul style="list-style-type: none"> o Turf Replacement Program Update o Large Landscape Program Update o RFP Selection for California Friendly Classes o Budget Year Transition o Long Beach Water Affordability Study Update • Fallbrook Public Utility District Drought Tolerant Plant Program • California Water Efficiency Partnership and The Alliance for Water Efficiency Update • Member Agency Roundtable <p>The next meeting is scheduled for March 17.</p>
Customized Water Use Efficiency Project Collaboration Meeting	<p>On February 18, Sam and Rachel W. met with project consultant Maureen Erbeznik and representatives from Brea Power II, LLC, and Dynamic Water to discuss a proposed project's eligibility for the Water Savings Incentive Program. The planned project at Brea Power II, LLC would save between 50,000-70,000 gallons of water per day and eliminate the dumping of cooling tower condensate and blowdown water into the sewer.</p> <p>Follow-up meetings will be scheduled as needed.</p>

Water Conservation Data Collaborative	<p>On February 23, Rachel W. joined the Water Conservation Data Collaborative hosted by San Antonio Water Systems (SAWS). The goal of this group is for water industry data analysts from across the country to discuss, share, and collaborate on relevant projects and ideas. Topics discussed included:</p> <ul style="list-style-type: none"> • Metrics and Tools Used to Gauge Program Effectiveness • Flume Devices • Program Tracking/Databasing <p>The next meeting will be scheduled for May.</p>
Project Agreement (PA) 22 Advisory Workgroup Meeting	<p>On February 23, Rachel W. joined the PA 22 Advisory Workgroup meeting hosted by SAWPA and attended by SAWPA member agencies and MWDOC. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Prop 1 Enhanced Decision Support Tool <ul style="list-style-type: none"> ◦ Update on US Bureau of Reclamation Imagery Analysis ◦ Parcel Boundaries ◦ Next Steps • SARCCUP Water Budget Assistance Update • Prop 1 Round 2 OWOW Call for Projects <p>The next meeting is scheduled for March 21.</p>
MWDOC Landscape Program Advisory Committee (PAC) Meeting	<p>On February 28, Joe, Rachel W., and Andrea hosted a Landscape PAC meeting with staff from Santa Margarita Water District, Moulton Nigel Water District, Irvine Ranch Water District, and Metropolitan Water District to discuss potential improvements to MWDOC's Turf Removal and Spray to Drip Rebate programs. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Follow-up on Action Items • Additional Turf Removal and Spray to Drip Program Suggestions <ul style="list-style-type: none"> ◦ OC Friendly Landscapes ◦ Landscape Performance Report ◦ Streamline Websites on Droplet • Other Agenda Items • Next Steps <p>The next meeting will be scheduled for late March 2022.</p>
Metropolitan Water Use Efficiency (WUE) Program Advisory Committee (PAC)	<p>On March 2, Rachel W. participated in the Metropolitan WUE PAC. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Overhead Sprays in Turf Replacement Program • Home Audits/Rating Systems • Incentives for New Construction • Minimum Device Quantities • Standard Rebate for Pump Pod DRAFTS Unit • Devices and New Technology Roundtable <p>The next meeting is scheduled for June 1.</p>

CalWEP Research and Evaluation Committee Meeting	<p>On March 2, Rachel W. joined the CalWEP Research and Evaluation Committee. Topics discussed included:</p> <ul style="list-style-type: none"> • 2022 Committee Work Plan Brainstorm • UC Davis Measurement and Verification Project Plan • AMI Resources and Highlights • AWE Research Committee Updates <p>The next meeting is scheduled for May 11.</p>
Orange County Water Use Efficiency Coordinator Workgroup Meeting	<p>On March 3, Joe, Steve Hedges, Beth, Rachel D., Andrea, Sam, and Rachel W. hosted the Orange County Water Use Efficiency Workgroup meeting. Items on the agenda included:</p> <ul style="list-style-type: none"> • MWDOC Updates • Agency Problem Solving Roundtable • Metropolitan Update <ul style="list-style-type: none"> ○ Budget Year Transition ○ Turf Replacement Program Update ○ Residential Virtual Home Survey and CII Large Landscape Program Update • Water Supply Update • IRWD Landscape Tune-up Pilot Program • Water Use Efficiency Updates <ul style="list-style-type: none"> ○ Dedicated Irrigation Meters Measurement Program Reminder ○ Grant Funding Update ○ Turf and Drip Update • Water Loss Control Program Update • Conservation as California Way of Life <ul style="list-style-type: none"> ○ Updates since last WUE Meeting • CALWEP Update <p>The next meeting will be held on April 7.</p>
Dedicated Irrigation Meters (DIM) Area Measurements Project Kick-Off: Fullerton and San Clemente	<p>On March 7, Rachel W. met with the City of San Clemente, City of Fullerton staff, and project consultant, NV5, for a DIM Area Measurements Project kick-off meeting. The DIM Area Measurements Project provides Orange County retail water agencies access to MWDOC's consultant, NV5, to obtain DIM landscape area measurements and classifications required by SB606 and AB1668 (Conservation Framework). Rachel, NV5, and retailer staff discussed the Project, workflow, and next steps.</p> <p>Kick-off meetings will be scheduled with each participating retailer, and follow-up meetings will be scheduled as needed.</p>

PUBLIC/GOVERNMENT AFFAIRS

Member Agency Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Hosted the kickoff meeting for 2022 Consumer Confidence Reports • Produced, printed, and distributed member agency bill inserts to highlight rebates and Fix-a-Leak week • Created content for the Wyland National Mayor's Challenge Media/Tool Kit • Created and distributed a 2022 Earth Month Streams of Hope campaign Media/Tool Kit • Hosted a special PAW for member agencies to go through the details of the 2022 Earth Month Streams of Hope campaign • Confirmed member agencies participation in the Streams of Hope campaign: City of Buena Park, the City of Fountain Valley, City of La Palma, City of Santa Ana, City of Westminster, El Toro Water District, Laguna Beach Water District, Mesa Water, Moulton Niguel Water District, Orange County Department of Education, Santa Margarita Water District (pending), South Coast Water District, and City of Newport Beach (pending). • Confirmed staff participation at a Jog-a-Thon community event tabled by the South Coast Water District • Produced vehicle magnets for Water Loss Control activities in Golden State Water Company's service area <p>Government Affairs Staff:</p> <ul style="list-style-type: none"> • Attended the MWDOC Member Agency Managers meeting • Participated in a meeting with Santa Margarita Water District to discuss indoor and outdoor water use standards
Community Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Registered MWDOC to participate in the OC Green Expo for Anaheim Public Utilities • Participated in an outreach event and press conference at the Dana Point Festival of Whales to kick off the 2022 Earth Month Streams of Hope (SoH) campaign • Met with WYFO, Disneyland Resorts, Orange County Conservation Corps, and the County of Orange to outline a partnership for the SoH campaign • Met with the Orange County Department of Education to discuss their role in partnership with MWDOC on the SoH campaign • Met with the Metropolitan Water District of Southern California to discuss their participation in the SoH campaign • Coordinated the delivery of poster entries for the annual Water Awareness Poster Contest <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Participated in the OCBC Infrastructure Committee meeting • Participated in the ACC-OC Legislative and Regulatory Committee meeting • Participated in the OCBC Legislative Committee meeting

Education	<p>Public Affairs Staff</p> <ul style="list-style-type: none"> • Participated in the bi-weekly California Environmental Literacy Initiative (CAELI) Green Career Innovation Hub • Participated in the CAELI Leadership Council's quarterly meeting • Participated in the California Department of Water Resources Water Education Committee Meeting • Discussed upcoming teacher training agendas and plan through Project WET with the Moulton Niguel Water District • Coordinated and collected Choice school program commitments for the 2022-23 school year • Prepared text for the Choice School Program section of master agreements with the Three Cities – Anaheim, Fullerton, and Santa Ana • Met with Ignited to discuss Career Technical Education professional development opportunities for teachers • Worked with Choice School Program contractors Shows That Teach and Inside the Outdoors to coordinate school program visits for participating member agencies
Media Relations	<p>Public Affairs Staff</p> <ul style="list-style-type: none"> • Created a website for the SoH campaign: www.mystreamsofhope.com • Prepared and distributed content for social media • Prepared and distributed two press releases on the SoH campaign: “Stella,” Baby Gray Whale Statuettes set to Flood OC, OC Streams of Hope Sign on the First Wave of Water Providers, picked up by multiple media outlets including the LA Times, KCAL, the Daily Pilot, Dana Point Times, LA-Story, and Mavens Notebook • Prepared and distributed a press release on MWDOC board support of the Doheny Ocean Desalination Project: MWDOC Board Votes to Support Doheny Desalinization, picked up by Mavens Notebook <ul style="list-style-type: none"> ◦ News releases above were submitted to the Association of California Water Agencies (ACWA), published on their website, and distributed through their weekly e-news blast • Began collaborations with Vox Civic Communications for this year's California Water OC Register Spread • Speaker's Bureau media appearance for Joe Berg on KNBC Radio's Water Zone
Special Projects	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Coordinated event logistics with The Westin South Coast Plaza Hotel for the MWDOC Water Policy Dinner • Prepared and distributed the third invite for the MWDOC Water Policy Dinner • Speaker's Bureau: Prepared and hosted the MWDOC Water Policy Forum & Dinner with speaker E. Joaquin Esquivel at The Westin South Coast Plaza Hotel • Participated in a Supervisors Academy training presented by The Centre for Organization Effectiveness

Special Projects – continued	<ul style="list-style-type: none"> • Hosted an OC Summit Planning Committee meeting with OCWD and MWDOC committee members • Met with Cuyamaca College to discuss the upcoming statewide water and wastewater workforce needs assessment project with the Centers of Excellence • Speaker's Bureau: Moderated a professional workshop on Diversity Equity & Inclusion in outreach, partnerships, and workforce development for the California Association of Public Information Officials <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Participated in the ACWA Region 10 meeting • Staffed the WACO Planning Committee meeting • Completed CSUF's course "Developing the Leader Within" • Completed CSUF's course "Leadership in Public Administration" • Staffed the ISDOC Executive Committee meeting
Legislative Affairs	<p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Participated in CMUA's Capitol Day featuring speakers: Senators Wieckowski, Becker, Stern, and McGuire; Assembly Members Garcia, Bauer-Kahan, and Nazarian; SWCRCB member Nichole Morgan • Participated in a meeting with SCWRCB staff Eric Oppenheimer, Chief Deputy Director, and Charlotte Ely, Conservation Supervisor • Attended a meeting with Governor Newsom's staff Hazel Miranda and Angela Pontes to discuss the Governor's budget proposal and office updates • Attended the CMUA Regulatory Committee meeting • Along with Director McVicker and Vicki Osborn, met with Supervisor Do to discuss the WEROC EOC and a potential county funding partnership • Participated in the CMUA Legislative Committee meeting • Attended the ACWA/CMUA Drinking Water Needs Assessment working group meeting • Along with Director Nederhood and Vicki Osborn, met with Supervisor Doug Chaffee to discuss the WEROC EOC and a potential county funding partnership • Attended an informational webinar on the Low Income Household Water Assistance Program • Participated in the ACWA Region 10 State Legislative Committee prep call • Participated in Metropolitan's Legislative update meeting • Attended the ACWA State Legislative Committee meeting • Attended an informational webinar by the California Natural Resources Agency on natural and working lands • Participated in the ACWA Covid-19 and LIRA funding working group meeting • Along with Vicki Osborn, met with staff at Congresswoman Young Kim's office to provide an overview of the WEROC EOC and prepare for the upcoming FY23 Congressionally Directed Funding requests • Participated in the Southern California Water Coalition Legislative Taskforce meeting • Attended the ACWA Federal Affairs Committee meeting

Legislative Affairs - continued	<ul style="list-style-type: none">• Attended the CSDA Legislative Committee meeting
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MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AGENCIES MANAGERS MEETING

ZOOM LINK:

<https://us06web.zoom.us/j/82608765902>

Meeting ID: 826 0876 5902

Passcode: 830570

Dial-in option: (669) 900-9128

WHEN: Thursday, March 17, 2022 from **10:30 am to 12:00 pm.**

DRAFT AGENDA

1. Opportunity to add and discuss items not already listed.

Page #/Link

2. General Meeting Information/Discussion Items:

2-1. MWD OC Draft Agendas ([Link](#))

2-2. MWD OC FY2022-23 Draft Budget Update ([Link](#))

2-3. MWD OC Facilitated Discussions Update

2-4. Annual Water Loss Control Technical Assistance & Shared Services ([Link](#))

2-5. Metropolitan Updates

a. Metropolitan FY 2022-23 & 2023-24 Budget ([Link](#))

b. Strategic Priorities ([Link](#))

c. Upcoming Key Board Items ([Link](#))

2-6. Low Income Household Water Assistance Program

3. Report Items:

3-1. Monthly GM Report ([Link](#))

3-2. Legislative Reports ([Link](#))

3-3. WEROC Matrix ([Link](#))

3-4. Grant Funding Opportunities ([Link](#))

3-5. Water Supply Update ([Link](#))

4. Announcements:

5. Next meeting will tentatively be held April 21, 2022.

Street Address:

18700 Ward Street
Fountain Valley, California 92708

Mailing Address:

P.O. Box 20895
Fountain Valley, CA 92728-0895

(714) 963-3058

Fax: (714) 964-9389

www.mwdoc.com

Megan Yoo Schneider, P.E.
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Vice President

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MEMBER AGENCIES

City of Brea

City of Buena Park

East Orange County Water District

El Toro Water District

Emerald Bay Service District

City of Fountain Valley

City of Garden Grove

Golden State Water Co.

City of Huntington Beach

Irvine Ranch Water District

Laguna Beach County Water District

City of La Habra

City of La Palma

Mesa Water District

Moulton Niguel Water District

City of Newport Beach

City of Orange

Orange County Water District

City of San Clemente

Santa Margarita Water District

City of Seal Beach

Serrano Water District

South Coast Water District

Trabuco Canyon Water District

City of Tustin

City of Westminster

Yorba Linda Water District

AGENDA
SOUTH ORANGE COUNTY WATERSHED MANAGEMENT AREA
EXECUTIVE COMMITTEE



March 3, 2022
2:30 – 4:30 p.m.

Meeting Held Remotely

[Click Here to Join Webinar](#)

Call-in: (415) 655-0001 (Access Code: 2478 875 9853)
Event Password: socwma

Tiffany Ackley, Chair

City of Aliso Viejo

Debbie Neev

Laguna Beach County Water District

Saundra Jacobs

Santa Margarita Water District

Kelly Jennings

City of Laguna Niguel

Mike Frost

City of Dana Point

Karen McLaughlin

Irvine Ranch Water District

Sue Kempf

City of Laguna Beach

Dave Wheeler

City of Laguna Hills

Carol Moore

City of Laguna Woods

Brian Goodell

City of Mission Viejo

Neeki Moatazedi

City of Lake Forest

Kay Havens, Vice Chair

El Toro Water District

Bill Moorhead

Moulton Niguel Water District

Megan Yoo Schneider

Municipal Water District of OC

Lisa Bartlett

County of Orange

Brad McGirr

City of Rancho Santa Margarita

Steve Knoblock

City of San Clemente

Norris Brandt

San Juan Basin Authority

Doug Erdman

South Coast Water District

Betty Burnett

South OC Wastewater Authority

Ed Mandich

Trabuco Canyon Water District

Howard Hart

City of San Juan Capistrano

The South Orange County Watershed Management Area Executive Committee welcomes you to this meeting and encourages your participation. This agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action shall be taken on any items not appearing in the following agenda. However, items may be taken up in a different sequence.

As a result of the COVID-19 emergency and State Assembly Bill 361, this meeting will be held via webinar and teleconference only. Important privacy note: This is a public meeting and as such, the webinar and teleconference access information is published and available to everyone at www.southocirwm.org. Executive Committee members and staff may attend this meeting via telephone and/or online.

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Executive Committee less than seventy-two (72) hours prior to the meeting will be available on the South OC IRWM website at www.southocirwm.org.

In compliance with the American Disabilities Act, those requiring accommodations for this meeting should notify the SOCWMA Meeting Administrator 72 hours prior to the meeting at 714-955-0635 or maria.tamez@ocpw.ocgov.com.

LINK: [Click Here to Join Webinar](#) (Event Password: socwma)

FOR AUDIO:

1. Use computer audio through Microsoft Teams; or
2. From Phone: **Dial (415) 655-0001 (Access Code: 2472 819 3385)**

If you have any questions, please contact the designated SOCWMA Meeting Administrator at maria.tamez@ocpw.ocgov.com or 714-955-0635.

TO PROVIDE PUBLIC COMMENT ON AGENDA ITEMS:

Members of the public have the opportunity to submit comments in writing via mail to Maria Tamez (SOCWMA Meeting Administrator) at 2301 N. Glassell, Orange CA 92665 or by email at maria.tamez@ocpw.ocgov.com prior to the meeting. If submitting comments via mail, please ensure your comments are received prior to 2:30 PM on March 3, 2022. Comments may also be submitted during the meeting via the “Q&A” or “raise hand” functions of Microsoft Teams – if members of the public indicate they have a comment on an item using the “raise hand” function, the SOCWMA Meeting Administrator or SOCWMA Executive Committee Chair will acknowledge. Comments on agenda items submitted via comments or email will be read aloud by the SOCWMA Meeting Administrator during the appropriate agenda item. Please identify the applicable agenda item number and keep public comments to three minutes.

Public comments on non-agenda topics as noted for Item #3 below may be submitted using the same methods noted above. Members of the public are asked to indicate the agenda item for which they are providing comment in either instance.



REGULAR BUSINESS*

CALL TO ORDER

WELCOME AND PLEDGE OF ALLEGIANCE

ITEM # 1 INTRODUCTIONS/ ROLL CALL

ITEM # 2 BROWN ACT TELECONFERENCING FOR FUTURE MEETINGS

Recommended Actions:

- 1) Review and reconsider the circumstances of the state of emergency.
- 2) Confirm that the South Orange County Watershed Management Area Executive Committee finds:
 - a. The South Orange County Watershed Management Area Executive Committee has reconsidered the state of emergency; and,
 - b. The state of emergency continues to directly impact the ability of the members to meet safely in person or State or local officials continue to impose or recommend measures to promote social distancing.
- 3) Based upon the findings in recommendations #1 and #2, the South Orange County Watershed Management Area Executive Committee will continue teleconference meetings, unless and until the findings in recommended actions #1 and #2 no longer apply.

ITEM # 3 PUBLIC COMMENTS, NON-AGENDA ITEMS

ITEM # 4 2022 MEETING SCHEDULE AMENDMENTS

Recommended Actions:

- 1) Approve holding next full, quarterly Committee meeting August 4, 2022 to support staff focus on Proposition 1 – Round 2 IRWM Grant process.
- 2) Confirm meeting schedule for 2022, approving either:
 - a. Additional 2022 meeting dates of March 31, April 28, and May 26, June 23, and July 21, 2022, for the purposes of reviewing circumstances of the state of emergency and making findings to meet requirements of AB 361 to teleconference for future meetings, including the August 4, 2022 quarterly meeting; or,
 - b. Meeting in person for the next full quarterly meeting [August 4, 2022] with no additional dates to make AB 361 findings, pending confirmation of a meeting venue. Provide feedback to staff on potential meeting venues.

PRESENTATIONS & DISCUSSION

ITEM # 5 PRESENTATION: PROPOSITION 1 – ROUND 2 IRWM GRANT PROCESS & SCHEDULE JENNA VOSS & ANDY MCGUIRE, COUNTY OF ORANGE

Recommended Action: Receive and file.



ITEM # 6 DISCUSSION: PROPOSED RE-ALLOCATIONS IN THE FY 2021 – 23 COST-SHARE BUDGET FOR PROPOSITION 1 – ROUND 2 IRWM GRANT SUPPORT

Recommended Action: Approve re-allocation of unspent grant support funds from the FY 2021 – 22 to FY 2022 – 23 Cost Share Budget to support the Proposition 1 – Round 2 IRWM Grant application process.

**ITEM # 7 PRESENTATION: UPDATE ON DEVELOPMENT OF A RESTORATION CONCEPT FOR LOWER ALISO CREEK
*JENNIFER SHOOK & JENNA VOSS, COUNTY OF ORANGE; AARON PORESKEY & JO LEWIS, GEOSYNTEC***

Recommended Action: Receive and file.

EXECUTIVE OFFICER’S REPORT

EXECUTIVE COMMITTEE MEMBER COMMENTS

ADJOURNMENT – NEXT MEETING DATE: TBD

***Note:** Meeting minutes for the February 24, 2022 meeting were not available for review/approval on this agenda due to the proximity of meetings. Committee consideration of the February 24, 2022 and March 3, 2022 meeting minutes will be agendized at the next scheduled Committee meeting.



AGENDA STAFF REPORTS

Regular Business

CALL TO ORDER

WELCOME AND PLEDGE OF ALLEGIANCE

ITEM # 1. INTRODUCTIONS/ ROLL CALL

Committee Members: *The SOCWMA Meeting Administrator will record your attendance and webinar/call-in ID name, and request confirmation during a verbal roll call. Please unmute your connection when your name is read aloud during roll call, and re-mute until you would like to speak on subsequent agenda items. The SOCWMA Meeting Administrator will read all Executive Committee member names during roll – if an alternate is serving on the Committee, they will respond when the name of the primary member is read and indicate which member they are sitting in for on the record.*

Members of the Public: *your line will be muted upon joining. As with all SOCWMA Executive Committee meetings, you are welcome to introduce yourself to sign-in but are not required to do so. Please either enter your name as you join or email the SOCWMA Meeting Administrator to ensure your name appears on the public record if you so choose. If you wish to submit a public comment, please use the “raise your hand” function in the webinar to be recognized or unmute yourself to speak if you’re joining via a phone connection by dialing *6 (“star 6”). If you provide comment over the telephone, please state your name, affiliation (if applicable), and provide your comment.*

ITEM # 2. BROWN ACT TELECONFERENCING FINDINGS FOR FUTURE MEETINGS

Executive Order No. N-29-20 suspended the Ralph M. Brown Act (Brown Act) requirements for teleconferencing as a result of the COVID-19 pandemic. To continue to provide increased remote access to public meetings, the state legislature passed and the Governor signed into law¹, [AB 361](#) on September 16, 2021. This bill authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Brown Act² when a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing³. In order to continue to teleconference without compliance with teleconference location posting requirements, the legislative body shall, not later than 30 days after teleconferencing for the first time, and every 30 days thereafter, make the following findings by majority vote:

1. The legislative body has reconsidered the circumstances of the state of emergency.
2. Any of the following circumstances exist:
 - i. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - ii. State or local officials continue to impose or recommend measures to promote social distancing.

Based on this language, the Committee will need to make the above-listed findings, and every 30 days thereafter as long as the state of emergency remains active or social distancing measures are imposed or recommended. In addition to Centers for Disease Control (CDC) distancing recommendations, it is noted that the [state of emergency issued in March 2020](#) by Governor Newsom is still in effect. Local

¹ <https://www.gov.ca.gov/2021/09/20/governor-newsom-signs-executive-order-9-20-21/>

² Effective until January 1, 2024

³ [CDC guidance recommending social distancing](#)

recommendations issued by OC Health Care Agency reiterate the state of emergency and reflect state and federal guidance⁴.

In order to provide for teleconferencing during future Committee meetings, recommended actions are included on this item to make appropriate findings. All Brown Act requirements to provide adequate meeting notice and providing for members of the public to access and provide public comment at each meeting will be met. Staff recommend that the Committee discuss and make findings, as appropriate, to allow teleconferencing to continue.

Recommended Actions:

- 1) Review and reconsider the circumstances of the state of emergency.**
- 2) Confirm that the South Orange County Watershed Management Area Executive Committee finds:**
 - a. The South Orange County Watershed Management Area Executive Committee has reconsidered the state of emergency; and,**
 - b. The state of emergency continues to directly impact the ability of the members to meet safely in person or State or local officials continue to impose or recommend measures to promote social distancing.**
- 3) Based upon the findings in recommendations #1 and #2, the South Orange County Watershed Management Area Executive Committee will continue teleconference meetings, unless and until the findings in recommended actions #1 and #2 no longer apply.**

ITEM # 3. PUBLIC COMMENTS, NON-AGENDA TOPICS

*Any member of the public wishing to provide public comment on non-agenda items under the jurisdiction of the Executive Committee may do so during Public Comments. If you wish to submit a public comment, please use the “raise your hand” function in the webinar to be recognized or unmute yourself to speak if you’re joining via a phone connection by dialing *6 (“star 6”). If you provide comment over the telephone, please state your name, affiliation (if applicable), and provide your comment. All persons addressing the Executive Committee are requested to limit comments to three minutes.*

ITEM # 4. 2022 MEETING SCHEDULE AMENDMENTS

The Committee meetings typically occur on a quarterly basis, and at least twice per year in accordance with the Cooperative Agreement. Meeting dates for the subsequent calendar year are proposed and approved at the last meeting of the current calendar year. At the November 4, 2021 meeting, the Committee approved a primary and alternate set of meeting dates to provide flexibility related to the Proposition 1 – Round 2 IRWM Grant solicitation, as well as monthly meeting dates through March 2022 for the purposes of reviewing circumstances of the state of emergency and making findings to meet requirements of AB 361⁴.

The approved primary quarterly meeting dates for 2022 are March 3, May 5, August 4 and November 3; approved alternate meeting dates are June 2, July 7, and September 1, 2022. Since the November 4, 2021 meeting, the State Department of Water Resources (DWR) confirmed a shift in the application deadline for the Proposition 1 – Round 2 IRWM Grant; currently a February 2023 deadline for the South OC IRWM is likely. Please reference **Figure 1** (Item #5) for the full anticipated grant schedule. As a result of the modified deadline, staff initiation of the local call for projects will take place later than anticipated, tentatively in the June/July

⁴ <https://coronavirus.egovoc.com/article/oc-health-officers-orders-recommendations>

⁴ Meetings may be no more than 30 days apart – meeting dates were selected to provide adequate timing, and on the Thursday prior to the 30-day deadline, at 2:30 to align with long-standing Committee meeting dates/times.



2022 timeframe. Launching a call for projects includes a public technical assistance workshop on the grant program – Committee members will be invited to attend⁵. Establishing the necessary materials and project support for the call for projects is a significant commitment of staff time. Staff recommend forgoing the May quarterly meeting to focus on preparing the call for projects and associated public workshop. Similarly, the June 2 and July 7, 2022 alternate meeting dates will not be necessary. Staff recommend the next quarterly meeting be held August 4, 2022 in accordance with the approved schedule.

Additionally, the Committee is asked to consider whether the next quarterly meeting will be held in person, or if the preference is for teleconferenced meetings to be maintained through August. If the Committee wishes to preserve the option for teleconferenced meetings, monthly meeting dates must be added to the calendar in accordance with AB 361 – these dates would be March 31, April 28, May 26, June 23, and July 21, 2022. If not, the next Committee meeting on August 4, 2022 [if approved] would be in person; no additional meeting dates would be added to comply with AB 361. If the Committee prefers the latter, staff recommend Committee members provide potential meeting venues, as the Laguna Niguel Council Chambers are no longer large enough for the group. Meeting in person will be contingent upon finding an appropriate venue.

If additional or modified state requirements/recommendations associated with the COVID-19 pandemic warrant re-examining an in-person meeting later in the year, staff will apprise the Committee of options.

Recommended Actions:

- 1) Approve holding next full, quarterly Committee meeting August 4, 2022 to support staff focus on Proposition 1 – Round 2 IRWM Grant process.**
- 2) Confirm remainder of meeting schedule for 2022, approving either:**
 - a. Additional 2022 meeting dates of March 31, April 28, and May 26, June 23, and July 21, 2022, for the purposes of reviewing circumstances of the state of emergency and making findings to meet requirements of AB 361 to teleconference for future meetings, including the August 4, 2022 quarterly meeting; or,**
 - b. Meeting in person for the next full quarterly meeting [August 4, 2022] with no additional meeting dates to make AB 361 findings, pending confirmation of a meeting venue. Provide feedback to staff on potential meeting venues.**

ITEM # 5. PROPOSITION 1 – ROUND 2 IRWM GRANT PROCESS & SCHEDULE

Integrated Regional Water Management (IRWM) is a collaborative framework for management of all aspects of water resources in a region. IRWM crosses jurisdictional, watershed, and political boundaries; involves multiple agencies, stakeholders, and groups; and attempts to address the issues and differing perspectives of all the entities involved through mutually beneficial solutions. IRWM is administered through the State Department of Water Resources (DWR). Grant funding made available through voter-approved bonds and allotted for the IRWM Program is allocated to Funding Areas (FA) throughout the state. Unlike other state grant programs, IRWM Grants are submitted by IRWM Region administrators, not individual entities proposing projects; grant applications typically include multiple projects, the summed benefits of which meet multiple goals of the respective IRWM plan. For the South OC IRWM Group, the County is the IRWM administrator, and grant applicant. The Member Agencies cost share support for the application process; however, ongoing grant administration is funded by each grant award, and supplemented by the County.

As a recognized IRWM Region, the South OC WMA IRWM Group prepared and maintains an IRWM Plan to comply with DWR standards for IRWM Grant funding. The South OC IRWM Plan was updated for Proposition

⁵ A maximum of 11 Committee members may attend; 12 or more Committee members would meet quorum.



1 in 2018, adopted by all Member Agencies in March 2019, and subsequently formally accepted by the DWR. Acceptance of the South OC IRWM Plan qualified the region for funding allocated to FAs as noted above and certifies the established governance process and priorities for prioritizing projects included in the plan. The IRWM Plan goals, objectives, and strategies also represent the primary metrics for assessing project benefit(s) to the region; these are highlighted in Sections 1 and 6, and Appendices C and K of the South OC IRWM Plan. To access the 2018 IRWM Plan and to see all previously funded projects visit the South OC IRWM website at www.southocirwm.org.

South Orange County is in the San Diego FA, which was allotted \$52.5 million through Proposition 1 approved by the voters in 2014. The language of Proposition 1 requires that a minimum of 10 percent of this total directly support project planning and implementation in disadvantaged communities (DACs). Of the total allocated to the San Diego FA, approximately \$5.73 million has or will fund water resource projects in South Orange County through competitive grant programs over two rounds. In 2019-20, Proposition 1 – Round 1 resulted in \$2.45 million awarded to four projects, including \$2.33 million for implementation, and the remainder for grant administration. For Round 2, there is approximately \$1.27 million available to fund implementation projects directly benefiting DACs, and an additional \$2 million for non-DAC implementation projects; approximately \$3.3 million total is available for competitive award to projects in South Orange County. A portion of these funds will also support grant administration until the grant sunsets in 2026.

DWR plans to release Proposition 1 IRWM Grant funds for a grant solicitation in April/May 2022 pending finalization of the grant Guidelines and Proposal Solicitation Package (PSP). The Guidelines and PSP outline the requirements for the grant application process, an essential element for IRWM Regions (like South OC IRWM) to prepare a slate of projects to submit for funding.

Ms. Jenna Voss will provide an update to the Committee on the expected schedule and release of IRWM Grant funds, and an overview of the grant application process. For Committee member reference prior to the meeting, the grant process as laid out in the Draft Guidelines and PSP and in accordance with South OC IRWM meeting schedules is anticipated to follow the schedule in **Figure 1**.

Figure 1: Anticipated Proposition 1 – Round 2 IRWM Grant Project Prioritization & Selection Process



Recommended Action: Receive and file.



ITEM # 6. PROPOSED RE-ALLOCATIONS IN THE FY 2021 – 23 COST-SHARE BUDGET FOR PROPOSITION 1 – ROUND 2 GRANT SUPPORT

The Cooperative Agreement for the South Orange County Watershed Management Area (WMA) states that the Committee shall approve an annual work plan and budget for the administration and activities of the WMA, its committees, projects, actions, including administrative support. The budget shall be equally divided amongst the participating agencies in the agreement and shall be budgeted by each agency in their annual budget. The Committee adopted a two-year work plan and budget for fiscal years (FY) 2021 – 23 at the May 6, 2021 meeting. The cost share per Member Agency is \$11,250 for both FY. The Committee has authority to approve and modify cost share budgets, as needed.

As described in **Item #4** in this staff report, IRWM Grants make available a specific amount of funding for each FA. In each two-year budget cycle, line items for IRWM Grant programs are based upon best estimates of grant schedules expected through DWR. Due to delays in disbursement of Proposition 1 – Round 2 funds, the anticipated grant application schedule will still bridge both FY as was summarized in the FY 2021 – 23 work plan; however, more of the process will now occur in FY 2022 – 23, requiring more consultant support in the latter year.

To address the shift in grant schedule, staff request re-allocating unspent funds from line item #1 in **Table 1** of the approved Shared-Cost Budget, to line #9 – moving funds between FY, within the same budget category. Although the exact amount moving between FY will not be finalized until close-out of FY 2021 22, staff anticipate expending approximately 50% of the allocated funds for consultant services (\$40,000) in FY 2021 – 22. **Table 1** below shows the recommended reallocations of funds between FY 2021 – 22 and FY 2022 – 23. For ease of reference, rows highlighted green reflect line items with proposed modifications.

Recommended reallocations will not impact Member Agency financial contribution in either fiscal year; invoiced amounts for FY 2021 – 22 will carry over to FY 2022 – 23. Any other funds not spent in FY 2021 – 22 in other budget categories will be credited back to the Member Agencies through the annual invoice process. Similarly, any funds not expended in FY 2022 – 23 will be credited back to the Member Agencies.



Table 1: FY 2021 – 2023 Shared-cost Budget – Recommended Re-allocations Shown in Red

LINE ITEM	Consultant Services	County Contribution (non-cost share) – Staff FTE, Grant Funded, or Consultant Services	Cost-Shared Staff FTE (\$, FTE, hours)	Total Budget	Net Cost to 22 Member Agencies (Shared Costs)
FY 2021-2022					
1. Proposition 1 Implementation Grant Submittals, IRWM Plan Updates, Stakeholder Support	\$80,000.00 \$40,000.00	\$10,000.00	\$5,000 0.0355 (74)	\$95,000	\$85,000.00 \$45,000.00
2. Call for Projects & IRWM/OC SWRP Project List Management	\$7,500.00	\$5,000.00	\$5,000 0.0355 (74)	\$17,500	\$12,500.00
3. Grant Administration	\$0.00	\$60,000.00	N/A	\$60,000	\$0.00
4. Data Management & Monitoring	\$5,000.00	\$5,000.00	\$15,000 0.1025 (213)	\$25,000	\$20,000.00
5. Committee Support: 4 EC, 6 MC/Stakeholder, 6 Ad Hoc	\$0.00	\$0.00	\$60,000 0.4075 (848)	\$60,000	\$60,000.00
6. Regional Project Development & Stakeholder Framework	\$45,000.00	\$12,500.00	\$15,000 0.10 (208)	\$72,500	\$60,000.00
7. Roundtable of Regions	\$0.00	\$0.00	\$2,500 0.0155 (32)	\$2,500	\$2,500.00
8. Team Arundo Program*	\$5,000.00	\$0.00	\$2,500 0.0155 (32)	\$7,500	\$7,500.00
Total	\$142,500.00	\$92,500.00	0.712	\$340,000	\$247,500.00
Amount Per Member Agency				\$11,250	
FY 2022-2023					
9. Proposition 1 Implementation Grant Submittals, IRWM Plan Updates, Stakeholder Support	\$70,000.00 \$110,000	\$5,000.00	\$5,000 0.0355 (74)	\$80,000	\$75,000.00 \$115,000.00
10. Call for Projects & IRWM/OC SWRP Project List Management	\$2,500.00	\$5,000.00	\$5,000 0.0355 (74)	\$12,500	\$7,500.00
11. Grant Administration	\$0.00	\$60,000.00	N/A	\$60,000	\$0.00
12. Data Management & Monitoring	\$5,000.00	\$5,000.00	\$15,000 0.1025 (213)	\$25,000	\$20,000.00
13. Committee Support: 4 EC, 6 MC/Stakeholder, 6 Ad Hoc	\$0.00	\$0.00	\$60,000 0.4075 (848)	\$60,000	\$60,000.00
14. Regional Project Development & Stakeholder Framework	\$57,500.00	\$10,000.00	\$17,500 0.11 (234)	\$85,000	\$75,000.00
15. Roundtable of Regions	\$0.00	\$0.00	\$2,500 0.0155 (32)	\$2,500	\$2,500.00
16. Team Arundo Program*	\$5,000.00	\$0.00	\$2,500 0.0155 (32)	\$7,500	\$7,500.00
Total	\$145,000.00	\$85,000.00	0.722	\$332,500	\$247,500.00
Amount Per Member Agency				\$11,250	

*Renewal of regulatory permits to maintain Team Arundo (e.g. CDFW 1600, RGP 41)



Recommended Action: Approve re-allocation of unspent grant support funds from the FY 2021 – 22 to FY 2022 – 23 Cost Share Budget to support the Proposition 1 – Round 2 IRWM Grant application process.

ITEM # 7. UPDATE ON DEVELOPMENT OF A RESTORATION CONCEPT FOR LOWER ALISO CREEK

At the May 6, 2021 Committee meeting, Ms. Jenna Voss and Ms. Jennifer Shook, County of Orange, presented an overview of the Aliso Creek Watershed Project Collaboration Group (Aliso Collaboration Group). This update provided a list of future activities of interest to the Committee, including initiation of an alternative analysis to the US Army Corps of Engineer Mainstem Ecosystem Restoration Feasibility Study. The Aliso Collaboration Group prioritized development of a coordinated approach to enhance habitat, protect infrastructure, address modified channel geomorphology disconnected from the floodplain, and to provide recreational benefits for lower Aliso Creek. Significant work has been completed in support of this priority to date. Committee members have expressed interest in receiving updates on projects developed and/or supported through the Aliso Collaboration Group; restoration of lower Aliso Creek is also of interest to many IRWM Group stakeholders. Ms. Jenna Voss, Ms. Jennifer Shook, Mr. Aaron Poresky (Geosyntec) and Ms. Jo Lewis (Geosyntec), will provide an update on a conceptual approach to restore this stretch of lower Aliso Creek. For background on the Aliso Collaboration Group, background is provided in **Appendix A** for your reference.

Project Overview

The conceptual approach proposes to restore and/or enhance key riparian habitat and remediate erosion impacts to the historic floodplain for approximately six miles of the Aliso Creek Watershed mainstem [lower reach]. Aliso Creek watershed represents a small, coastal watershed of 23,000 acres, the headwaters for which begin in the Cleveland National Forest, and which ultimately discharges to the Pacific Ocean in Laguna Beach. Much of the watershed is highly urbanized, with documented surface water quality issues and a lack of habitat connectivity from the creek mouth to the headwaters. The Aliso Collaboration Group has established desired outcomes for the Aliso Creek Watershed. Collectively, the group developed the following set of working desired outcomes: 1) stable and resilient ecosystem; 2) functional creek geomorphology and flows; 3) coastal uses are restored and preserved; and 4) existing infrastructure protected and water supply diversified. The project considers these desired outcomes, focusing on the portion of creek flowing through Aliso and Wood Canyon Wilderness Park.

Conceptual project design is currently underway, led by the County of Orange and in coordination with the Aliso Collaboration Group. The proposed project aims to establish a series of stream segments for restoration, based upon existing conditions and establishes four-stage priorities for each segment, as necessary to support connected riparian habitat and reconnection to the historic floodplain and existing water table. The following activities will be summarized during the presentation:

- ***Assessment of Watershed Characteristics & Habitat Considerations:*** Seventy percent of the Aliso Creek Watershed was urbanized by the year 2000. Urbanization has brought several impacts to the creek, including channel incision and erosion, threat to critical infrastructure, severing of hydrologic connection to the floodplain, and decreased diversity of ecological resources. Aliso Creek supports endangered and sensitive species such as the least Bell's vireo, and southwestern pond turtle. Aliso Creek is also part of the historical range for the endangered southern California steelhead trout and tidewater goby.
- ***Reconnaissance Level Field Assessments:*** Reconnaissance level field assessments of the lower six miles were conducted in January 2020 and December 2021. The purpose of these assessments was



to collect stream hydraulic geometry data to aid in development of a mini regional curve, which included determination of bankfull high and low elevations (difference between the floodplain of the river and the low terrace), establishment of reach breaks at geomorphically-relevant points, and narrative and photo documentation of the overall geomorphic condition, key geomorphic features, habitat condition, and other notable constraints or opportunities. The January 2020 assessment focused on bankfull measurements and development of a mini-regional curve (discussed below). The December 2021 assessment included continuous observations through the lower six miles (from Pacific Park Drive to the Coastal Treatment Plant) with an emphasis on geomorphic features and reach breaks. High water levels from the December 13, 2021 storm event were also recorded.

- **Restoration Project Planning Tools—Establishment of Mini Regional Curve & Application of Four-Stage Urban Natural Channel Design:** Regional curves are developed for physiographic regions. Physiographic regions are determined by areas that exhibit similar characteristics such as climate, geology, topography, soil type, and vegetation. A mini-regional curve is generally developed for smaller areas (e.g., a single watershed). Mini-regional curves should be based on surveyed cross-sections of streams within the same watershed with similar rainfall potential, flow regimes, vegetation potential, slope, sediment transport loading, and parent geology. These parameters and other boundary conditions will determine the channel forming dimensions.

Restoration of incised channels may be categorized using priority levels. These priority levels range from 1-4: 1) returning the stream to its original elevation and reconnecting floodplains; 2) widening the belt width to construct a new channel at the existing elevation; 3) changing stream types; and 4) stabilizing the existing incised channel in place. The priority restoration level ultimately selected depends upon several factors including cost, impacts to existing development, desired level of biological habitat, and resulting stress on streambanks.

- **Restoration Priorities and Conceptual Design:** All of the supporting information described above will be used to develop a preliminary restoration paradigm for each reach. The selection of potential paradigm will be based on the current level of geomorphic stability (e.g., active erosion, incision, bank failure), the value of existing riparian habitat (pre-existing or new established habitat), protection or avoidance of infrastructure, compatibility of restoration paradigms between adjacent reaches (e.g., practical reach transitions), and phasing considerations. As budget allows, the County and their consultant team will advance a preliminary conceptual design(s) for high priority reaches as identified by the stakeholders.

An Aliso Collaboration Group meeting is tentatively planned for late spring 2022 to provide a more detailed update on watershed analysis and progress toward conceptual design(s).

Recommended Action: Receive and file.

EXECUTIVE OFFICE REPORT

Ms. Amanda Carr, County of Orange, will provide an update on several ongoing projects and efforts within the South Orange County Watershed Management Area including, but not limited to the following:

- **Status Update on Committee Strategic Visioning Ad Hoc:** Staff were unable to find dates/times for the Strategic Visioning Ad Hoc to meet prior to the March 3, 2022 meeting as originally planned. As staff priorities will now shift to the Proposition 1 – Round 2 IRWM Grant application process and the strategic visioning process will be delayed until completion of grant application (most likely early 2023).



- **2021 Water Resilience Portfolio Progress Report Released:** The California Natural Resources Agency (CNRA) released the first annual progress report on implementation of the Water Resilience Portfolio (finalized in July 2020); report is available here: <https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/Water-Resilience/CA-WRP-Progress-Report.pdf>.
- **SB 852 – Climate Resilience Districts Act:** This bill introduced January 18, 2022, would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. It would define “eligible project” to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding. Bill is currently pending committee referral. Bill language can be found here: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB852. Bill fact sheet is included as **Appendix B**.
- **SB 1219 – State Water Resources Control Board Dissolution – Blue Ribbon Commission:** Introduced on February 17, 2022, bill would dissolve the State Water Resources Control Board effective January 1, 2025, vesting all existing authority with the Department of Water Resources. Bill language can be found here: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1219.
- **2020 – 21 Water Quality Improvement Plan (WQIP) Annual Report:** WQIP Annual Report was submitted to the San Diego Regional Water Quality Control Board on January 31, 2022. The full report can be found here: <https://ocgov.app.box.com/folder/153569994661?v=2020-21WQIPAnnualReport>.
- **California Endangered Species Act (CESA) Listing of Southern California Steelhead:** California Fish & Game Commission and California Department of Fish and Wildlife received a Petition to List Southern California Steelhead in June/July 2021, evaluated the petition in November 2021, and will consider the petition in February 2022. Listing will apply to South Orange County watersheds. For more information on the petition, see CESA page here: <https://fgc.ca.gov/CESA#SCS>.
- **In Memoriam – Richard Gardner:** Longtime South OC IRWM Group participant and former South Coast Water District director Richard Gardener passed away December 2, 2021. For more information about his dedication to watershed health in South Orange County please see the January 6th article in the Dana Point Times: <https://www.danapointtimes.com/richard-gardner-remembered-as-passionate-environmentalist/>.

EXECUTIVE COMMITTEE MEMBER COMMENTS

ADJOURNMENT

Next meeting date: TBD (dependent upon continuation of AB 361 Compliance)



APPENDIX A: ALISO CREEK WATERSHED PROJECT COLLABORATION GROUP

Originating from the South Orange County Project Development Framework (Framework) workshop in July 2019, the Aliso Collaboration Group represents a stakeholder-driven process to support implementation of local/regional water resource projects. Regional project development and locally-driven projects supported through this effort meet the goals of the IRWM Plan – the driving document for the South OC IRWM Group. The Framework and Aliso Collaboration Group are a direct result of the 2015-16 Committee Strategic Visioning Process.

Since the inaugural July 18, 2019 meeting of the Aliso Creek Watershed Collaboration Group, regular participation has involved almost 50 participants including (but not limited to) cities, water agencies, local NGOs, wastewater agencies, resource agencies (e.g. California Department of Fish and Wildlife), transportation agencies, mitigation-based interests, academic organizations, and the County. The purpose of these meetings is to define a locally supported project coordination process that balances water resource and habitat priorities in the Aliso Creek Watershed by establishing and maintaining open and transparent communication and collaboration between local NGOs, municipal, state, federal, transportation, natural resource agencies, and the South OC IRWM Group. The group has met six times; the meeting reports are posted on the [SOCWMA IRWM website](#).

Essential to the practice of IRWM, the watershed-scale approach provides a platform for communication to watershed-specific stakeholders on progress made toward improving watershed health through multi-benefit projects. The intention is to create a process that continues moving projects forward, reporting to the South OC IRWM Group over time. The key metrics are project-based – regional projects collaboratively developed and completed projects by individual or partner agencies that meet desired outcomes. The desired outcomes developed by the group are included in **Figure 1**. The overarching intent for the Aliso Collaboration Group

is included as **Figure 2**. The IRWM Plan Goals represent the most important project goals for the WMA. A map of projects ranging from concept to in-design the group seeks to support is included as **Figure 3**.

Figure 1: Aliso Collaboration Group – Desired Outcomes for the Aliso Creek Watershed

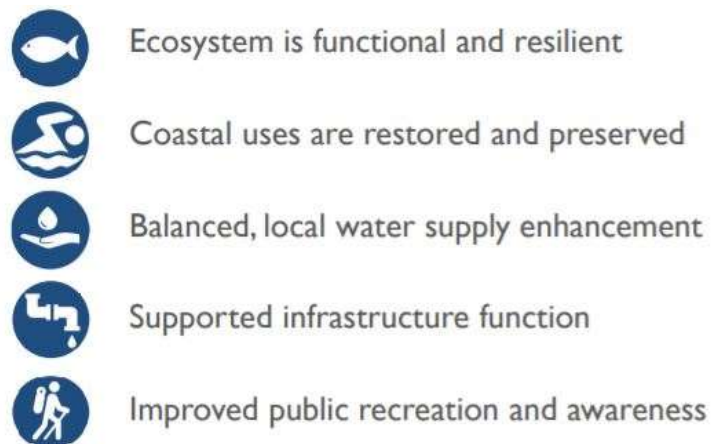


Figure 2: Framework to Develop and/or Support Project Implementation – Aliso Collaboration Group



The following needs were identified through the Framework, and are being addressed through the Aliso Collaboration Group to complete more regionally beneficial projects:

- Established relationships between stakeholders;
- Engagement of resource agency representatives at earlier stages in project development;
- Identification of funding opportunities and potential partnerships – metrics process will help define projects for funders;
- Identification of overlapping regulatory drivers as baseline, but not limitations; and
- Overarching regulatory processes with associated schedules for projects (i.e. as a driver).

Accomplishments of the Aliso Collaboration Group to date include:

- a. Engaged 30-40 different organizations ranging from water agencies, cities, environmental non-profits, academia, transportation representatives, to regulatory entities;
- b. Established desired objectives for the watershed developed collaboratively and approved by the group to describe model watershed conditions with quantitative metrics;
- c. Compiled and analyzed a project list comprising projects in all phases of concept and design that will meet objectives if completed – not all conceptual or single-benefit projects are listed in the IRWM Project List so analysis of overall project funding and support needs were incomplete;
- d. Completed an Aliso Creek Watershed Reference Guide, representing a compendium of watershed data, a summary of overall watershed health, applicable regulatory challenges and potential options for project permitting. The Reference Guide is intended to provide a vehicle to obtain project funding and enhance regulatory support for early engagement and streamlined permitting where feasible; and
- e. Initiated an alternative analysis to the US Army Corps of Engineer Mainstem Ecosystem Restoration Feasibility Study preferred alternative for the lower six miles of Aliso Creek to enhance habitat, protect infrastructure, and provide recreational benefits considering the Locally Preferred Plan and other stakeholder feedback.

Figure 3: Projects in Aliso Creek Watershed that Meet IRWM Goals



APPENDIX B: SB 852 FACT SHEET



LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY

REGULAR MEETING AGENDA

**Wednesday, March 9, 2022
8:15 a.m.**

**Planning Commission Hearing Room
Hall of Administration
333 W. Santa Ana Blvd.
10 Civic Center Plaza, Santa Ana, CA 92701**

Any member of the public may request to speak on any agenda item at the time the Commission is considering the item.

- 1. CALL THE MEETING TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATION**
(Communication received after agenda distribution for agendized items.)

5. PUBLIC COMMENT

This is an opportunity for members of the public to address the Commission on items not on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken by the Commission on an off-agenda item(s) unless authorized by law.

6. CONSENT CALENDAR

a.) February 9, 2022 – Regular Commission Meeting Minutes

The Commission will consider approval of the February 9, 2022, meeting minutes.

b.) CALAFCO Update

The Commission will receive a report on the recent activities of CALAFCO.

7. PUBLIC HEARING

a.) 2022-23 OC LAFCO Proposed Budget and Fee Schedule

The Commission will consider the adoption of the Proposed Fiscal Year 2022-23 OC LAFCO Budget and resolution approving the agency's fee schedule.

8. COMMISSION DISCUSSION AND ACTION

a.) Legislative Report

The Commission will receive an interim legislative report and consider adopting a position on Senate Bill 938.

9. COMMISSIONER COMMENTS

This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur or be taken except to place the item on a future agenda if approved by the Commission majority.

10. EXECUTIVE OFFICER'S REPORT

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

No informational items and announcements.

12. CLOSED SESSION

No closed session items scheduled.

13. MEETING ADJOURNMENT

The Commission will adjourn to the April 13, 2022, Regular Meeting in person at the Planning Commission Hearing Room, 10 Civic Center Plaza in Santa Ana or virtually by Zoom in accordance with AB 361 and LAFCO Resolution No. CP 21-08.

Pursuant to Government Code Section 54957.5, public records that relate to open session agenda items that are distributed to a majority of the Commission less than seventy-two (72) hours prior to the meeting will be made available to the public on the OC LAFCO website at www.oclafco.org.

State law requires that a participant in an OC LAFCO proceeding who has a financial interest in a decision and who has made a campaign contribution of more than \$250 to any commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission's staff before the hearing.

All regular meeting agendas and associated reports are available at www.oclafco.org. Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or associated reports upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, to participate in a public meeting. Requests for copies of meeting documents and accommodations shall be made with OC LAFCO staff at (714) 640-5100 at least three business days prior to the respective meeting.

2022 MEETING AND EVENTS CALENDAR

Approved February 9, 2022

2022



January						
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December						
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- OC LAFCO Regular Meeting (*begins at 8:15 a.m.*)
Location: Hall of Administration, Planning Commission Hearing Room, 10 Civic Center Plaza, Santa Ana, CA 92701.
- Strategic Planning Workshop (*8:00 a.m. to 2:30 p.m.*)
Location: County Administration South (CSA) Multipurpose Room, 601 North Ross Street, Santa Ana, CA 92701.
- Office closure due to legal holidays and flexible work schedule.
- CALAFCO Annual Conference - October 19 - 21, 2022 at Hyatt Regency Newport Beach John Wayne Airport.



Executive Committee Meeting

Tuesday, March 1, 2022

7:30 a.m.

Mailing Address

P.O. Box 20895
Fountain Valley, CA 92728

Meeting Location

MWDOC/OCWD
18700 Ward Street
Fountain Valley, CA 92708

(714) 963-3058
(714) 964-5930 fax

<https://isddoc.specialdistrict.org/>

Executive Committee

President

Hon. Mark Monin
El Toro Water District

1st Vice President

Hon. Arlene Schafer
Costa Mesa Sanitary District

2nd Vice President

Hon. Bob McVicker
*Municipal Water District
Orange County*

3rd Vice President

Hon. Brooke Jones
Yorba Linda Water District

Secretary

Hon. Greg Mills
Serrano Water District

Treasurer

Hon. Bill Green
South Coast Water District

Immediate Past President

Hon. Sandra Jacobs
Santa Margarita Water District

Staff Administration

Heather Baez

*Municipal Water District of Orange
County*

Tina Dubuque

*Municipal Water District of Orange
County*

The next meeting of the ISDOC Executive Committee will be via teleconference only.
The MWDOC/OCWD offices are closed to the public. Please use the information below to access the meeting.

Join Zoom Meeting

<https://zoom.us/j/99287384726>

Dial by your location

669 900 9128 US (San Jose)

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 992 8738 4726

AGENDA

I. Welcome, Introductions – 7:30 am

[Please mute yourself when not speaking. Please raise hand on Zoom if you have a question or comment.]

II. Approval of Minutes – 7:35 am

- Consider approval of the minutes for the February 1, 2022 meeting.

III. Public Comments on items not on the agenda- 7:40 am

IV. New Business – 7:45 am

- New Associate Member - Deborah Muchmore, Manager at Muchmore Than Consulting, LLC
- Live vs. Zoom for Executive and Quarterly Luncheon
- Redistricting for Special Districts

V. Old Business – 8:00 am

- Newsletter Update/Discussion

VI. Treasurer's Report – 8:05 am – Director Green

- Report of accounts

VII. CSDA Report – 8:10 am – Director Schafer

- Receive, discuss and file the CSDA Report

VIII. LAFCO Report – 8:15 am – Director Fisler

- Receive, discuss and file the LAFCO report

IX. ACWA Report – 8:20 am – Director Jacobs

- Receive, discuss and file the ACWA report

X. OCCOG Report – 8:25 am – Director Scheafer

- Receive, discuss and file OCCOG report

XI. Orange County Operational Area Report - 8:30 am – Vicki Osborn

- Receive, discuss and file OCOA report

XII. Subcommittee Reports – 8:35 am

- Programs – Director Schafer
- Membership - Director McVicker
- Legislative – Director Jones

XIII. Adjourn – 8:40 am



AGENDA

Friday, March 4, 2022
7:30 a.m. – 9:00 a.m.

Register in advance:

<https://ocwd.zoom.us/meeting/register/tZYtduyprzwpEtPmDhrtGpcLaNn1qYIR5lxO>

Mailing Address

P.O. Box 8300
Fountain Valley, CA 92708

Meeting Location

Via Zoom

(714) 378-3200
(714) 963-0291 fax

www.ocwd.com/news-events/events/waco
www.mwdoc.com/waco

Officers

Chair
Hon. Cathy Green
Orange County Water District

Vice Chair
Hon. Mark Monin
El Toro Water District

Staff Contacts

Alicia Dunkin/Medha Paliwal
Orange County Water District (OCWD)

Heather Baez
Municipal Water District of Orange County (MWDOC)


Stay connected with OCWD and MWDOC


OCWD:

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MWDOC:

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 Municipal Water District of OrangeCounty

1. Welcome

- Cathy Green, Orange County Water District

2. Housekeeping & Meeting Etiquette

3. Pledge of Allegiance

4. Reports

- Water Emergency Response Organization of Orange County (WEROC) – Vicki Osborn
- Metropolitan Water District of Southern California (MET) – Linda Ackerman
- Association of California Water Agencies (ACWA) – Cathy Green

5. Program

California Water Commission Update

Speakers:

- Jose Solorio, Member, California Water Commission
- Joe Yun, Executive Director, California Water Commission

6. Adjourn

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Next WACO Meeting

Friday, April 1, 2022 at 7:30 a.m. via Zoom

Next WACO Planning Committee Meeting

Tuesday, March 15, 2022 at 7:30 a.m. via Zoom



WACO Planning Committee
Tuesday, March 15, 2022 at 7:30 A.M.

Join Zoom Meeting
<https://zoom.us/j/92882659982>

Meeting ID: 928 8265 9982
Phone Audio: 669-900-9128

AGENDA

Mailing Address

P.O. Box 20895
Fountain Valley, CA 92728

Meeting Location

Virtual - Zoom

(714) 378-8232
(714) 963-0291 fax

www.mwdoc.com/waco
www.ocwd.com/news-events/events/waco

Officers

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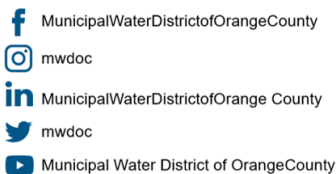
Heather Baez
Municipal Water District of Orange County

Stay connected with OCWD and MWDOC

OCWD:



MWDOC:



WELCOME

ACTION ITEMS

1. April 1, 2022 WACO Meeting
 - Reports: WEROC, Met, CSDA, ACWA
 - Topic: Cyber Security for Water Policy Executives
 - Speaker: Frank Ury, Computer Aid, Inc
 - Confirm reports
 - Discuss presentation outline
2. May 13, 2022 WACO Meeting
 - Reports: WEROC, Met, ACWA
 - Program: TBD (consider options from list below)
 - Note: May meeting is the second Friday of the month due to ACWA conference
 - Confirm reports

DISCUSSION ITEMS

1. Potential topics for future meetings:
 - Brenda Burman, Central Arizona Project (Staff reached out multiple times - no response)
 - Regional water recycling program (Karl Seckel)
 - DWR development of water use efficiency standards (Stacy Taylor)
 - Water rights (Peer Swan)
 - Forest Management, Justin Adams (Jim Atkinson)
 - MET Climate Action Plan (Al Nederhood)
 - Salt management/PFAS (Peer Swan)
 - Delta with Jay Lund, Professor of Watershed Sciences, as potential speaker (Karl Seckel)
 - MET Drought/Conservation Update
 - Ways water districts add to their income stream w/o rate payers (Larry Dick)
 - 1,2,3-TCP in the Central Valley (Cathy Green)
2. Discussion of March 4 meeting: California Water Commission

INFORMATIONAL ITEMS

1. Let staff know if there is anyone who should be added to or removed from the planning meeting invite list.
2. Zoom meeting ID and meeting link changes monthly for WACO Meetings; However, the Planning Meetings for WACO are the same link.

ADJOURN

DATES TO REMEMBER

MARCH/APRIL 2022

1. Mar 24 – 12 noon – South County Agencies Meeting
2. Mar 25 – DISTRICT OFFICE CLOSED
3. Apr 1- 7:30 a.m. – WACO
4. Apr 1 – 12 noon – Pres/VP/GM Meeting
5. Apr 4 – 1:30 p.m. – SOCWMA Management Committee Meeting
6. Apr 5 – 7:30 a.m. – ISDOC Executive Committee Meeting
7. Apr 5 – 10:00 a.m. – RRC
8. Apr 6 – 8:30 a.m. – MWDOC/MET Directors Workshop
9. Apr 7 – 8:30 a.m. – SOCWA Board Meeting
10. Apr 7 – 6:00 p.m. – MWDOC Elected Officials Forum (zoom)
11. Apr 8 – DISTRICT OFFICE CLOSED
12. Apr 11 – 8:30 a.m. – MWDOC Planning/Operations Meeting
13. Apr 13 – 8:15 a.m. – LAFCO
14. Apr 13 – 8:30 a.m. – MWDOC Admin/Finance Committee Meeting
15. Apr 14 – 8:30 a.m. – SOCWA Engineering Committee Meeting
16. Apr 15 – 12 noon – Pres/VP/GM Meeting
17. Apr 18 – 9:00 a.m. – Agenda Review Meeting
18. Apr 19 – 7:30 a.m. – Budget Committee #1 Meeting
19. Apr 19 – 7:30 a.m. – WACO Planning Committee
20. Apr 19 – 10:30 a.m. – SOCWA Finance Committee Meeting
21. Apr 20 – 8:30 a.m. – MWDOC Board Meeting
22. Apr 21 – 10:30 a.m. – MWDOC Managers Meeting
23. Apr 22 – DISTRICT OFFICE CLOSED
24. Apr 25 – 7:30 a.m. – Regular Engineering/Finance Committee Meeting
25. Apr 25 – 29 – Children's Water Education Festival (zoom)

- 26. Apr 28 – 7:30 a.m. – Regular Board Meeting
- 27. Apr 28 – 11:30 a.m. – ISDOC Quarterly Meeting
- 28. Apr 29 – 12 noon – Pres/VP/GM Meeting

EL TORO WATER DISTRICT

Glossary of Water Terms

Accumulated overdraft: The amount of water necessary to be replaced in the intake area of the groundwater basin to prevent the landward movement of ocean water into the fresh groundwater body.

Acre-foot, AF: A common water industry unit of measurement. An acre-foot is 325,851 gallons, or the amount of water needed to cover one acre with water one foot deep. An acre-foot serves annual needs of two typical California families.

ACWA: Association of California Water Agencies.
A statewide group based in Sacramento that actively lobbies State and Federal Government on water issues.

Advanced treatment: Additional treatment processes used to clean wastewater even further following primary and secondary treatment. Also known as tertiary treatment.

AFY: Acre-foot per year.

Alluvium: A stratified bed of sand, gravel, silt, and clay deposited by flowing water.

AMP: Allen McCulloch pipeline.

Major pipeline transporting treated water to water districts between Yorba Linda, where it starts to El Toro Water District reservoir, where it terminates.

Annexation: The inclusion of land within a government agency's jurisdiction.

Annual overdraft: The quantity by which the production of water from the groundwater supplies during the water year exceeds the natural replenishment of such groundwater supplies during the same water year.

Aqueduct: A man-made canal or pipeline used to transport water.

Aquifer: An underground geologic formation of rock, soil or sediment that is naturally saturated with water; an aquifer stores groundwater.

Arid: Dry; deserts are arid places. Semi-arid places are almost as dry as a desert.

Artesian: An aquifer in which the water is under sufficient pressure to cause it to rise above the bottom of the overlying confining bed, if the opportunity is provided.

Artificial recharge: The addition of surface water to a groundwater reservoir by human activity, such as putting surface water into recharge basins. (See also: groundwater recharge and recharge basin.)

AWWA American Water Works Association
Nationwide group of public and private water purveyors and related industrial suppliers.

Base flow: The portion of river surface flow which remains after deduction of storm flow and/or purchased imported water.

Bay-Delta: The Sacramento-San Joaquin Bay-Delta is a unique natural resource of local, state and national significance. The Delta is home to more than 500,000 people; contains 500,000 acres of agriculture; provides habitat for 700 native plant and animal species; provides water for more than 25 million Californians and 3 million acres of agriculture; is traversed by energy, communications and transportation facilities vital to the economic health of California; and supports a \$400 billion economy.

BIA: Building Industry Association.

Biofouling: The formation of bacterial film (biofilm) on fragile reverse osmosis membrane surfaces.

Biosolids: Solid organic matter recovered from a sewage treatment process and used especially as fertilizer.

BMP: Best Management Practice. An engineered structure or management activity, or combination of these, that eliminates or reduces adverse environmental effects.

Brackish water: A mixture of freshwater and saltwater.

Brown Act: Ralph M. Brown Act enacted by the State legislature governing all meetings of legislative bodies. Also known as the Open Meeting requirements.

Canal: A ditch used to move water from one location to another.

CASA: California Association of Sanitation Agencies The sanitation equivalent of ACWA concerned solely with issues affecting the treatment and disposal of solid waste and wastewater.

CEQA: California Environmental Quality Act.

CERCLA: Comprehensive Environmental Response, Compensation and Liability Act. This federal law establishes the Superfund program for hazardous waste sites. It provides the legal basis for the United States EPA to regulate and clean up hazardous waste sites, and if appropriate, to seek financial compensation from entities responsible for the site.

CFS: Cubic feet per second.

Chloramines: A mixture of ammonia and chlorine used to purify water.

Clarify: To make clear or pure by separation and elimination of suspended solid material.

Coagulation: The clumping together of solids so they can more easily be settled out or filtered out of water. A chemical called aluminum sulfate (alum) is generally used to aid coagulation in water treatment and reclamation.

Coastkeepers: A non-profit organization dedicated to the protection and preservation of the marine habitats and watersheds of Orange County through programs of education, restoration, enforcement and advocacy.

Colored water: Groundwater extracted from the basin that is unsuitable for domestic use without treatment due to high color and odor exceeding drinking water standards.

Condensation: The process of water vapor (gas) changing into liquid water. An example of condensation can be seen in the tiny water droplets that form on the outside of a glass of iced tea as warmer air touches the cooler glass.

Confined aquifer: An aquifer that is bound above and below by dense layers of rock and contains water under pressure.

Conjunctive use: Storing imported water in a local aquifer, in conjunction with groundwater, for later retrieval and use.

Contaminate: To make unclean or impure by the addition of harmful substances.

CPCFA: California Pollution Control Financing Authority. State agency providing funds for wastewater reclamation projects.

Crisis:

1. **a:** The turning point for better or worse **b:** a paroxysmal attack of pain, distress, or disordered function **c:** an emotionally significant event or radical change of status in a person's life <a midlife crisis>
2. The decisive moment (as in a literary plot)
3. **a:** An unstable or crucial time or state of affairs in which a decisive change is impending; *especially* : one with the distinct possibility of a highly undesirable outcome <a financial crisis> **b:** a situation that has reached a critical phase

CTP Coastal Treatment Plant

CWPCA California Water Pollution Control Association. A 7000 member non-profit educational organization dedicated to water pollution control.

Dam: A barrier built across a river or stream to hold water.

Decompose: To separate into simpler compounds, substances or elements.

Deep percolation: The percolation of surface water through the ground beyond the lower limit of the root zone of plants into a groundwater aquifer.

Degraded water: Water within the groundwater basin that, in one characteristic or another, does not meet primary drinking water standards.

Delta: Where the rivers empty; an outlet from land to ocean, also where the rivers deposit sediment they carry forming landforms.

Delta Vision: Delta Vision is intended to identify a strategy for managing the Sacramento-San Joaquin Delta as a sustainable ecosystem that would continue to support environmental and economic functions that are critical to the people of California.

Demineralize: To reduce the concentrations of minerals from water by ion exchange, distillation, electro-dialysis, or reverse osmosis.

De-nitrification: The physical process of removing nitrate from water through reverse osmosis, microfiltration, or other means.

Desalting (or desalination): Removing salts from salt water by evaporation or distillation. Specific treatment processes, such as reverse osmosis or multi-stage flash distillation, to demineralize seawater or brackish (saline) waters for reuse. Also sometimes used in wastewater treatment to remove salts other pollutants.

Desilting: The physical process of removing suspended particles from water.

Dilute: To lessen the amount of a substance in water by adding more water.

Disinfection: Water treatment which destroys potentially harmful bacteria.

Drainage basin: The area of land from which water drains into a river, for example, the Sacramento River Basin, in which all land area drains into the Sacramento River. Also called catchment area, watershed, or river basin.

Drought: A prolonged period of below-average precipitation.

DPHS: California Department of Public Health Services. Regulates public water systems; oversees water recycling projects; permits water treatment devices; certifies drinking water treatment and distribution operators; supports and promotes water system security; provides support for small water systems and for improving technical, managerial, and financial (TMF) capacity; provides funding opportunities for water system improvements.

DVL: Diamond Valley Lake. Metropolitan's major reservoir near Hemet, in southwestern Riverside County.

DWR: California Department of Water Resources. Guides development/management of California's water resources; owns/operates State Water Project and other water facilities.

Endangered Species: A species of animal or plant threatened with extinction.

Endangered Species Act of 1973 (ESA): The most wide-ranging of the dozens of United States environmental laws passed in the 1970s. As stated in section 2 of the act, it was designed to protect critically imperiled species from extinction as a "consequence of economic growth and development untended by adequate concern and conservation.

Ecosystem: Where living and non-living things interact (coexist) in order to survive.

Effluent: Wastewater or other liquid, partially or completely treated or in its natural state, flowing from a treatment plant.

Evaporation: The process that changes water (liquid) into water vapor (gas).

Estuary: Where fresh water meets salt water.

Evapotranspiration: The quantity of water transpired (given off), retained in plant tissues, and evaporated from plant tissues and surrounding soil surface. Quantitatively, it is expressed in terms of depth of water per unit area during a specified period of time.

FCH Federal Clearing House – Environmental Review/Processing

FEMA Federal Emergency Management Agency

Filtration: The process of allowing water to pass through layers of a porous material such as sand, gravel or charcoal to trap solid particles. Filtration occurs in nature when rain water soaks into the ground and it passes through hundreds of feet of sand and gravel. This same natural process of filtration is duplicated in water and wastewater treatment plants, generally using sand and coal as the filter media.

Flocculation: A chemical process involving addition of a coagulant to assist in the removal of turbidity in water.

Forebay: A reservoir or pond situated at the intake of a pumping plant or power plant to stabilize water level; also, a portion of a groundwater basin where large quantities of surface water can recharge the basin through infiltration.

Gray water reuse: Reuse, generally without treatment, of domestic type wastewater for toilet flushing, garden irrigation and other non-potable uses. Excludes water from toilets, kitchen sinks, dishwashers, or water used for washing diapers.

Green Acres Project (GAP): A 7.5 million gallons per day (MGD) water reclamation project that serves tertiary treated recycled water to irrigation and industrial users in Costa Mesa, Fountain Valley, Huntington Beach, Newport Beach, and Santa Ana.

God Squad: A seven-member committee that is officially called the "Endangered Species Committee". Members consist of Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Council of Economic Advisers, the Administrator of the National Oceanic and Atmospheric Administration and one individual from the affected state. The squad was established in 1978 by an amendment to the 1973 Endangered Species Act (ESA). It has only been called into action three times to deal with proposed federal agency actions that have been determined to cause "jeopardy" to any listed species. Such actions may receive an exemption from the ESA if five members of the committee determine that the action is of regional or national significance, that the benefits of the action clearly outweigh the benefits of conserving the species and that there are no reasonable and prudent alternatives to the action.

Groundwater: Water that has percolated into natural, underground aquifers; water in the ground, not water puddled on the ground.

Groundwater basin: A groundwater reservoir defined by the overlying land surface and the underlying aquifers that contain water stored in the reservoir. Boundaries of success-ively deeper aquifers may differ and make it difficult to define the limits of the basin.

Groundwater mining: The withdrawal of water from an aquifer in excess of recharge over a period of time. If continued, the underground supply would eventually be exhausted or the water table could drop below economically feasible pumping lifts.

Groundwater overdraft: The condition of a groundwater basin in which the amount of water withdrawn by pumping exceeds the amount of water that recharges the basin over a period of years during which water supply conditions approximate average.

Groundwater recharge: The action of increasing groundwater storage by natural conditions or by human activity. See also: Artificial recharge.

Ground Water Replenishment System (GWRS): A joint project of the Orange County Water District and the Orange County Sanitation District that will provide up to 100,000 acre-feet of reclaimed water annually. The high-quality water will be used to expand an existing underground seawater intrusion barrier and to replenish the groundwater basin underlying north and central Orange County.

Groundwater table: The upper surface of the zone of saturation (all pores of subsoil filled with water), except where the surface is formed by an impermeable body.

GPM: Gallons per minute.

Ground Water Replenishment System (GWRS): Orange County Water District's state-of-the-art, highly advanced, waste-water treatment facility.

Hydrologic balance: An accounting of all water inflow to, water outflow from, and changes in water storage within a hydrologic unit over a specified period.

Hydrologic cycle: The process of water constantly circulating from the ocean, to the atmosphere, to the earth in a form of precipitation, and finally returning to the ocean.

Imported water: Water that has originated from one hydrologic region and is transferred to another hydrologic region.

Inflatable rubber dams: Designed to replace temporary sand levees that wash out during heavy storm flow, the dams hold back high-volume river flows and divert the water into the off-river system for percolation.

Influent: Water or wastewater entering a treatment plant, or a particular stage of the treatment process.

Irrigation: Applying water to crops, lawns or other plants using pumps, pipes, hoses, sprinklers, etc.

JPIA Joint Powers Insurance Authority. A group of water agencies providing self-insurance to members of the ACWA.

LAIF Local Agency Investment Fund. Statewide pool of surplus public agency money managed by State Treasurer.

Leach: To remove components from the soil by the action of water trickling through.

MAF: Million acre feet.

MCL: Maximum contaminant level set by EPA for a regulated substance in drinking water. According to health agencies, the maximum amount of a substance that can be present in water that's safe to drink and which looks, tastes and smells good.

MET: Metropolitan Water District of Southern California.

MGD: Million gallons per day.

Microfiltration: A physical separation process where tiny, hollow filaments members separate particles from water.

Microorganism: An animal or plant of microscopic size.

MWD: Metropolitan Water District of Southern California.

MWDOC: Municipal Water District of Orange County. Intermediate wholesaler between MWD and 27 member agencies including ETWD.

Non-point source pollution: Pollution that is so general or covers such a wide area that no single, localized source of the pollution can be identified.

NPDES National Pollution Discharge Elimination System

OCBC: Orange County Business Council.

OCEMA Orange County Environmental Management Agency

OCWD: Orange County Water District.

Opportunity:

1. A favorable juncture of circumstances.
2. A good chance for advancement or progress .

Organism: Any individual form of life, such as a plant, animal or bacterium.

PCM Professional Community Management, Inc. Property Management company providing services to Laguna Woods Village and other homeowner associations.

Perched groundwater: Groundwater supported by a zone of material of low permeability located above an underlying main body of groundwater with which it is not hydrostatically connected.

Percolation: The downward movement of water through the soil or alluvium to the groundwater table.

Permeability: The capability of soil or other geologic formations to transmit water.

Point source: A specific site from which waste or polluted water is discharged into a water body, the source of which is identified. See also: non-point source.

Potable water: Suitable and safe for drinking.

PPB: Parts per billion.

Precipitation: Water from the atmosphere that falls to the ground as a liquid (rain) or a solid (snow, sleet, hail).

Primary treated water: First major treatment in a wastewater treatment facility, usually sedimentation but not biological oxidation.

Primary treatment: Removing solids and floating matter from wastewater using screening, skimming and sedimentation (settling by gravity).

Prior appropriation doctrine: Allocates water rights to the first party who diverts water from its natural source and applies the water to beneficial use. If at some point the first appropriator fails to use the water beneficially, another person may appropriate the water and gain rights to the water. The central principle is beneficial use, not land ownership.

Pumping Plant: A facility that lifts water up and over hills.

Recharge: The physical process where water naturally percolates or sinks into a groundwater basin.

Recharge basin: A surface facility, often a large pond, used to increase the infiltration of surface water into a groundwater basin.

Reclaimed wastewater: Wastewater that becomes suitable for a specific beneficial use as a result of treatment. See also: wastewater reclamation.

Reclamation project: A project where water is obtained from a sanitary district or system and which undergoes additional treatment for a variety of uses, including landscape irrigation, industrial uses, and groundwater recharge.

Recycling: A type of reuse, usually involving running a supply of water through a closed system again and again. Legislation in 1991 legally equates the term "recycled water" to reclaimed water.

Reservoir: A place where water is stored until it is needed. A reservoir can be an open lake or an enclosed storage tank.

Reverse osmosis: (RO) A method of removing salts or other ions from water by forcing water through a semi-permeable membrane.

RFP Request for Proposal

Riparian: Of or on the banks of a stream, river, or other body of water.

RO: Reverse osmosis. See the listing under "reverse osmosis."

R-O-W Right-of-way

Runoff: Liquid water that travels over the surface of the Earth, moving downward due to gravity. Runoff is one way in which water that falls as precipitation returns to the ocean.

RWQCB Regional Water Quality Control Board. State agency regulating discharge and use of recycled water.

Safe Drinking Water Act (SDWA): The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 and requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. (SDWA does not regulate private wells which serve fewer than 25 individuals.) SDWA authorizes the United States Environmental Protection Agency (US EPA) to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. US EPA, states, and water systems work together to make sure that these standards are met.

Safe yield: The maximum quantity of water that can be withdrawn from a groundwater basin over a long period of time without developing a condition of overdraft, sometimes referred to as sustained yield.

SAFRA Santa Ana River Flood Protection Agency

Salinity: Generally, the concentration of mineral salts dissolved in water. Salinity may be measured by weight (total dissolved solids - TDS), electrical conductivity, or osmotic pressure. Where seawater is known to be the major source of salt, salinity is often used to refer to the concentration of chlorides in the water.

SAWPA: Santa Ana Watershed Project Authority.

SCADA Supervisory Control and Data Acquisition

SCAP Southern California Alliance of Publicly. Newly formed group of public agencies seeking reasonable regulation of sewer industry.

SCH State Clearing House – Environmental Review/Processing

Seasonal storage: A three-part program offered by Metropolitan Water District of Southern California:

STSS (Short Term Seasonal Storage) financially encourages agencies with local groundwater production capabilities to produce a higher percentage of their demand in the summer from their local groundwater supplies, thus shifting a portion of their demand on the MWD system from the summer to winter;

LTSS (Long Term Seasonal Storage) financially encourages retail agencies to take and store additional amounts of MWD water above their normal annual demands for later use; Replenishment Water provides less expensive interruptible water that is generally available and used to increase the operating yield of groundwater basins.

Seawater intrusion: The movement of salt water into a body of fresh water. It can occur in either surface water or groundwater basins.

Seawater barrier: A physical facility or method of operation designed to prevent the intrusion of salt water into a body of freshwater.

Secondary treatment: The biological portion of wastewater treatment which uses the activated sludge process to further clean wastewater after primary treatment. Generally, a level of treatment that produces 85 percent removal efficiencies for biological oxygen demand and suspended solids. Usually carried out through the use of trickling filters or by the activated sludge process.

Sedimentation: The settling of solids in a body of water using gravity.

Settle: To clarify water by causing impurities/solid material to sink to a container's bottom.

Sewer: The system of pipes that carries wastewater from homes and businesses to a treatment plant or reclamation plant. Sewers are separate from storm drains, which is a system of drains and pipes that carry rain water from urban streets back to the ocean. Overwatering your yard can also cause water to run into the streets and into storm drains. Storm drain water is not treated before it is discharged.

SigAlert: Any unplanned event that causes the closing of one lane of traffic for 30 minutes or more, as opposed to a planned event, like road construction, which is planned.

SJBA San Juan Basin Authority

Sludge: The solids that remain after wastewater treatment. This material is separated from the cleaned water, treated and composted into fertilizer. Also called biosolids.

SOCWA South Orange County Wastewater Authority. Regional Joint Powers Authority formed for collection and treatment of sewerage (previously known as AWMA/SERRA/SOCRA). SOCWA member agencies:

CSC – City of San Clemente

CSJC – City of San Juan Capistrano

CLB – City of Laguna Beach

ETWD – El Toro Water District

EBSD – Emerald Bay Service District

IRWD – Irvine Ranch Water District

MNWD – Moulton Niguel Water District

SCWD – South Coast Water District

SMWD – Santa Margarita Water District

TCWD – Trabuco Canyon Water District

SRF State Revolving Fund

Storm Drain: The system of pipes that carries rain water from urban streets back to the ocean. Overwatering your yard can also cause water to run into the streets and into storm drains. Storm drain

water is not treated before it is discharged. Storm drains are separate from sewers, which is a separate system of pipes to carry wastewater from homes and businesses to a treatment plant or reclamation plant for cleaning.

Storm flow: Surface flow originating from precipitation and run-off which has not percolated to an underground basin.

SWP: State Water Project. An aqueduct system that delivers water from northern California to central and southern California.

SWRCB State Water Resources Control Board

TDS: Total dissolved solids. A quantitative measure of the residual minerals dissolved in water that remain after evaporation of a solution. Usually expressed in milligrams per liter.

Tertiary treatment: The treatment of wastewater beyond the secondary or biological stage. Normally implies the removal of nutrients, such as phosphorous and nitrogen, and a high percentage of suspended solids.

THM: Trihalomethanes. Any of several synthetic organic compounds formed when chlorine or bromine combine with organic materials in water.

TMA: Too many acronyms.

TMDL: Total maximum daily load; A quantitative assessment of water quality problems, contributing sources, and load reductions or control actions needed to restore and protect bodies of water.

Transpiration: The process in which plant tissues give off water vapor to the atmosphere as an essential physiological process.

Turbidity: Thick or opaque with matter in suspension; muddy water.

Ultraviolet light disinfection: A disinfection method for water that has received either secondary or tertiary treatment used as an alternative to chlorination.

VE Value Engineering

VOC: Volatile organic compound; a chemical compound that evaporates readily at room temperature and contains carbon.

Wastewater: Water that has been previously used by a municipality, industry or agriculture and has suffered a loss of quality as a result.

Water Cycle: The continuous process of surface water (puddles, lakes, oceans) evaporating from the sun's heat to become water vapor (gas) in the atmosphere. Water condenses into clouds and then falls back to earth as rain or snow (precipitation). Some precipitation soaks into the ground (percolation) to replenish groundwater supplies in underground aquifers.

Water rights: A legally protected right to take possession of water occurring in a natural waterway and to divert that water for beneficial use.

Water-use Efficiency: The water requirements of a particular device, fixture, appliance, process, piece of equipment, or activity.

Water year (USGS): The period between October 1st of one calendar year to September 30th of the following calendar year.

Watermaster: A court appointed person(s) that has specific responsibilities to carry out court decisions pertaining to a river system or watershed.

Water Reclamation: The treatment of wastewater to make it suitable for a beneficial reuse, such as landscape irrigation. Also called water recycling.

Watershed: The total land area that from which water drains or flows to a river, stream, lake or other body of water.

Water table: The top level of water stored underground.

WEF Water Environment Federation. Formerly – Water Pollution Control Federation (WPCF). International trade group advising members of sewage treatment techniques and their effect on the environment.

Weir box: A device to measure/control surface water flows in streams or between ponds.

Wellhead treatment: Water quality treatment of water being produced at the well site.

Wetland: Any area in which the water table stands near, at, or above the land surface for a portion of the year. Wetlands are characterized by plants adapted to wet soil conditions.

Xeriscape: Landscaping that requires minimal water.