

**Application for Federal Assistance SF-424**

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/>
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* 3. Date Received: <input type="text" value="06/25/2015"/>	4. Applicant Identifier: <input type="text"/>
--	--

5a. Federal Entity Identifier: <input type="text"/>	5b. Federal Award Identifier: <input type="text"/>
--	---

**State Use Only:**

6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>
---	---

**8. APPLICANT INFORMATION:**

\* a. Legal Name:

* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="95-6005663"/>	* c. Organizational DUNS: <input type="text" value="0426098180000"/>
--	---

**d. Address:**

* Street1:	<input type="text" value="31315 Chaney Street"/>
Street2:	<input type="text"/>
* City:	<input type="text" value="Lake Elsinore"/>
County/Parish:	<input type="text" value="Riverside"/>
* State:	<input type="text" value="CA: California"/>
Province:	<input type="text"/>
* Country:	<input type="text" value="USA: UNITED STATES"/>
* Zip / Postal Code:	<input type="text" value="92530-2743"/>

**e. Organizational Unit:**

Department Name: <input type="text"/>	Division Name: <input type="text"/>
--	--

**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: <input type="text" value="Ms ."/>	* First Name: <input type="text" value="Serena"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="Johns"/>	
Suffix: <input type="text"/>	

Title:

Organizational Affiliation:

* Telephone Number: <input type="text" value="951-674-3146"/>	Fax Number: <input type="text" value="951-346-3352"/>
---	---

\* Email:

**Application for Federal Assistance SF-424**

**\* 9. Type of Applicant 1: Select Applicant Type:**

D: Special District Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

Bureau of Reclamation

**11. Catalog of Federal Domestic Assistance Number:**

15.514

CFDA Title:

Reclamation States Emergency Drought Relief

**\* 12. Funding Opportunity Number:**

R15AS00047

\* Title:

WaterSMART: Drought Contingency Planning Grants for Fiscal Year 2015

**13. Competition Identification Number:**

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

Add Attachment

Delete Attachment

View Attachment

**\* 15. Descriptive Title of Applicant's Project:**

Drought Contingency Plan

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424**

**16. Congressional Districts Of:**

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

\* b. End Date:

**18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="115,000.00"/>
* b. Applicant	<input type="text" value="117,927.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="0.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="232,927.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**

Yes  No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:  \* Date Signed:

**BUDGET INFORMATION - Non-Construction Programs**

OMB Number: 4040-0006  
Expiration Date: 06/30/2014

**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Drought Contingency Planning	15.514	\$ <input type="text"/>	\$ <input type="text"/>	\$ 115,000.00	\$ 117,927.00	\$ 232,927.00
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<b>5. Totals</b>		\$ <input type="text"/>	\$ <input type="text"/>	\$ 115,000.00	\$ 117,927.00	\$ 232,927.00

**SECTION B - BUDGET CATEGORIES**

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	Drought Contingency Planning				
a. Personnel	\$ 61,672.00	\$	\$	\$	\$ 61,672.00
b. Fringe Benefits	46,254.00				46,254.00
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual	125,000.00				125,000.00
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)	232,926.00				\$ 232,926.00
j. Indirect Charges					\$
k. TOTALS (sum of 6i and 6j)	\$ 232,926.00	\$	\$	\$	\$ 232,926.00
7. Program Income	\$ 0.00	\$	\$	\$	\$

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Prescribed by OMB (Circular A -102) Page 1A

**SECTION C - NON-FEDERAL RESOURCES**

(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	Drought Contingency Planning	\$ 117,927.00	\$	\$	\$ 117,927.00
9.					
10.					
11.					
<b>12. TOTAL (sum of lines 8-11)</b>		\$ 117,927.00	\$	\$	\$ 117,927.00

**SECTION D - FORECASTED CASH NEEDS**

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 115,000.00	\$ 28,750.00	\$ 28,750.00	\$ 28,750.00	\$ 28,750.00
14. Non-Federal	\$ 117,927.00	\$ 29,482.00	\$ 29,482.00	\$ 29,482.00	\$ 29,481.00
<b>15. TOTAL (sum of lines 13 and 14)</b>	\$ 232,927.00	\$ 58,232.00	\$ 58,232.00	\$ 58,232.00	\$ 58,231.00

**SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT**

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b)First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
<b>20. TOTAL (sum of lines 16 - 19)</b>	\$	\$	\$	\$

**SECTION F - OTHER BUDGET INFORMATION**

21. Direct Charges: 232927	22. Indirect Charges: 0
23. Remarks:	



# Elsinore Valley Municipal Water District

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## *Drought Contingency Plan*

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## **WaterSMART: Drought Contingency Planning Grant**

**PREPARED FOR:**

Bureau of Reclamation  
Acquisitions Operations Group  
Attn: Ms. Irene M. Hoiby  
Denver Federal Center  
6th Avenue and Kipling Street  
Denver, CO 80225

**PREPARED BY:**

Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530  
951-674-3146  
John Vega, General Manager

June 25, 2015

Elsinore Valley Municipal Water District  
WaterSMART: Drought Contingency Planning Grant



The Elsinore Valley Municipal Water District Board of Directors will approve the application for the WaterSMART: Drought Contingency Planning on July 9, 2015.

Phil Williams, President ▪ Harvey K. Ryan, Vice President ▪ Andy Morris, Treasurer  
George Cambero, Director ▪ Nancy Horton, Director

John Vega, General Manager

Elsinore Valley Municipal Water District  
WaterSMART: Drought Contingency Planning Grant



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Standard Form 424 B Assurances (Non-construction Program).....Under Separate Cover

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## 1. TECHNICAL PROPOSAL AND EVALUATION CRITERIA

### A. Executive Summary

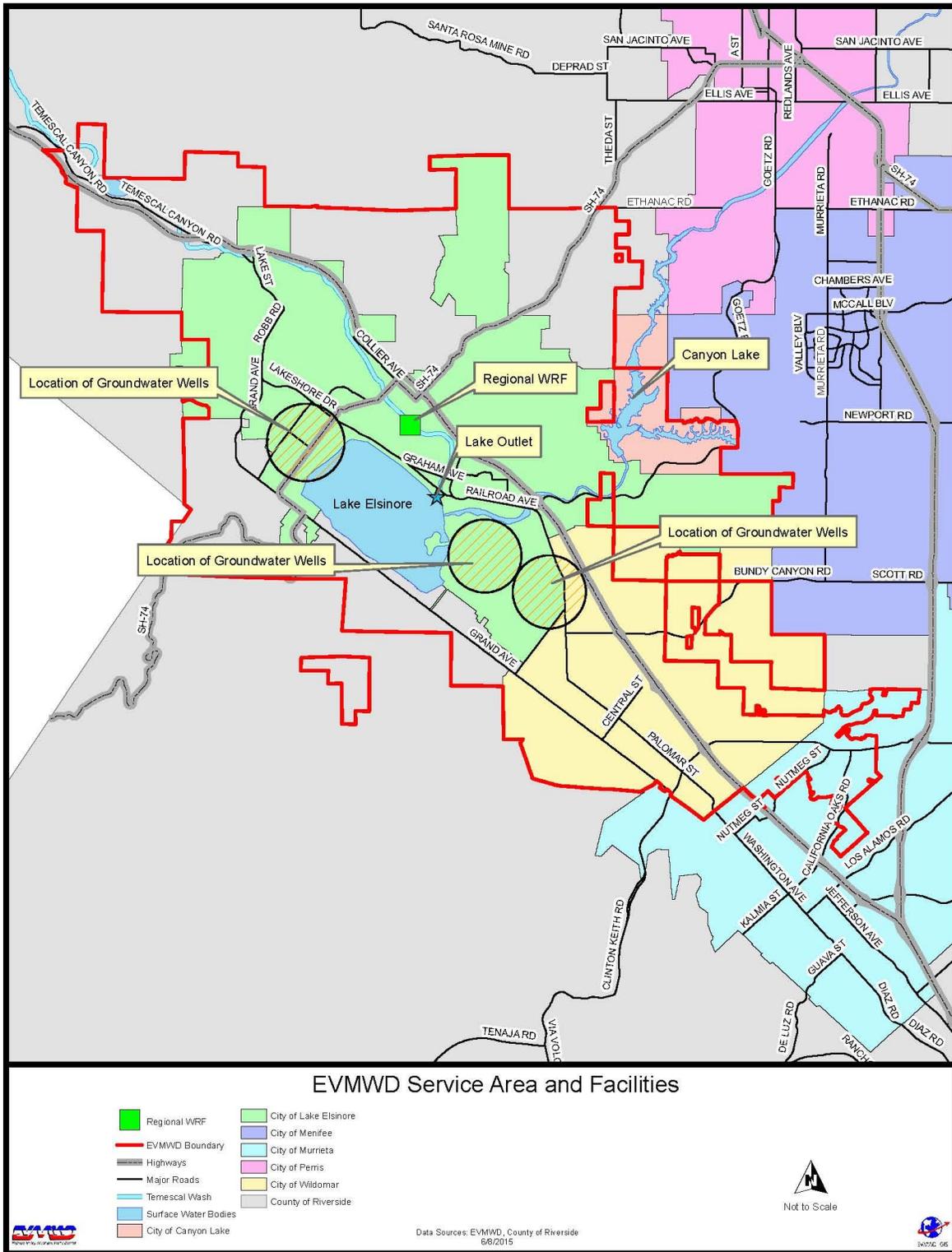
**Date:** June 25, 2015  
**Applicant Name:** Elsinore Valley Municipal Water District  
**City:** Lake Elsinore  
**County:** Riverside County  
**State:** California

Elsinore Valley Municipal Water District (EVMWD) proposes to develop a Drought Contingency Plan. The Plan will build off of the District's previous drought planning efforts as identified in the recently adopted Ordinance 225. The Plan will include, but not be limited to, the six required elements for 1) Drought Monitoring; 2) Vulnerability Assessment; 3) Mitigation Actions; 4) Response Actions; 5) Operational and Administrative Framework; and 6) Plan Update Process. The total Project cost is estimated at \$232,927. EVMWD is requesting \$115,000 (49%) from the Bureau of Reclamation, with the District contributing \$117,927 (51%). The planning process is anticipated to take approximately 12-18 months to complete upon execution of a grant agreement (expected by September 2015). It is estimated that all work will be completed by first quarter 2017, assuming an October 1, 2015 start date.

The geographic area of the proposed Drought Contingency Plan resides within the Santa Ana River Watershed, Southern California's largest watershed covering nearly 3,000 square miles and home to more than six million people. In 2012, the Bureau of Reclamation completed the Santa Ana River Watershed Basin Study in collaboration with Santa Ana Watershed Project Authority (SAWPA). The purpose of the Study was to refine the region's water projection and identify potential adaptation strategies in light of potential climate change. The EVMWD Drought Contingency Planning effort will utilize the existing study and provide further benefit to the Santa Ana River Watershed Basin.

Elsinore Valley Municipal Water District  
 WaterSMART: Drought Contingency Planning Grant

**Exhibit 1**  
**EVMWD Service Area and Facilities**



## B. Background Data

Elsinore Valley Municipal Water District (EVMWD) serves a 96-square-mile area in Riverside County along the eastern foothills of the Santa Ana Mountains. It is made up of two divisions: Elsinore and Temescal. Elsinore serves the vast majority of the area while Temescal is isolated to the northwest and covers only 2.5 square miles. Total areas served include the Cities of Lake Elsinore, Canyon Lake, Wildomar, Murrieta, and pockets of unincorporated areas including the Farm, Cleveland Ranch, Meadowbrook, Lakeland Village, Rancho Capistrano – El Cariso Village, Horsethief Canyon, and Temescal Canyon. The District is a sub-agency of the Western Municipal Water District, which is a member agency of the Metropolitan Water District of Southern California. See Exhibit 1 on page 2 for details of District Service area. EVMWD has water rights to the Elsinore Groundwater Basin through historical pumping of municipal water wells. EVMWD also has surface water run-off rights to Canyon Lake, and capacity rights to two imported water connections.



Figure 1. Lake Elsinore is a large landmark within EVMWD's service area. While not a source of surface drinking water, it is an important recreational lake for area residents and an instrumental tourism location for the region.

According to 2015 billing data, EVMWD serves a population of over 146,000 with 44,415 potable and reclaimed service connections and has an average annual potable and reclaimed demand of approximately 29,400 AFY. Approximately 25 percent of EVMWD's current water supply comes from local groundwater sources, 10 percent from local surface water supply, and the remaining 65 percent includes both treated and raw imported water supplied by the Metropolitan Water District of Southern California (MWD). EVMWD's supplies from MWD include water from the Colorado River via the Colorado River Aqueduct (CRA) (a Federal water source), and water from Northern California via the State Water Project (SWP).

EVMWD currently produces approximately 7,500 AFY of recycled water, which is used for landscape irrigation and for the purposes of environmental enhancement. Water levels in Lake Elsinore, a key natural and economic resource for the local community, are maintained by discharging tertiary treated recycled water into the lake. In addition, riparian habitat along the Temescal Wash is sustained by maintaining a steady discharge of tertiary treated recycled water along the wash.

Elsinore Valley Municipal Water District  
WaterSMART: Drought Contingency Planning Grant

The residential market comprises approximately 94 percent of EVMWD connections and almost 75 percent of demand. Landscape customers are the next largest group with only two percent of connections, but with almost 15 percent of demand. Commercial, industrial, institutional and reclaimed customers make up the remainder of the 10 percent water market demand. According to the 2015 EVMWD Master Plan Update, the population within the EVMWD service area is anticipated to grow by almost 50 percent over the next 25 years, from 149,600 in 2015 to 221,100 in 2035. Please see Figure 2 for more details.

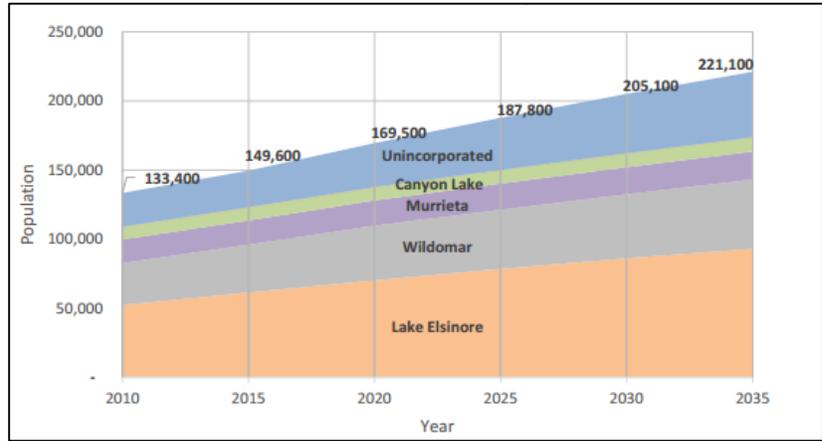


Figure 2. Population Projections for the EVMWD Service Area.

The significant increase in population is expected to almost double potable water demand by 2035. Please see Table 1 below:

Table 1						
Total Water Use Forecasts Acre-feet Per Year (AFY)*						
	2010	2015	2020	2025	2030	2035
<b>Total</b>	<b>25,837</b>	<b>29,400</b>	<b>34,400</b>	<b>38,900</b>	<b>43,300</b>	<b>47,400</b>
<i>*Source: EVMWD Master Plan Update. MWH. 2015.</i>						

In the face of the continuing drought and expected significant population growth, development of additional conservation methods and drought contingency measures are critical in supporting the viability of the area in the future.

**Past History with Reclamation.** As noted earlier, EVMWD imports on average approximately 65 percent of its water from the Colorado River and the State Water Project (SWP) through purchases from Eastern and Western Municipal Water Districts. Additionally, in 1985, the EVMWD Board entered into an agreement with the U.S. Bureau of Reclamation for a \$39.6 million loan for Lake Stabilization that later was known as the Lake Management Project. EVMWD has continued to build relationships with the Southern California Area Office (SCAO) of the Bureau of Reclamation to discuss partnerships on upcoming projects, and was recently awarded funding through the SCAO Water Conservation Field Services Program to develop a hot water recirculation system rebate program. While the nationwide economic downturn affected EVMWD in 2011, the District continues to work toward developing a local match that is committed and available for funding a Title XVI project in the near future. In fact, the District was just recently awarded a Title XVI Program Feasibility Studies grant to support a study for indirect potable reuse.

### C. Technical Project Description

Elsinore Valley Municipal Water District (EVMWD) proposes to develop a Drought Contingency Plan (Task A). The planning effort will build upon the District’s Water Shortage Ordinance No. 225, which was drafted and updated for consistency with Metropolitan Water District of Southern California’s Water Surplus and Drought Management Plan and Western Municipal Water District’s Water Shortage Contingency Plan. As part of the planning process, EVMWD will explore the availability and quality of existing data and models to help develop the proposed plan. Specific activities are as follows:

#### Task 1: Drought Monitoring

Task 1 will establish a process for monitoring near- and long-term water availability, and a framework for predicting the probability of future droughts or confirming an existing drought including but not limited to the following criteria (Table 2).

<b>TABLE 2 Drought Monitoring Plan</b>		
<b>Contributing Criteria</b>	<b>Metric</b>	<b>Source of Data</b>
Projected Population	-Residents -Businesses -Visitors/Tourists	-Voter Registration
Water Supply Availability	-Ground Water -Wells -Snowpack -River and Lake Levels	-CA.gov daily summaries -EVMWD daily summaries - SWP Reliability Reports - CRA Reliability Reports
Daily Water Demands	-Trends and forecasts	-EVMWD daily summaries
Rate of Decline of Reservoir Storage	-Water Levels in SWP system Water Levels in Lake Elsinore Water Levels in Canyon Lake	-CA.gov daily summaries -EVMWD daily summaries
Weather Forecasts	-Short-term forecasts -Long-term forecasts	-National Weather Service -NOAA
Projected Climate Changes	-Rainfall -Temperature	-NOAA -Cal-Adapt.org forecasts
Ranching	-Acreage and use -Livestock	-Livestock Permits

An EVMWD Drought Task Force has already been developed to communicate drought information, assist with planning, inform the public, and monitor the water supply. The Task Force, along with a contracted expert drought consultant, will be responsible for collecting the data from all available sources (including our existing Water Shortage Contingency Plan Ordinance No. 225) that will be used to predict or confirm droughts, including identifying metrics and triggers that will be used to define the different stages of drought, the levels of severity, and the mitigation or response actions to be employed for each stage including residential, industrial, and agricultural water users.

## **Task 2: Vulnerability Assessment**

Task 2 will evaluate the risks and impacts of drought to critical resources within the planning area and the factors contributing to those risks based on a range of future conditions, including the effects of climate change. Potential mitigation and response actions will be based upon the results of the vulnerability assessment.

*Subtask 2.1:* Develop and define possible impacts of drought including frequency and magnitude on area by effects of projected climate change and predicted trends using software created for interactive and predictive summaries such as [www.Cal-Adapt.org](http://www.Cal-Adapt.org) designed by The California Energy Commission. The Consultant/Task Force will evaluate the impacts of climate change on EVMWD's water supplies and will quantify the impacts for averages, dry-years, and multiple dry-years. They will also assess the impacts to Lake Elsinore and Canyon Lake identified by Dr. Michael Anderson including reduced lake levels and water quality, reduced oxygen levels due to toxic algae blooms, and extreme fish kills.

*Subtask 2.2:* Identify all groups and subgroups that will be affected by drought including Water Users (residents, visitors, livestock, and wildlife), Green Spaces (parks, nature preserves, landscaping, sports fields), Rivers and Lakes (water levels, water quality, and aquatic life), and Forage Food Availability (livestock, wildlife, and aquatic life). Identify all possible effects of drought on all groups and subgroups including but not limited to importing (at higher cost) drinking water, higher energy used to convey water during a drought, restrictions of water usage for residential, agricultural, and industrial use, loss of green spaces, limitations on water for livestock, wildlife for drinking and forage food supply, river and lake level depletions resulting in less access, lower property values, the future of threatened and endangered species, toxic algae blooms, and aquatic life kill-off.

*Subtask 2.3:* Create "worst case" scenario formulas for all groups and subgroups that will be affected by drought to be used in creating mitigation and response actions.

## **Task 3: Mitigation Actions**

Task 3 will identify, evaluate, and prioritize mitigation actions and activities that will address potential risks and impacts that will build long-term resiliency to drought and that will mitigate the risks posed by drought. These preemptive drought actions and activities are intended to decrease vulnerabilities and reduce the need for response actions and are aimed mainly at infrastructure improvements, education, and communication.

*Subtask 3.1:* Identify and implement infrastructure improvements and upgrades including pipelines and water supply buffers and transfer avenues, finding and fixing leaks, upgrading water storage and treatment facilities, and upgrades to precise metering. We will identify actions to maximize local water supplies and implement new local supplies that are more reliable during a drought than imported water including a plan to implement 4,000 AFY of new local supplies, the use of recycled water (through our Indirect Potable Reuse Feasibility Study), and the expansion of the Conjunctive Use Program for dry-year storage.

*Subtask 3.2:* Create and nurture reciprocal and supportive relationships with stakeholder and water user developing and encouraging an open line of communication. Our goal is to have established relationships that streamline quick and effective communications if response actions are necessary and time is of the essence.

*Subtask 3.3:* Continue to develop conservation and ecology education for all residents, businesses, and visitors. The plan will develop additional drought education through social media, press conferences, newsletters, ecology and conservation curriculum in schools and through field trips at nature preserves to enlist public support and dedication to ending drought vulnerability before drought can occur. We are currently working closely with our customers in a constant and open dialogue based on water usage analytics concerning Advanced Metering Infrastructure (AMI) and have a landscape ordinance in effect to reduce water usage and the effects of drought in our community.

**Task 4: Response Actions**

Task 4 will identify and create actions and activities to employ during the event of a drought to reduce drought impacts on our projected area and incorporate the actions identified in the Water Shortage Contingency Plan (Ordinance No. 225). These actions are linked directly to and are triggered by the Stages identified during Task 1. Actions will be identified that will be easy to quickly implement and will produce results that decrease the severity of drought and manage the available water supply during drought. Response Actions will depend greatly on the successful completion of Tasks 1-3.

*Subtask 4.1:* The Consultant/Task Force will review data collected and identified during Task 1 and create specific actions in response to the Stages of Drought including water use restrictions for residential, industrial, and agricultural water use, and fines and fees for non-compliance at each defined stage.

*Subtask 4.2:* Create procedures and action list for all available water sources, how and when to access them during drought conditions, and who will have access to sources including groundwater, recycled water, wells, lake and river water, aquifers, reservoirs, and imported water.

*Subtask 4.3:* Employ well-established communication avenues using social media, press conferences, newsletter as to what next steps ensure the quickest implementation of action.

**Task 5: Operational and Administrative Framework**

Task 5 will create an operational and administrative framework to identify individuals or taskforce responsible for undertaking the actions necessary to implement each element of the plan. An example of the plan could include the following as outlined in Table 3:

<b>TABLE 3</b>	
<b>Operational &amp; Administrative Framework</b>	
<b>Role</b>	<b>Responsibilities (Task Force/Drought Consultant)</b>
<b>Drought Monitoring</b>	Data Collection
	Task Force Meetings and Feedback
	Identification of Stages of Drought
<b>Vulnerability Assessment</b>	Data Collection
	Climate Change Assessment
	Create "Worst Case" Scenario Assessment
<b>Mitigation Actions</b>	Create and Identify Actions
	Infrastructure Improvements
	Relationships with stakeholder

Elsinore Valley Municipal Water District  
WaterSMART: Drought Contingency Planning Grant

<b>TABLE 3</b>	
<b>Operational &amp; Administrative Framework</b>	
<b>Role</b>	<b>Responsibilities (Task Force/Drought Consultant)</b>
	Educational Development and Communication
	Initiate Mitigation Actions
<b>Response Actions</b>	Create and Identify Actions, Stages, and Fines
	Relationship, Education, and Communication with stakeholders and public
	Initiate Response Actions
	Emergency Response Actions
<b>Plan Update</b>	Create Plan Update Process
	Drought Simulations
	Create Study/Report after a drought

**Task 6: Plan Update Process**

Task 6 will create a Plan Update Process and schedule to monitor, evaluate, and update the plan in an effort to keep the plan flexible and amended when unforeseen situations arise, new legislation is created, or new technology becomes available. We will use drought simulations and plan evaluations after drought.

*Task 6.1:* Create drought condition simulation yearly based on current water data assessments and climate change prediction software or tools such as [www.Cal-Adapt.org](http://www.Cal-Adapt.org) to test the plan’s effectiveness.

*Task 6.2:* Employ a study and generate a report of the plan after its use in drought conditions to identify areas of improvement or neglect within the plan for next use if needed.

**D. Evaluation Criteria**

**1. Evaluation Criterion A – Need for a Drought Contingency Plan or Plan Update. (40 pts)**

EVMWD need for a Drought Contingency Plan is great. The District faces a number of challenges stemming from its reliance on imported water, with uncertain long-term reliability issues associated with drought shortages, climate change, seismic events, environmental flow restrictions in the Sacramento-San Joaquin Delta (Delta), which is the area of pumping origin for the SWP, and salinity of Colorado River supplies. We also face a potential financial challenge because of the necessary investments being made by Metropolitan Water District to improve supply and system reliability. Imported water costs are expected to increase significantly into the foreseeable future.

EVMWD’s local groundwater resources are also constrained and pumping is restricted to the safe-yield of the basin to arrest declining groundwater levels. Groundwater is also contaminated by the presence of arsenic which poses operational constraints. Regulatory challenges to protect the water quality objectives of the groundwater basins limit the use of existing supply sources and can potentially require the construction of expensive desalination facilities.

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Most importantly, with California facing one of the most severe droughts on record, Governor Brown declared a drought State of Emergency in January 2015 and directed state officials to take all necessary actions to prepare for water shortages. As a result, EVMWD has taken a number of steps to reduce water use already, including implementing a water conservation program that achieved a 30 percent reduction; instituting a Landscape Ordinance to eliminate turf in new developments; maximizing reuse with 100 percent of recycled water being used for landscape irrigation and environmental enhancement; and reducing reliance on imported water by 16 percent by implementing a deep injection aquifer storage and recovery project. Despite the significant savings already achieved, on April 28, 2015, the State Water Resources Control Board revised the apportionment of water reductions, requiring EVMWD to reduce water use an additional 28 percent. The need for the development of a Drought Contingency Plan is overwhelming. The DCP will allow the District to proactively offset the direct impacts that past and current droughts conditions have left us to deal with and thwart negative future drought impacts.

**Describe existing or potential drought conditions to be addressed in the Drought Contingency Plan.**

The years 2012-1015 have been the driest in California’s recorded history. The State’s two largest reservoirs, Lake Shasta and Lake Oroville, are both at 57% of their historical levels. As of

March 2015, California’s snow pack is at 5% of its normal average. With climate changes, we can expect more rain, less snow, temperature increases, early snow melt (meaning less water during the summer), and a projected 25% loss of snow pack (which currently provides one-third of all of California’s water by replenishing aquifers) by 2050. Climate change is linked to California’s drought in two mechanisms: rising temperatures and changing atmospheric patterns conducive to less rainfall. The Executive Director of Climate Nexus, Jeff Nesbit, notes that record-breaking temperatures have fueled the drought by evaporating critical snowpack, converting snow to rain, and drying out soil. A new climate change analysis states that:

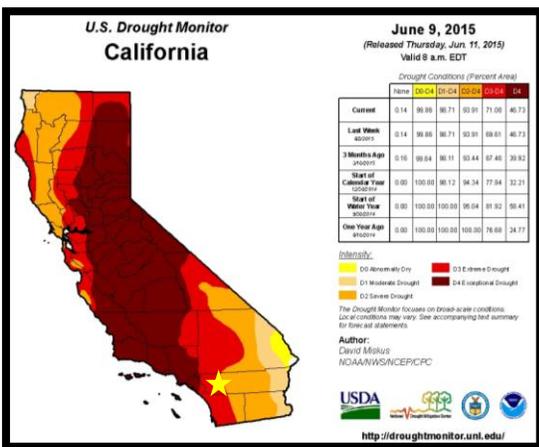


Figure 3. EVMWD is located in an Extreme Drought Zone.

Global warming and the associated rise in extreme temperatures substantially increase the chance of concurrent droughts and heat waves. The 2014 California drought is an archetype of an event characterized by not only low precipitation but also extreme high temperatures. From the raging wildfires, to record low

storage levels and snowpack conditions, the impacts of this event can be felt throughout California.<sup>1</sup>

**Describe the severity of the risks to water supplies that will be addressed in the Drought Contingency Plan.**

There are numerous risks to water supplies in the applicable geographic area that will be addressed in our drought contingency plan including, but not limited to, impacts to: 1) Water supplies, 2) drinking water availability and quality; 3) Ecology (less rainfall, higher temperatures, snow pack supplies, and flash flooding); 4) environment (endangered or threatened species of animals and plants, green spaces, parks and reserves); 5) ranching; 6) recreation and tourism (Lake Elsinore and Canyon Lake); and 7) Economy (businesses and property values). EVMWD is currently recognizing a Stage 4a Drought Alert for all EVMWD customers with Stage 4a water use restrictions in effect with stiff fines (up to \$500 per citation) for non-compliance. Stage 4a (out of 5 possible stages) constitutes critical conditions with a high level of water shortage for our customers. Identifying these risks and developing a comprehensive and user-friendly yet flexible drought contingency plan will better help us manage the effects of drought and will ensure that we have the resources we need now and in the future.

**Water Supplies.** EVMWD's water supply is a blend of local groundwater, surface water from Railroad Canyon Reservoir (Canyon Lake), and imported water. On average, over 65 percent of our supply is imported. Annual water production in the Elsinore Division is about 27,000 acre-feet. The Colorado River Aqueduct and State Water Project provide most of southern California's water supply. EVMWD imports treated, disinfected water from Lake Skinner and Lake Mathews, located in Temecula and Riverside, respectively. Both treatment facilities are operated by the MWD. The Elsinore division has ten active municipal wells that provide quality drinking water from a deep aquifer. Several additional wells are planned. Groundwater is disinfected with chlorine and chloramines at the wellhead and represents 20-25 percent of total drinking water supply for the District. EVMWD's Temescal Division was acquired in 1989 when the district purchased the Temescal Water Company. Residential customers are served from domestic wells in the Coldwater Basin. Agricultural customers in the Temescal Valley receive water from the Temescal Valley basin, and surface water from Lee Lake, which is fed by the Temescal Wash. Annual water production for this division ranges from approximately 6,000 to 7,000 acre-feet. EVMWD owns Canyon Lake, which impounds local runoff from the 750 square mile San Jacinto River watershed. Canyon Lake holds nearly 12,000 acre-feet of water behind Railroad Canyon Dam. As mentioned above, EVMWD's service area is in Stage 4A of Drought and are under a State Mandate to reduce water usage.

Prior to the recently passed Sustainable Groundwater Management Act, EVMWD adopted an AB 3030 Groundwater Management Plan for the Elsinore Basin and implemented a successful

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<sup>1</sup> <http://onlinelibrary.wiley.com/doi/10.1002/2014GL062308/abstract>

deep injection aquifer storage and recovery (ASR) project which helped EVMWD reduce its imported water supplies from the State Water Project and the Colorado River by 16 percent in 2014. EVMWD's program will achieve similar reductions in 2015 and 2016.

Recent dry years and droughts have sparked interest in recycled water and desalination projects as cost-effective ways of sustaining water resources and cutting down on the need for costly imported drinking water. Currently more than 27,000 acre-feet of recycled water are used throughout Riverside County each year to irrigate crops, golf courses, fishing lakes, landscape irrigation and wetlands enhancement. Recycled water is an affordable and reliable resource and will play a significant role in Lake Elsinore's future. Long plagued with severe seasonal evaporation losses, Lake Elsinore is a natural recreational lake that annually loses 14,000-acre feet of water to evaporation. In January 2002, the Regional Water Quality Control Board granted EVMWD a permit to discharge recycled water via its Regional Wastewater Treatment Plant into Lake Elsinore for two years under a pilot project to research the effects of recycled water on the lake—the treatment plant already discharges four million gallons of tertiary treated water a day into the Temescal Creek.

**Drinking Water Availability and Quality.** Drought conditions in Elsinore Valley bring concerns about drinking water availability and quality and its effects on our customers and resident's health and well-being. Lack of water along with flash flooding when it does rain, erosion, and high temperatures encourage bacterial growth and higher concentrations of harmful materials in available water. According to the 2012 Annual Compliance Report from the California Department of Public Health Division of Drinking Water and Environmental Management, the County of Riverside has a total of 16 Maximum Contaminant Level (MCL) Violations for Arsenic in a total of five water systems. Arsenic is a mineral known to cause cancer in humans at high concentration and is linked to other health effects such as skin damage and circulatory problems. Some people may be more vulnerable to contaminants in drinking water than the general public. Those who may be particularly at risk include cancer patients, organ transplant recipients, people with HIV-AIDS or other immune system disorders, as well as some elderly individuals and infants (EVMWD 2012 Water Quality Report).

**Ecology.** Climatic changes due in part to El Nino and La Nina weather conditions, rising sea levels, rising temperatures and less rainfall resulting in drought for Southern California are drastically affecting our community and putting our water supplies at risk. In December 2014, Daniel Griffin and Kevin Anchukaitis published their Paleoclimate research in regards to the current California drought citing low rainfall and record high temperatures as direct result:

For the past three years (2012–2014), California has experienced the most severe drought conditions in its last century. But how unusual is this event? Here we use two paleoclimate reconstructions of drought and precipitation for Central and Southern California to place this current event in the context of the last millennium. We demonstrate that while 3-year periods of persistent below-average soil moisture are not uncommon, **the current event is the most severe drought in the last 1200**

**years, with single year (2014) and accumulated moisture deficits worse than any previous continuous span of dry years.** Tree ring chronologies extended through the 2014 growing season reveal that precipitation during the drought has been anomalously low but not outside the range of natural variability. The current California drought is exceptionally severe in the context of at least the last millennium and is driven by reduced though not unprecedented precipitation and record high temperatures.<sup>2</sup>

Historically, snow pack supplies California with up to a third of its annual water from spring melt. Due to climate changes including less annual rainfall and higher temperatures snow pack are significantly smaller and melt earlier affecting the overall amount of water to replenish aquifers and in particular the amount of water available for the hotter summer months. In April 2015, the California Department of Water Resources stated that “California set a new ‘low water’ mark today with its early-April snowpack measurement.” The statewide electronic reading of the snowpack's water content stood at 5 percent of the April 1st average. Today's content was only 1.4 inches, or 5 percent of the 28-inch average. The lowest previous reading since 1950 was 25 percent of average, so Water Year 2015 is the driest yet. Prolonged drought can magnify the chance of flash flooding when rain fall does occur because of the severe drying of the land. Storms in arid regions can deliver a large amount of water in a very short time often falling on poorly absorbent and often clay-like soil, which greatly increase the amount of runoff.

“We’re standing on grass and we should be standing in five feet of snow. We’re in an historic drought, and that demands unprecedented action.”

- Governor Edmund G. Brown Jr.

**Environment.** Elsinore Valley is located in the County of Riverside made up of 16 distinct biotic habitats with an abundant amount of flora and fauna including Chaparral, Riversidian Sage Scrub, Coast Live Oak Woodland, Southern Willow Scrub, Coastal and Valley Freshwater Marsh, Vernal Pool, and Open Water/Reservoir/Pond, to name a few. California provides habitats to over 300 threatened or endangered species. The 2011, the City of Lake Elsinore General Plan listed a total of 19 plants and 36 animals within the Elsinore Valley area habitats that are given “special status” designation “because they are unique, have relatively limited distribution in the region, or have high wildlife value as defined by federal, state, and local government conservation programs. There are several federally and state recognized threatened or endangered species specifically present in the Elsinore Valley and County of Riverside including but not limited to the Delta Smelt, the **Stephen’s Kangaroo Rat** (Elsinore Valley and Lake Elsinore), the **Dessert Slender Salamander** (Western Riverside County), **San Jacinto Valley Crownscale** (Elsinore Valley at Upper Salt Creek and Alberhill Creek), and the **Delta Smelt** (Sacramento-San Joaquin River Delta) whose futures are directly linked to the availability of water for survival. If we are not proactive in the conservation of our water we will not have enough available in the future to support the lives that are already at risk, much less ensure the future and diversity of all wildlife.

<sup>2</sup> <http://onlinelibrary.wiley.com/doi/10.1002/2014GL062433/full>.

We have a duty to protect all wildlife in our community not just those that are threatened or endangered. Lake Elsinore is a permanent and seasonal home to a wide variety of waterfowl and is a stop on the Pacific Flyway for migrating birds travelling from Alaska to South America. Lake Elsinore has also seen an increase in algae growth as the lake's water levels decline as a result of the current drought conditions adversely affecting the aquatic life by depleting normal oxygen levels in the lake. Studies performed by Dr. Michael Anderson of the University of California –Riverside determined 1,240 feet is the lowest elevation for optimum health of Lake Elsinore, at which point the shallow lake's maximum depth is between 20 to 30 feet. Continued drought could have extreme impacts including extreme fish kills and toxic algae blooms.

**Ranching.** There are 399 listed horse ranches within 25 miles of Lake Elsinore. According to Stephanie Larson, Livestock and Range Management Advisor for the University of California Cooperative Extension, on average, a horse will require 1,000 pounds of forage per month, or six tons of hay on a yearly basis. Depending on the management of the pastures, an acre of irrigated pasture can produce enough forage for one horse in a year. An acre of irrigated pasture will require approximately 800,000 to one million gallons of water.

**Recreation and Tourism.** The Elsinore Valley is a booming tourism and recreation area with boating, swimming, hang gliding, water skiing, jet skiing, golfing, fishing, hiking, biking, shopping, ecology education, and camping. Lake Elsinore and Canyon Lake are dependent upon EVMWD for maintaining lake water levels and thus tourism revenue is closely linked to the availability of water. Lake Elsinore has seen a decline in revenue due to the effects of drought and its encouragement of toxic algae blooms. The City has waived the entrances fees for lake access over the past four years to lure people to the lake to aide in oxygenation and aeration improving water quality for the lake's aquatic life.

**Economy.** Elsinore Valley's economy is very closely tied to the amount of available water and the need for conservation. The EVMWD proposed drought contingency plan area contains over 10,000 businesses many of which are directly associated with tourism and recreation. The Links at Summerly Golf Course appears to be in terrible condition and it will be hard to convince customers to come back. The Federal Receiver for Summerly says, "the availability and cost of water necessary to irrigate and maintain the golf course are major concerns that affect the viability of operations moving forward."<sup>3</sup> If water availability is limited or denied for maintenance of lake water levels, we will see a drastic decline in property values for lake access in Canyon Lake and Lake Elsinore.

**Describe the status of any existing Drought Contingency Plan.**

The District does not currently have a Drought Contingency Plan as outlined by the Bureau of Reclamation. However, EVMWD has developed a Water Shortage Contingency Plan (WSCP) (Ordinance 225) that is an update of previous ordinances, and is aimed at water conservation,

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<sup>3</sup> <http://patch.com/california/lakeelsinore-wildomar/saleagain-links-summerly-golf-course>.

as well as drought and water shortage management. Ordinance No. 225 declares drought Stage 4a. The intent of this stage and the related sub-stages is to strategically reduce the demand for water through targeted outdoor reduction actions. The implementation of Stage 4a allows EVMWD to choose to implement a temporary drought rate and a temporary drought penalty to achieve water conservation. Prohibitions and water waste fines are also detailed in the WSCP Ordinance No. 225. These current efforts will be used as a basis for the development of a comprehensive plan that will help better anticipate needs and projects that will be actionable for municipal, agricultural, industrial, and environmental interests. A copy of Ordinance 225 is included in Appendix B.

**Evaluation Criterion B – Diversity of Stakeholders (35 points)**

EVMWD has already contacted several diverse entities with mutual concerns of water conservation and the need for a Drought Contingency Plan in the designated area. These include the City of Lake Elsinore, the City of Canyon Lake, the City of Wildomar, the City of Murrieta, the Chambers of Commerce for each city, the Lake Elsinore Unified School District, the Links at Summerly Golf Course, and Kevin Jeffries representing the Riverside County Board of Supervisors. These diverse stakeholders represent over 136,000 resident water users, over 10,000 businesses including tourism and recreation, 23 school campuses, and the larger County of Riverside. We will encourage an open and reciprocal relationship with our stakeholder through all aspects of the creation and implementation of a Drought Contingency Plan. We will hold several stakeholder meetings (listed in the table below) to inform and receive feedback on all aspects of the process. Our stakeholders have shown a commitment to supporting a plan, complying with regulations, contributing feedback if necessary, and helping to educate all our residents, businesses, and visitors on water conservation and ecology to preempt drought before it can have drastic effects on our community. We also look forward to identifying any other stakeholders as we proceed in developing our plan and the feedback they may contribute. Specifics for each stakeholder are as follows:

**Western Municipal Water District.** Western is a wholesaler of imported water to EVMWD and other districts, in addition to its retail business stretching 527-square miles in western Riverside County with a population of more than 880,000 people. This regional area includes the cities of Corona, Norco and Riverside and the water agencies serving Box Springs, Eagle Valley, Lake Elsinore, Lee Lake and Temecula. WMWD will participate in planning meetings as needed.

**County of Riverside.** EVMWD serves a 96-square-mile area in Riverside County along the eastern foothills of the Santa Ana Mountains. County Board of Supervisors, Kevin Jeffries, is an avid supporter of EVMWD. The County will participate in planning meetings as needed.

**City of Lake Elsinore.** EVMWD services the entire City of Lake Elsinore (population 53,024) and works cooperatively with the City to manage the Lake Elsinore water levels. The City will participate as a major stakeholder in planning meetings.

**City of Canyon Lake.** Canyon Lake is a major surface water source for EVMWD. The Lake also provides recreational opportunities for the 10,647 residents in that City. They are committed to being an active participant in planning meetings.

**City of Wildomar.** EVMWD services a large portion of the City with water for their parks and green spaces. With 51,821 residents, the City is a mix of mature homes with acreage for horses along with smaller housing tracts. The City will participate in stakeholder planning meetings.

**City of Murrieta.** While EVMWD services only a small portion of Murrieta's 107,479 residents, the City stands ready to participate as requested in upcoming planning meetings.

**Lake Elsinore Unified School District.** EVMWD services the entire Lake Elsinore Unified School District (LEUSD) of 23 school campuses with potable water to maintain green spaces including landscaping, and athletic and sports fields. Resource conservation and ecology are already part of LEUSD's cumulative curriculum, and they will incorporate the educational elements of a drought contingency plan to inform students and their families of the importance of water conservation for the future.

**Chamber of Commerce (Lake Elsinore, Canyon Lake, Murrieta, and Wildomar).** The Chamber of commerce membership rosters include representatives from all sectors of the business community who play an active role in community events, preservation and conservation programs. As of 2015, Governor Jerry Brown has imposed mandatory restrictions on California businesses including a reduction of water usage by 25%, serving water only by request in restaurants, and providing laundry only by request in hotels. The Chamber of Commerce is a leading source of information for local businesses and encourages the educational aspects of a drought contingency plan in informing businesses in water conservation efforts.

**Summerly Golf Course.** Located in the City of Lake Elsinore, Summerly's par-72, 7,000-yard golf course is serviced entirely by potable water from EVMWD. The golf course is committed to working with the District to ensure the availability of water given the consequences of the ongoing drought.

**Congressman Ken Calvert, 42<sup>nd</sup> District.** Congressman Calvert is fully supportive of the District's planning efforts and will help the District as he is able to.

The District recently created the EVMWD Drought Task Force as a partnership between EVMWD and the cities of Murrieta, Lake Elsinore, Wildomar, and Canyon Lake, Lake Elsinore and Murrieta Unified School Districts, and the County of Riverside. The Task force will provide a mechanism for agencies to exchange drought information, discuss issues and solutions, and coordinate response activities related to the drought. Along with an expert drought consultant, the Task Force will coordinate with other relevant regional and statewide agencies and efforts including the Metropolitan Water District of Southern California, State Water Resources Control Board, and the Inland Empire Coalition of Water Agencies. On June 8, 2015 we had our first

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meeting to discuss water use efficiency and what actions the cities and school district can employ to help mitigate drought effects and streamline communications between stakeholders. Future meetings and activities are identified below in Table 4:

<b>TABLE 4</b>	
<b>Draft Action Plan for Collaboration and Plan Development</b>	
<b>Meeting</b>	<b>Agenda/Topics/Activities</b>
1 June 8, 2015	-Regional Drought Task Force -Discuss water use efficiency and drought mitigation actions for stakeholders -Streamline communication between EVMWD and stakeholders -Next steps/Next meeting
2	-Feedback on Existing Ordinances -Drought Consultant -Input on BOR 6 required DCP elements -Next Steps
Social Media Launch	-Employ social media: importance of the public’s participation in water conservation
3	-Overview of Drought Monitoring and Vulnerability Assessment and possible remedies -Questions and Feedback
4	-Overview of Mitigation Actions and Response Actions -Questions and Feedback
5	-Overview of Operational and Administrative Framework and Plan Update Process -The use of all feedback in making DCP -The importance of MOU cooperation -Questions and Feedback
6	-Draft Drought Contingency Plan available for stakeholder review and feedback
7	-All comments and feedback due to project management team for incorporation into final Drought Contingency Plan document
8	- Adoption by Board of Directors, as applicable
9	-Announce adoption of Drought Contingency Plan -Remind public about responsibility -Communicate commitment of EVMWD to provide quality water

**Evaluation Criterion C – Project Implementation (20 points)**

EVMWD will address each of the six required elements of the Drought Contingency Plan through a two-pronged approach: 1) by development of a Drought Task Force and; 2) by contracting the services of an experienced drought planning Consultant. EVMWD staff, the Task Force and Drought Consultant will work together to address the required tasks set forth above in the Technical Proposal.

**Drought Task Force.** The overall mission of the EVMWD Drought Task Force is to *“provide a coordinated response to the on-going drought and to achieve consistent implementation of local, regional, and statewide drought regulations and policies”* through land use authorities. The EVMWD Drought Task Force is a partnership between EVMWD and the cities of Murrieta, Lake Elsinore, Wildomar, and Canyon Lake, Lake Elsinore and Murrieta Unified School Districts, and the County of Riverside. The task force will provide a mechanism for agencies to exchange

drought information, discuss issues and solutions, and coordinate response activities related to the drought. The Task Force will coordinate with other relevant regional and statewide agencies and efforts including the Metropolitan Water District of Southern California, State Water Resources Control Board, and the Inland Empire Coalition of Water Agencies.

**Experienced Drought Consultant.** EVMWD will contract with a drought consultant with vast water management experience including achieving and maintaining regulatory compliance, maximizing limited resources and aging infrastructure, and fostering stakeholder collaboration considering engineering, chemistry, hydrogeology, and biology as contributing disciplines. We will consider firms who have experience with water resources, wastewater, recycled water, asset management, energy management, storm water management, ground water, salt and nutrient management, and urban and agricultural water management to collect data and analyses, address issues and solutions, and aid and support EVMWD staff and Task Force in all aspects of drafting a Drought Contingency Plan.

**Available Data/Models.** As part of the planning process, EVMWD will explore the availability and quality of existing data and models to help develop the proposed plan including, but not limited to, the following agencies and climate change models.

*National Integrated Drought Information System's (NIDIS) U. S. Drought Portal:* Models include U. S. Drought Monitor, Crop Moisture Index, HPRCC ACIS Map, Palmer Drought Severity Index, Soil Moisture Percentiles, Standardized Precipitation Index, Hydrological Monitoring, Paleoclimate Data, and Water Quality.

*National Oceanic and Atmospheric Administration (NOAA) and the National Weather Service's Climate Prediction Center:* U. S. Seasonal Drought Outlook based on information collected and analyzed from GIS data, U. S. Weekly Drought Monitor, and Soil Moisture.

*California Energy Commission and UC Berkeley's Cal-Adapt:* collects and collates data from Pacific Institute, Santa Clara University, Scripps Institution of Oceanography, UC Berkeley, UC Merced, and the U. S. Geological Survey to create the following interactive and predictive climate change models: Local Climate Snapshots (for any given location in California), Temperature Maps and Charts (Decade Averages, Degrees of Change, Monthly Averages, and Extreme Heat), Snow Pack Decadal Averages Map, Precipitation Decadal Averages Map, Sea Level Rise Threatened Areas Map, and Wildfire Risk Map.

**Project Schedule.** EVMWD anticipates the planning process will take no longer than 12-18 months to complete. Please see specific tasks and deliverables below in Table 5:

Elsinore Valley Municipal Water District  
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<b>TABLE 5</b>																								
<b>EVMWD Drought Contingency Plan Timeline</b>																								
Task Number		FFY 2015/2016						FFY 2016/2017						Deliverables										
		S	O	N	D	J	F	M	A	M	J	J	A		S	O	N	D	J	F	M	A	M	J
<b>1</b>	<b>Project Launch</b>																							
1.1	Execute Cooperative Agreement (up to 45 days to occur)	■	■																					Executed Cooperative Agreement
1.2	Contract w/Drought Consultant	■	■																					Agreement Executed between EVMWD and Drought Consultant
1.3	Prepare Timeline and Checklist Document	■	■																					Timeline and Checklist Document to Guide Entire Project
1.4	Kick-off Meeting	■	■																					Agenda, Minutes, Sign-in Sheet, Action Item Table
<b>2</b>	<b>Planning Phase (Outreach, Data Collection, and Plan Development)</b>																							
2.1	Develop Communication Strategy	■	■	■																				Communication Strategy Memorandum
2.2	Review Existing Ordinances	■	■	■																				Review existing Ordinances 78, 81, 185, and 225 identifying gaps in existing policies as they relate to BOR Guide-DCP
2.3	Collaboration Meetings	■	■	■	■																			Agenda, Minutes, Sign-in Sheet, Action Item Table
2.4	Press Conferences	■	■	■	■																			Press Releases
2.5	Social Media Launch	■	■	■	■																			Copies of Social Media Launch Pages (Web/Twitter/Facebook)
2.6	Task 1: Drought Monitoring	■	■	■	■																			Climate change and drought prediction data, data analysis, Stages of Drought and regulations
2.7	Task 2: Vulnerability Assessment	■	■	■	■	■																		Vulnerability risks and actions for all groups and subgroups in project area,
2.8	Task 3: Mitigation Actions	■	■	■	■	■	■																	List of actions and projects for drought mitigation, Conservation education, Stakeholders support and commitment to communication
2.9	Task 4: Response Actions	■	■	■	■	■	■	■																Stages of Drought and responses in presence of drought. Fees and fines for non-compliance
2.10	Task 5: Operational and Administrative Framework	■	■	■	■	■	■	■	■															Procedures for what entities are responsible for each task and action of plan
2.11	Task 6: Plan Update Process	■	■	■	■	■	■	■	■	■														Process for evaluating and amending plan
2.12	Develop Final Drought Contingency Plan	■	■	■	■	■	■	■	■	■	■													Submission of Final Drought Contingency Plan
2.13	Submit Final/Adopted Drought Contingency Plan	■	■	■	■	■	■	■	■	■	■	■												Approval of Final Drought Contingency Plan
<b>3</b>	<b>Implementation Phase (Announcement and Deployment)</b>																							
3.1	Stakeholder Meetings	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	Agenda, Minutes, Sign-in Sheet, Action Item Table
3.2	Press Conference: Announcement of Drought Contingency Plan	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	Press Release, Press Conference Video
3.3	Deployment of DCP in accordance with BOR-DCP Guidelines	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	Initial Feedback from stakeholders and residents
<b>4</b>	<b>Plan Update Process</b>																							
4.1	Drought Simulations	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	Simulation summary and evaluation suggestions
4.2	Plan Evaluation Report (after drought conditions if encountered)	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	Evaluation report and suggestions
<b>5</b>	<b>Grant Management</b>																							
5.1	Maintain SAM Registration (annual update requested)	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	SAM Updated via On Line System
5.2	Prepare and Submit Semi-Annual Financial Reports	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	Submitted Financial Reports
5.3	Prepare and Submit Semi-Annual Progress Reports	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	On Time Submitted Semi-Annual Progress Reports
5.4	Prepare and Submit Final Financial and Progress Reports	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	On Time Submitted Final Financial and Progress Reports

**Staff.** EVMWD has an experienced and enthusiastic team of individuals who will lead the efforts of the Task Force and Consultant in data collection and planning, design and writing of the comprehensive Drought Contingency Plan. They will also be responsible for communicating with stakeholders, and deploying the plan. The following job descriptions are intended to present a descriptive list of the range of duties performed and not to reflect all duties performed with the job.

**Greg Morrison, Director of Legislative & Community Affairs.** Plans, directs, manages, and oversees the functions, programs, and operations of the Legislative and Community Affairs Department including public relations and government relations services and activities. Serves as District spokesperson on legislative and intergovernmental relations issues; coordinates state and federal legislative issues including formulating policy and legislative positions. Coordinates assigned activities with other departments and outside agencies

**Ganesh Krishnamurthy, Water Resources Manager.** Directs, manages, supervises, and coordinates the activities and operation of the Water Resources Division through three functional sections: water resources planning, water systems engineering and wastewater systems engineering. Water resources planning is responsible for forward planning to ensure adequate supplies and facilities are provided to ensure water and wastewater services remain reliable, cost effective and high quality. Water systems engineering: responsible for all regulatory reporting and providing technical support to the Operations Department related to the water system. The cross connection control and onsite recycled water regulatory functions are within the water systems engineering section and is responsible for all regulatory reporting and providing technical support related to the wastewater system, industrial waste monitoring and pretreatment functions. Maintains knowledge of all relevant water quality regulations and ensures current and future District compliance with all local, state, and federal regulations.

**Jesus Gastelum, Senior Water Resources Planner/Engineer.** Manages the Water Resources Planning program. Performs professional planning research and technical analyses related to water demand, supply availability, optimization and use of local supplies, new supply development, short-term and long-term operational optimization of water supplies; water management and water policy issues. Administers and oversees the work of planning staff and consultants related to water resources planning, environmental studies and project management.

**Nemesciano Ochoa, Assistant General Manager.** Plans, directs, manages and oversees the functions, programs, and operations of the Water Resources and Engineering Divisions. Provides administrative support to the General Manager. Acts as General Manager in the absence of the General Manager.

**Evaluation Criterion D – Nexus to the Bureau of Reclamation (5 points).**

As noted earlier, EVMWD imports on average approximately 65 percent of its water from the Colorado River and the State Water Project (SWP) through purchases from Eastern and Western Municipal Water Districts. Additionally, in 1985, the EVMWD Board entered into an agreement with the U.S. Bureau of Reclamation for a \$39.6 million loan for Lake Stabilization that later was known as the Lake Management Project. EVMWD has continued to build relationships with the Southern California Area Office (SCAO) of the Bureau of Reclamation to discuss partnerships on upcoming projects, and was recently awarded funding through the SCAO Water Conservation Field Services Program to develop a hot water recirculation system rebate program. EVMWD has also recently been awarded a grant to perform an Indirect Potable Reuse (IPR) Feasibility Study, which will maximize recycled water use in the District.

The geographic area of the proposed Drought Contingency Plan resides within the Santa Ana River Watershed, Southern California’s largest watershed covering nearly 3,000 square miles and home to more than six million people. In 2012, the Bureau of Reclamation completed the Santa Ana River Watershed Basin Study in collaboration with Santa Ana Watershed Project Authority (SAWPA). The purpose of the Study was to incorporate climate change into the region’s water projection and identify potential adaptation strategies for dealing with drought conditions. The Bureau of Reclamation states that the goals of the study include: incorporating existing regional and local planning studies; sustaining regional water resources management planning; ensuring a collaborative approach; using science and technology to assess climate change and greenhouse emissions affects, watershed adaptation planning; and expanding outreach to water uses and stakeholders. The EVMWD Drought Contingency Planning effort will utilize the existing study and provide further benefit to the Santa Ana River Watershed Basin.

**### End of 20-page Narrative ###**

## **2. EXISTING DROUGHT CONTINGENCY PLAN (IF APPLICABLE)**

Not applicable. EVMWD does not have an existing Drought Contingency Plan with the required elements as identified by the Bureau of Reclamation. However, EVMWD does have a drought ordinance (No. 225), which is attached in Appendix B for reference.

## **3. REQUIRED PERMITS OR APPROVALS**

No permits or approvals are required for development of the Drought Contingency Plan.

## **4. LETTERS OF SUPPORT**

Please see support letters in Appendix A.

## **5. OFFICIAL RESOLUTION**

A draft resolution is included below. The official resolution will be signed on July 9, 2015 and will be forwarded to BOR within 30 days after the application deadline.

DRAFT  
RESOLUTION NO. 15-01-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
ELSINORE VALLEY MUNICIPAL WATER DISTRICT  
APPOINTING AND AUTHORIZING JOHN D. VEGA TO FILE AN  
APPLICATION WITH THE UNITED STATES DEPARTMENT OF  
INTERIOR, BUREAU OF RECLAMATION'S WATERSMART: DROUGHT  
CONTINGENCY PLANNING GRANT FOR THE DEVELOPMENT OF A  
DROUGHT CONTINGENCY PLAN FOR ELSINORE VALLEY MUNICIPAL  
WATER DISTRICT'S SERVICE AREA OF RIVERSIDE COUNTY

WHEREAS, the Elsinore Valley Municipal Water District has the authority to conduct the Drought Contingency Plan (the "Project") in the service area of Elsinore Valley Municipal Water District of Riverside County; and

WHEREAS, the Elsinore Valley Municipal Water District will adopt the necessary budget and be capable of providing the amount of funding and/or in-kind contributions specified in the funding plan for the Project with a total project cost amount not to exceed \$300,000.

WHEREAS, the Elsinore Valley Municipal Water District intends to budget the cost of the Project or portions of the Project with moneys provided by the U.S. Bureau of Reclamation ("Reclamation").

Elsinore Valley Municipal Water District  
WaterSMART: Drought Contingency Planning Grant

---

BE IT RESOLVED by the Elsinore Valley Municipal Water District that, pursuant and subject to all of the terms and provisions of the WaterSmart: Drought Contingency Planning Grant application be made to the Bureau of Reclamation for funding; and

BE IT FURTHER RESOLVED that John D. Vega, General Manager (“Authorized Representative”) of the Elsinore Valley Municipal Water District or his designee is hereby authorized and directed to cause the necessary data to be prepared, and grant application to be signed and filed for a WaterSmart: Drought Contingency Plan with the Bureau of Reclamation; and

BE IT FURTHER RESOLVED that the Elsinore Valley Municipal Water District will work with the Bureau of Reclamation to meet established deadlines for entering into a cooperative financial assistance agreement.

PASSED and ADOPTED this 9th day of July, 2015.

---

Phil Williams, President of the  
Board of Directors of the  
Elsinore Valley Municipal Water District

ATTEST:

---

Terese Quintanar, Secretary to the  
Board of Directors of the  
Elsinore Valley Municipal Water

## **Appendix A**

### **Letters of Support**

**KEN CALVERT**  
42ND DISTRICT, CALIFORNIA

**WASHINGTON OFFICE:**

2205 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-0542  
(202) 225-1986  
FAX: (202) 225-2004

**DISTRICT OFFICE:**

4160 TEMESCAL CANYON ROAD  
SUITE 214  
CORONA, CA 92883  
(951) 277-0042  
FAX: (951) 277-0420



**UNITED STATES**  
**HOUSE OF REPRESENTATIVES**

**COMMITTEE ON APPROPRIATIONS**  
SUBCOMMITTEES:  
CHAIRMAN  
INTERIOR, ENVIRONMENT AND RELATED AGENCIES

DEFENSE  
(LIAISON TO HOUSE INTELLIGENCE)

ENERGY AND WATER DEVELOPMENT

**COMMITTEE ON THE BUDGET**

[WWW.CALVERT.HOUSE.GOV](http://WWW.CALVERT.HOUSE.GOV)

June 15, 2015

Mr. John Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

**Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

I am writing to my support for Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. I understand the dire need to be proactive in the fight against the effects of drought in Southern California and believe that a user-friendly drought plan in the first step.

EVMWD serves a 96-square-mile area in Riverside and Orange Counties along the eastern foothills of the Santa Ana Mountains. The District's service area includes the Cities of Lake Elsinore, Canyon Lake, Wildomar, Murrieta, and pockets of unincorporated areas including the Farm, Cleveland Ranch, Meadowbrook, Lakeland Village, Rancho Capistrano – El Cariso Village, Horsethief Canyon, and Temescal Canyon. EVMWD serves over 136,000 people with approximately 41,000 potable service connections. These cities represent a diverse mix of ethnicities and economic situations, with over 25 percent of the service area classified as a Disadvantaged Community (DAC) or Severely Disadvantaged Community (SDAC).

A flexible and user-friendly drought plan will help both the customers and the District to more effectively manage water demand through increased efficiency and conservation, as well as pave the way for water efficiency actions and activities for future development. We know that it will require a concerted effort by the County of Riverside and EVMWD to manage water during the lengthy drought affecting our community and we are willing to do our part.

I am fully supportive of EVMWD's application for grant funding to help plan for drought contingency of water resources in the region.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Calvert".

**KEN CALVERT**  
Member of Congress

# County of Riverside



RIVERSIDE OFFICE:  
4080 LEMON STREET, 5<sup>TH</sup> FLOOR  
RIVERSIDE, CA 92501  
(951) 955-1010  
FAX (951) 955-1019

DISTRICT OFFICE:  
31569 CANYON ESTATES DRIVE #113  
LAKE ELSINORE, CA 92532  
(951) 471-4500  
FAX (951) 471-4510

## SUPERVISOR KEVIN JEFFRIES FIRST DISTRICT

June 12, 2015

Mr. John Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

### **Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

On behalf of the Riverside County Board of Supervisors, I am writing in support of Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. I commend the District's actions to be proactive in the fight against the effects of drought in Southern California and believe that a user-friendly drought plan in the first step.

EVMWD's 96-square-mile service area includes the Cities of Lake Elsinore, Canyon Lake, Wildomar, Murrieta, and pockets of unincorporated areas in Riverside County. EVMWD serves over 136,000 people with approximately 41,000 potable service connections. The customers represent a diverse mix of ethnicities and economic situations, with over 25% of the service area classified as a Disadvantaged Community (DAC) or Severely Disadvantaged Community (SDAC).

A flexible and user-friendly drought plan will help both the customers and the District to more effectively manage water demand through increased efficiency and conservation, as well as pave the way for water efficiency actions and activities for future development. We know that it will require a concerted effort by the County of Riverside and EVMWD to manage water during the lengthy drought affecting our community and we are willing to do our part.

I am fully supportive of EVMWD's application for grant funding to help plan for drought contingency of water resources in the County of Riverside region.

Respectfully,

A handwritten signature in blue ink, appearing to read "Kevin D. Jeffries".

Kevin D. Jeffries  
Riverside County Board of Supervisors

John V. Rossi  
General Manager

Robert Stockton  
Division 1

Thomas P. Evans  
Division 2

Brenda Dennstedt  
Division 3

Donald D. Galleano  
Division 4

S.R. "Al" Lopez  
Division 5



Securing Your Water Supply

June 23, 2015

Mr. John Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

**Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

Western Municipal Water District (Western) strongly supports Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. We understand the dire need to be proactive in the fight against the effects of drought in Southern California and believe that a comprehensive drought plan is the first step.

Western supplies wholesale imported water to EVMWD. We also provide wholesale and retail water to a large portion of the region stretching 527-square miles in western Riverside County with a population of nearly 1 million people. Providing reliable drinking water to our customers on a daily basis is fundamental to what we do. Western is working hand-in-hand with EVMWD to secure a plentiful and quality water supply for today as well as the future.

A flexible and user-friendly drought plan will help both the customers and the District to more effectively manage water demand through increased efficiency and conservation, as well as pave the way for water efficiency actions and activities for future development. We know that it will require a concerted effort by Western and EVMWD to manage water during the lengthy drought affecting our community, and we are willing to do our part.

Western fully supports EVMWD's application for grant funding to help plan for drought contingency of water resources in the County of Riverside region.

Respectfully,

A handwritten signature in black ink, appearing to read "John V. Rossi", is written over a horizontal line.

John V. Rossi  
GENERAL MANAGER



June 19, 2015

Mr. John Vega, General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

**Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

The City of Lake Elsinore is delighted to support Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. This effort will greatly help our community continue to thrive and counteract the negative effects of the drought that have plagued us for the last four years.

EVMWD services the entire City of Lake Elsinore (population 53,024) with water and sewer service. In 1888, Lake Elsinore was founded as the 73<sup>rd</sup> city in California, just 38 years after California became a state in the union. The once-predominantly ranch land is now highly urbanized with further growth planned for the near future. Lake Elsinore has a thriving tourist industry beckoning visitors and residents to its lakeshores to enjoy boating, wakeboarding, fishing, water skiing, windsurfing, sunbathing, picnicking or playing on the beach. Beautiful, tree-shaded campgrounds and RV resorts surround the lake for overnight outdoor enthusiasts. We also boast the state-of-the-art Diamond Stadium, home of the Lake Elsinore Storm Professional Baseball Team.

We are reliant on EVMWD to provide water to our parks and green spaces, and to keep our lake at a consistent level for recreation. According to the Valley News on March 6, 2015, the City of Lake Elsinore Management Analyst Nicole Dailey commented on the effects of low water levels in Lake Elsinore including boat launch closures, aquatic life populations, and algae growth. Dailey said, "Unfortunately, lower lake levels have a direct impact on the water quality and can stifle the dissolved oxygen levels of the lake, especially in hot summer months." The effects of lower lake levels can impact tourism, economic development and the water quality of the lake. We share the enormous concern of water conservation and champion EVMWD for its efforts to combat the effects of drought by developing a usable plan to help both the customers and the District more effectively manage water demand.

The City of Lake Elsinore is fully supportive of EVMWD in this worthy effort to develop a drought contingency plan and we are dedicated to participating as a major stakeholder in this important project.

Sincerely,

  
Grant Yates  
City Manager

951.674.3124  
130 S. MAIN STREET  
LAKE ELSINORE, CA 92530  
WWW.LAKE-ELSINORE.ORG



## CITY OF CANYON LAKE

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June 15, 2015

Mr. John Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

**Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

The City of Canyon Lake is excited to support Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. This effort will greatly help to counter the effects of the drought we have been experiencing in Southern California for the past four years.

One of only five gated cities in California, Canyon Lake began as a master-planned community developed by Corona Land Company in 1968. The Lake originally was formed in 1927 after Railroad Canyon Dam was built. It covers 383 acres and has 14.9 miles of shoreline. The City of Canyon Lake was incorporated on December 1, 1990 and now has a population of 10,647. Our citizens pay a premium to have surface water rights on Canyon Lake for boating, fishing, and relaxing. We rely greatly on EVMWD to provide water for our city and to maintain lake levels. If we do not become proactive, lake access may become limited or discontinued and our home values would plummet.

A flexible and user-friendly drought plan will help both the customers and the District to more effectively manage water demand through increased efficiency and conservation. We know that it will require a concerted effort by the City of Canyon Lake, EVMWD, and other stakeholders to develop an actionable plan.

The City of Canyon Lake is anxious to participate in the planning process and fully supports EVMWD's efforts in this worthy cause and necessary activity.

Sincerely,

Ariel Hall  
Interim City Manager

Ben Benoit, Mayor  
Bridgette Moore, Mayor Pro Tem  
Bob Cashman, Council Member  
Marsha Swanson, Council Member  
Timothy Walker, Council Member



23873 Clinton Keith Rd, Ste 201  
Wildomar, CA 92595  
951/677-7751 Phone  
951/698-1463 Fax  
www.CityofWildomar.org

June 15, 2015

Mr. John Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

**Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

The City of Wildomar is delighted to support Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. This effort will greatly help us maintain our parks and green spaces for our residents. We understand the great need to be proactive in efforts to manage the effects of the ongoing drought.

EVMWD services a large portion of the City of Wildomar (population 34,148) with water for parks and green spaces. Wildomar is a community of old and new, more mature homes and acreages with horses and other animals mixed with more modern housing tracts. Nestled between the cities of Murrieta and Lake Elsinore, Wildomar officially became a city on July 1, 2008. The once-predominantly ranch land is urbanized with further growth planned for the near future. We are committed to providing quality parks, trails, open space and recreation facilities and services to meet the needs and interests of rural and urban residents throughout the City of Wildomar. We rely on EVMWD to help provide us with water needed to keep our parks a viable part of our community. A user-friendly and goal-oriented drought plan will help both the customers and the District to more effectively manage water demand through increased efficiency and conservation.

The City of Wildomar fully supports EVMWD in this worthy effort to develop a drought contingency plan and stand ready to participate and educate our citizens in applying such a program to ensure a livable future for our community.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gary Nordquist', is written over a white background.

Gary Nordquist  
City Manager

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# LAKE ELSINORE VALLEY

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## CHAMBER OF COMMERCE

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June 15, 2015

Mr. John Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

**Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

The Lake Elsinore Valley Chamber of Commerce is honored to support Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. This effort will greatly help our community continue to thrive and better manage our water resources in the face of a continued drought.

EVMWD services over 4,000 businesses in Lake Elsinore with water and sewer service. A leader in the business community since 1949, the Lake Elsinore Valley Chamber of Commerce has been conducting successful programs and promoting business in the valley for more than four decades. The Chamber membership roster includes representatives from all sectors of the business community who play an active role in community events, preservation and conservation programs. As of 2015, Governor Jerry Brown has imposed several mandatory restrictions on California businesses including a reduction of water usage by 25%, serving water only by request in restaurants, and providing laundry only by request in hotels. The Chamber of Commerce is a leading source of information for local businesses and we encourage the educational aspects of a drought contingency plan in informing businesses in water conservation efforts.

We fully support EVMWD in its efforts to develop a usable drought contingency plan to help both the customers and the District more effectively manage water demand. We stand ready to provide our perspective and input during the planning process.

Sincerely,



Pietro Canestrelli  
Chairman of the Board  
Lake Elsinore Valley Chamber of Commerce  
132 West Graham Avenue  
Lake Elsinore, CA 92530



June 17, 2015

Mr. Jon Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development

Dear Mr. Vega:

The Wildomar Chamber of Commerce is proud to support Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. We would be happy to participate as a stakeholder group in upcoming planning meetings.

EVMWD services over 2,000 businesses in the City of Wildomar with water and sewer services. The mission of the Wildomar Chamber of Commerce is to facilitate, support and promote the growth of Wildomar business and the improvement of the quality of life. We are the recognized advocate for a prosperous business climate and we nurture relationships with government, educational organizations and other community sections to facilitate the needs and interests of the business community. As of 2015, Governor Jerry Brown has imposed several mandatory restrictions on California businesses including a reduction of water usage by 25%, serving water only by request in restaurants, and providing laundry only by request in hotels. The Chamber of Commerce is a leading source of information for local businesses and we encourage drought contingency education among our businesses and citizens to help in water conservation efforts.

We share the enormous concern for water conservation and look forward to assisting the District with its efforts to develop a useable drought contingency plan that will be actionable by all stakeholders.

Sincerely,

A handwritten signature in black ink, appearing to read "Katie Boothby".

Katie Boothby  
Office Manager  
On behalf of the Wildomar Chamber of Commerce  
33751 Mission Trail  
Wildomar, CA 92595

33751 Mission Trail • P.O. Box 885 • Wildomar, CA 92595  
Phone/Fax: 951.245.0437 • WildomarChamber.org

**SAINT SPRINGS**

 **LINKS AT SUMMERLY**

June 18th, 2015

Mr. John Vega  
General Manager  
Elsinore Valley Municipal Water District  
31315 Chaney Street  
Lake Elsinore, CA 92530

**Subject: Elsinore Valley Municipal Water District Drought Contingency Plan Development**

Dear Mr. Vega:

The Links at Summerly Golf Course is delighted to support Elsinore Valley Municipal Water District's (EVMWD) grant application to develop a drought contingency plan. This effort will greatly help the District to more effectively manage water demand through increased efficiency and conservation, as well as pave the way for water efficiencies for future development.

EVMWD services the Links at Summerly Golf Course with water for maintenance of its green spaces. Nestled between Southern California's largest natural lake, Lake Elsinore, the Ortega Mountains and the Cleveland National Forest, Summerly's par-72, nearly 7,000-yard layout was designed by renowned golf course architect Cal Olson to fit seamlessly into the landscape. We are concerned with our ability to remain a viable business venture without the assistance and provision of water from EVMWD. The Federal Receiver for managing the course stated that, "the availability and cost of water necessary to irrigate and maintain our golf course are major concerns that affect the viability of operations moving forward."

We at the Links at Summerly Golf Course fully support EVMWD in this worthy effort to develop a drought contingency plan. We are excited to participate as part of the drought planning task force.

Sincerely,

*Sonja Xia, CEO*

Saint Springs, LLC  
The Links at Summerly Golf Course  
29381 Village Parkway  
Lake Elsinore, CA 92530

**Appendix B**

**Water Shortage Contingency Plan  
Ordinance No. 225**

NOT PART OF THE 50-PAGE LIMIT

( 42 PAGES )



*Our Mission...*

EVMWD will provide reliable, cost-effective, high quality water and wastewater services that are dedicated to the people we serve.

---

DATE: May 28, 2015

TO: Board of Directors

FROM: General Manager

**SUBJECT: PUBLIC HEARING TO CONSIDER ADOPTION OF ELSINORE VALLEY MUNICIPAL WATER DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN, THROUGH ADOPTION OF ORDINANCE NO. 225**

### **PURPOSE**

Adoption of EVMWD's Water Shortage Contingency Plan (WSCP)

### **RECOMMENDATION**

The General Manager and staff recommend that the Board of Directors:

1. Hold a Public Hearing to Consider Adoption of Elsinore Valley Municipal Water District's Water Shortage Contingency Plan (WSCP), through Adoption of Ordinance No. 225; and
2. Rescind Ordinance Nos. 78, 81, 87, 88, 185, & 219; and
3. Authorize Amendment to Section 2361 of the Administrative Code

### **BACKGROUND**

On January 17, 2014, with California facing water shortfalls in the driest year in recorded state history, Governor Jerry Brown declared a statewide drought emergency. On July 15th the State Water Resources Control Board (SWRCB) approved an emergency regulation to ensure water agencies, their customers, and state residents increase water conservation in urban settings or face possible fines or other enforcement. In response, EVMWD reactivated Stage 2 of its Water Shortage Contingency Plan and clarified requirements for conservation in Ordinance No. 219, which includes penalties for water waste and provides that customers voluntarily reduce water their use. In addition, EVMWD began reporting monthly water use to the SWRCB.

Because the drought has persisted and is severe, on April 1, 2015 Governor Brown issued an executive order mandating restrictions necessary to achieve a statewide 25%

reduction in potable urban water usage through February 28, 2016. He also directed the SWRCB to adopt emergency regulations to achieve the 25% statewide reduction. On April 7, 2015 the SWRCB proposed a mandatory Regulatory Framework that apportions water reductions according to consumption. The SWRCB revised the apportionment of water reductions on April 18 and April 28<sup>th</sup>. The conservation savings for all urban water suppliers are now allocated across nine tiers of increasing levels of residential gallons per capita per day water use (R-GPCD) to reach the statewide 25% reduction mandate. This requires agencies such as EVMWD, having residential water use above 169.99 R-GPCD, must reduce water use by 28%. The SWRCB's Regulatory Framework and subsequent updates also included new prohibitions that apply to all Californians as follows:

- Irrigation with potable water of ornamental turf on public street medians is prohibited.
- Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established in the California Building Standards Code is prohibited.

In light of the Executive Order, EVMWD staff reviewed and updated their existing Water Shortage Contingency Plan (Ordinances 78 and 81) to be consistent with Metropolitan Water District of Southern California's Water Surplus and Drought Management Plan and Western Municipal Water District's Water Shortage Contingency Plan. The revised draft Water Shortage Contingency Plan, Ordinance No. 225, is attached.

In response to the State Water Resources Control Board ("SWRCB") mandate that EVMWD reduce potable water use by 28 percent, staff recommends that the Board of Directors adopt the proposed Water Supply Shortage Contingency Program (Ordinance 225) and declare drought Stage 4a. The intent of this stage and the related sub-stages is to strategically reduce the demand for water through targeted outdoor reduction actions. The implementation of Stage 4a allows EVMWD's Board of Directors to choose to implement a temporary drought rate and a temporary drought penalty to achieve water conservation. Prohibitions and water waste fines are also detailed in the Water Shortage Contingency Ordinance No. 225. The following abbreviated list outlines some of the prohibitions associated with Stage 4a:

- Washing down sidewalks or driveways.
- Watering during or within 48 hours after a rain event.
- Washing your vehicle on your property.
- Filling, refilling or adding water to your pool.
- Watering on windy days.
- Providing water at restaurant's or food establishments unless requested.

Declaration of Stage 4a conservation requirements will be accomplished through adoption of separate resolution, in accordance with Section 5B of the Water Shortage Contingency Plan proposed for adoption herewith.

The draft WSCP is being reviewed by the District's Legal Counsel. Edits to the Plan may be presented prior to the Board meeting.

The District's Variance Policy (Administrative Code Section 2360) was adopted in March of 2014, and enables increased allocation for water use under specific conditions. As restrictions on variance allowances change in accordance with differing drought stages outlined in the WSCP, staff recommends amendment to the policy to reflect that variances will be granted in accordance with the drought stage in effect at the time. Proposed language to be added to the policy is attached.

### **ENVIRONMENTAL WORK STATUS**

Not applicable.

### **FISCAL IMPACT**

Within Budget – The fiscal impact of the proposed implementation of Stage 4a cannot be determined at this time. Any funds collected via penalties will be directed towards EVMWD's conservation programs.

- 

Originated by: Ganesh Krishnamurthy – Engineering  
Reviewed by: Terese Quintanar – Administration

Attachments:

Draft Water Shortage Contingency Plan  
Draft of Administrative Code Section 2361

## ORDINANCE NO. 225

### AN ORDINANCE OF THE ELSINORE VALLEY MUNICIPAL WATER DISTRICT OF RIVERSIDE COUNTY UPDATING AND RESTATING THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN / WATER CONSERVATION PROGRAM

WHEREAS, California Constitution article X, section 2, and California Water Code section 100 provide that, because of conditions prevailing in the State of California ("State"), it is the declared policy of the State that the general welfare requires that the water resources of the State shall be put to beneficial use to the fullest extent of which they are capable; the waste or unreasonable use of water shall be prevented; and the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and the public welfare; and

WHEREAS, pursuant to California Water Code section 106, it is the declared policy of the State that the use of water for domestic use is the highest use of water and that the next highest use is for irrigation; and

WHEREAS, pursuant to California Water Code section 375 et seq., the Elsinore Valley Municipal Water District ("District"), by ordinance or resolution, is authorized to adopt and enforce a Water Conservation Program to reduce the quantity of water used by persons within its jurisdiction for the purpose of conserving the water supplies of the District; and

WHEREAS, pursuant to California Water Code section 10610 et seq., the District is required to include a water shortage contingency analysis establishing various stages of action to be implemented in cases of water supply shortage, known as a Water Shortage Contingency Plan, as part of the District's Urban Water Management Plan; and

WHEREAS, pursuant to California Water Code section 71610.5, the District may undertake a water conservation program to reduce water use and may require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed to reduce water use; and

WHEREAS, pursuant to California Water Code section 71640 et seq., the District may restrict the use of District water during any emergency caused by drought, or other threatened or existing water shortage, and may prohibit the waste of District water or the use of District water during such periods for any purpose other than those that the District determines to be necessary. The District may also prohibit use of District water during such periods for specific uses which it finds to be nonessential.

WHEREAS the District's Board of Directors recognizes continued long term challenges to the region and the State. Climate change impacts are predicted to increase the uncertainty of water supplies. Additionally, regulatory restrictions on pumping from the Bay-Delta region affecting State Water Project ("SWP") deliveries will continue to impact the District's supply reliability. Further, the District is dependent on the Metropolitan Water District of Southern California ("Metropolitan") for its imported water supplies and is subject to the policy actions pertaining to water supply set by Metropolitan's governing body. The District relies heavily on SWP supplies, obtaining approximately up to 70 percent of its total supply through imported water sources from Metropolitan; and

WHEREAS, Metropolitan has adopted a Water Shortage Allocation Plan and has declared a regional supply shortage reduction of fifteen percent (15%) which will be in effect on July 1, 2015; and

WHEREAS, because of the prevailing conditions in the State and the declared policy of the State that the District manage its water resources for the general welfare to ensure their beneficial use to the fullest extent of which they are capable, the District hereby finds and determines that it is necessary and appropriate for the District to adopt, implement, and enforce an updated Water Shortage Contingency Plan / Water Conservation Program (together, the "WSCP") to reduce the quantity of water used by consumers within the District to ensure that there is sufficient water for human consumption, sanitation, and fire protection; and

WHEREAS, the Governor, on April 1, 2015 issued Executive Order B-29-15 that, in part, directed the State Water Resources Control Board ("SWRCB") to

impose restrictions on water suppliers to achieve a statewide 25 percent (25%) reduction in potable urban usage through February 2016. The Executive Order includes, but is not limited to, the following: (1) commercial, industrial, and institutional water users shall implement water efficiency measures; (2) prohibits irrigation with potable water of ornamental turf in public street medians; and (3) prohibits irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development; and

WHEREAS, the SWRCB, on May 5, 2015 mandated that urban water suppliers whose average July-September 2014 Residential Gallons Per Capita Per Day ("R-GPCD") was 130 or more but less than 170 shall reduce its total potable water production by twenty-eight percent (28%) for each month as compared to the amount of use in the same month in 2013; and

WHEREAS, the District's average R-GPCD was 146.3 for July-September 2014; and

WHEREAS, the Board of Directors hereby finds and determines that in the event the District determines that it is necessary to declare that a Water Shortage Emergency exists, the District will be authorized pursuant to this Ordinance to implement supply shortage response measures to regulate water consumption activities within the District and ensure that the water delivered in the District is put to beneficial use for the greatest public benefit, with particular regard to domestic use, including human consumption, sanitation, and fire protection, and that the waste or unreasonable use of water is prevented; and

WHEREAS, the Board of Directors is authorized and hereby finds and determines that it is necessary to prescribe and define by ordinance restrictions, prohibitions, and exclusions for the use of water during a threatened or existing water shortage and adopt and enforce a WSCP to: (i) prohibit the waste of District water or the use of District water during such period; (ii) prohibit use of water during such periods for specific uses which the District may from time to

time find nonessential; and (iii) reduce and restrict the quantity of water used by persons within the District; and

WHEREAS, the Board of Directors hereby finds and determines that the District shall: (i) implement water supply shortage response measures; (ii) regulate the water consumption activities of persons within the District for the purposes of conserving and protecting the District's water supplies, reducing the quantity of water consumed, and deterring and preventing the waste or unreasonable use or unreasonable method of use of valuable water resources; and (iii) establish and collect regulatory fees and impose fines and/or penalties as set forth herein to accomplish these purposes and recover the costs of the District's water conservation and regulatory program; and

WHEREAS, the Board of Directors hereby finds and determines that it is desirable to adopt this WSCP in order to codify the rules and regulations governing its actions, and the actions of persons using and consuming water within the District, particularly during declared water shortages and water shortage emergencies, to protect the general welfare and the District's water supplies, and to reduce water consumption, all in accordance with the declared policies and laws of the State; and

WHEREAS, the Board of Directors hereby further finds and determines that this Ordinance and the WSCP set forth herein are in the public interest and serve the public purpose of the District; and

WHEREAS, at a public hearing held on May 28, 2015, the Board heard and considered all oral testimony, written materials, and written protests concerning the establishment of and imposition of the proposed WSCP; and

WHEREAS, due to the fiscal impacts referenced above, the Board has determined that it is in the best interests of the District to adopt the proposed WSCP identified herein and as more particularly described and set forth herein; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Elsinore Valley Municipal Water District of Riverside County as follows:

### **Section 1. Recitals**

The Board of Directors hereby finds and determines that the above recitals are true and correct and incorporated herein.

## **Section 2. Findings and Intent**

(A) The Board of Directors finds and determines that because of the prevailing conditions in the State, and the declared policy of the State, it is necessary and appropriate for the District to adopt, implement, and enforce this WSCP to reduce the quantity of water used by persons within the District to ensure that there is sufficient water for human consumption, sanitation, and fire protection. The District further finds and determines that, during periods of drought, water shortages, and water shortage emergencies the general welfare requires that the District maximize the beneficial use of its available water resources to the extent that it is capable, and that the waste or unreasonable use, or unreasonable method of use of water shall be prevented and the conservation of water is to be extended with the view to the reasonable and beneficial use thereof in the interests of the people of the District and for the public health, safety, and welfare.

(B) This Ordinance adopts the WSCP, which establishes water waste restrictions, supply shortage response measures, regulations, and administrative fines and/or penalties to be implemented during declared water supply shortage stages.

(C) This Ordinance adopts the WSCP which establishes five (5) water supply shortage stages and supply shortage response measures to be implemented by the District, with increasing restrictions on water use and administrative fines and/or penalties for water waste in response to decreasing water supplies and/or worsening drought conditions.

(D) The implementation of water supply shortage stages may be triggered by, without limitation, any or all of the following circumstances or events:

- (1) A regional water supply shortage exists;

(2) Delivery infrastructure such as storage reservoirs, pipes, pumps, filtration devices or groundwater wells, is inoperable or unusable (such as by power outages, mechanical failure, or contamination);

(3) Alternative water supplies are limited or unavailable;

(4) Groundwater levels or groundwater quality is approaching levels which may require augmentation of the groundwater basin or other actions necessary to protect the groundwater basin, as prescribed by the California Department of Water Resources, the Regional Water Quality Control Board, Riverside County, or some other regulatory body;

(5) Metropolitan's Water Surplus and Drought Management Plan stages and the Metropolitan Water Supply Allocation Plan stages and corresponding actions have been implemented; or

(6) An executive order from the Governor.

### **Section 3. Purpose and Scope**

(A) The purposes of the provisions of this Ordinance and WSCP are to assure the highest beneficial use of District water supplies and to provide sufficient water supplies to meet the basic needs of human consumption, sanitation, and fire protection within the District's direct retail service area.

(B) This Ordinance is not intended to repeal, abrogate, annul, impair or in any way interfere with the free use of property by covenant, deed, or other private agreement or with restrictive covenants running with the land to which the District provides water services.

(C) The provisions of this Ordinance shall apply to all persons within the District's direct retail service area and all property served in a retail capacity by the District wherever situated.

(D) Nothing in this Ordinance is intended to affect or limit the ability of the District to respond to an emergency, including an emergency that affects the ability of the District to supply water.

### **Section 4. Definitions**

For the purposes of this Ordinance, the following words, terms, and phrases shall have the following meanings:

“Appellant” means the Person appealing a decision of the Approving Authority, General Manager or other District official.

“Approving Authority” means the General Manager of the District, or his or her designee, charged with approving or denying written applications for Relief.

“Board of Directors” means the Board of Directors of the District.

“District” means the Elsinore Valley Municipal Water District.

“Enforcement Officer” means any individual employed or otherwise charged by the District to inspect or enforce codes, ordinances, mandates, regulations, resolutions, rules or other laws adopted by the Board of Directors or other regulatory bodies.

“General Manager” means the General Manager of the District or his or her authorized designee.

“Immediate Emergency” means a breakage or failure of a dam, pump, pipeline or conduit, a disaster or other disruption of the District’s water supply.

“Medical Adjustment” means an adjustment to the residential indoor water allocation based on medical needs. Medical adjustments must be approved by the District and are not subject to mandatory residential indoor water allocation reductions in any stage. The District will consider a request for medical adjustment at any time and at any stage. The adjustment shall be removed with any changes to the account holder.

“Metropolitan” means the Metropolitan Water District of Southern California.

“Non-Potable Water” means water that is not of drinking water quality, but which may still be used for purposes other than for human consumption.

“Person” means any natural person, firm, joint venture, joint stock company, partnership, public or private association, club, company, corporation, business trust, organization, public or private agency, government agency or institution, school district, college, university, any other user of water provided by the District, or the manager, lessee, agent, servant, officer or employee of any of them or any other entity which is recognized by law as the subject of rights or duties.

“Property Owner” means the owner of a parcel whose name and address appears on the last Riverside County equalized secured property tax assessment roll, or in the case of any public entity, the State of California, or the United States, means the representative of that public entity at the address of that entity known to the District.

“Recycled Water” means municipal wastewater that has been treated to meet all applicable Federal, State and local standards for use in approved applications, including, but not limited to, agricultural and landscape irrigation.

“Relief” means excuse from compliance with the regulations and restrictions on water use contained in this Ordinance.

“State” means the State of California.

“Water Budget” means a Customer’s total water billing allocation for indoor and outdoor water use. The specific indoor and outdoor allocation of water depends on the type of Customer (Customer sector) and the specific characteristics of the Customer’s site. Use in excess of the allocation is charged at incrementally higher rates.

“Water Customer” or “Customer” means any Person, firm, partnership, association, corporation, or local political entity using water obtained from the District.

“Water Shortage Emergency” means a condition existing within the District where 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. 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 supply cannot meet an increased future demand.

“WSCP” means the Water Shortage Contingency Plan adopted pursuant to this Ordinance.

“Water Supply Allocation Plan” or “WSAP” means the Plan developed by Metropolitan to calculate member agencies' supply allocations should a shortage be declared.

“Water Surplus and Drought Management Plan” or “WSDM Plan” means the 1999 plan that Metropolitan uses to direct its resource operations to ensure that shortage allocations of imported water supplies are not required.

### **Section 5. Stage Implementation**

(A) The General Manager shall monitor the projected supply of and demand for water within the retail water service area of the District during periods of a water shortage or supply shortage and shall recommend to the Board of Directors the extent of the demand reduction required through the implementation and/or termination of particular water supply shortage stages or sub-stages to prudently plan and supply water to water Customers. Thereafter, the Board of Directors may order the implementation or termination of the appropriate stage or sub-stage.

(B) The declaration of any stage or sub-stage beyond Stage 1 shall be made by resolution of the Board of Directors. Within ten (10) calendar days of the adoption of the resolution declaring the applicable stage or sub-stage, the District shall make a public announcement and provide notice of the applicable water supply shortage stage. Such declaration and notice shall provide the extent, terms, and conditions as well as the associated water budget allocations and fines and/or penalties respecting the use and consumption of water in accordance with the applicable water supply shortage stage as provided in this Ordinance. Upon such declaration and publication of such notice, due and

proper notice shall be deemed to have been given to each and every Person supplied water within the District.

(C) The water supply shortage stage designated shall become effective immediately upon announcement.

(D) Except in the event of an Immediate Emergency, the declaration of a Water Shortage Emergency during any water supply shortage stage shall be made in accordance with California Water Code sections 350 *et seq.*

(E) Notwithstanding any other provision of this Ordinance, if an Immediate Emergency occurs and the Board of Directors cannot meet in time to act to protect the public interest, the General Manager is hereby authorized and directed to implement any necessary rules and regulations upon his or her written determination that the District cannot adequately supply water to meet the ordinary demands of water consumers, and that such implementation is necessary to protect the public health and safety.

(1) The General Manager's written determination of an Immediate Emergency shall be:

- (a) filed with the District Secretary;
- (b) posted on the District's website;
- (c) delivered to the Board of Directors; and
- (d) subsequently considered by the Board of

Directors at a general or special meeting for review, revocation, or ratification.

(2) The implementation of any rules and regulations during an Immediate Emergency shall take effect immediately upon making a posting of the determination of the Immediate Emergency on the District's website.

(3) The Board of Directors' meeting shall be held on the earliest date that a quorum of the Board of Directors is available. At the Board of Directors meeting, the General Manager shall update the Board of Directors on the severity and length of the Immediate Emergency.

## **Section 6. Stage 1 – Water Supply Watch**

(A) Stage 1 applies during periods when the District is able to meet all of the water demands of its Customers. Stage 1 and the permanent prohibitions set forth herein shall be in effect at all times unless the Board of Directors otherwise declares that another stage is in effect pursuant to this Ordinance and such stage establishes more stringent prohibitions on the use of water during the particular stage.

Under Stage 1, Customers are encouraged to use water efficiently and take advantage of the District's water use efficiency programs. Stage 1 also mandates the implementation of several permanent water waste prohibitions, even when there is no foreseeable threat of a water shortage. Water waste is in violation of California Law at any stage. California's water law and policy, Article X, Section 2 of the California Constitution, requires that all uses of the State's water be both reasonable and beneficial and places a significant limitation on water rights by prohibiting the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water. The permanent prohibitions shall be continually in effect at all levels of water shortage declarations in addition to the requirements specific to each level. All normal water efficiency programs and water conservation regulations of the District will be in full force and effect during Stage 1. The permanent shortage response measures include:

(1) All irrigators shall ensure automatic irrigation timers are adjusted according to changing weather patterns and landscape requirements.

(2) All open hoses shall be equipped with automatic, positive shut-off nozzles.

(3) Watering of lawns and/or groundcovers and irrigating landscaping is permitted only between the hours of 6:00 p.m. and 6:00 a.m.

(4) Sprinklers and irrigation systems shall be adjusted to avoid overspray, runoff and waste. Watering on windy days is to be avoided.

(5) Installation of water saving devices, such as low flow shower heads and faucet aerators, is encouraged.

(6) Selection of low-water-demand shrubs, groundcovers and trees for all new landscaping is strongly encouraged.

(7) All swimming pools, spas, ponds, and fountains shall be equipped with re-circulating pumps.

(8) All plumbing leaks, improperly adjusted sprinklers, or other water conduits/fixtures that require repair or adjustment shall be corrected to the satisfaction of the District within ninety-six (96) hours of notification by the District.

(9) No Person shall use water to wash down sidewalks, driveways, parking areas, tennis courts, patios, or other paved or hard surface areas, except to alleviate immediate fire or sanitation hazards, and then only by use of: a hand-held bucket or similar container; a hand-held hose equipped with an automatic, positive self-closing shut-off device, or a low volume, high-pressure cleaning machine.

(10) No Person shall allow water to leave his or her property by drainage onto adjacent properties or public or private roadways or streets due to excessive irrigation and/or uncorrected leaks.

(11) The washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment, is permitted at any time with a hand-held bucket or a hand-held hose equipped with an automatic, positive shut-off nozzle. Provided, however, such washing may be done at any time on the immediate premises of a commercial car wash, a commercial service station or car dealership with commercial car washing equipment, or by a licensed mobile detailing/car wash professional using low volume, high pressure washing equipment. Further, such washings are exempted from these regulations where the health, safety, and welfare of the public is contingent upon frequent vehicle cleanings, such as garbage trucks and vehicles used to transport food and perishables.

(12) Construction operations receiving water from a construction meter, hydrant meter, or water truck shall not use water for any purpose other than those required by regulatory agencies. Construction projects requiring watering for new landscaping materials shall adhere to the designated irrigation requirements set forth in Section 4 hereof.

(B) The District will attempt to contact Customers by telephone, mail, email and/or printed “door-hanger” to alert of a required repair, adjustment, or violation. All Customers shall ensure that the District has current telephone and email contact information. The District is not responsible for incorrect phone numbers or email addresses.

### **Section 7. Stage 2 – Water Supply Alert**

(A) Stage 2 applies during periods when a reasonable probability exists that the District will not be able to meet all of the water demands of its Customers. This may correlate to Metropolitan’s WSDM Plan stage of “Water Supply Watch” or “Water Supply Alert” Conditions.

(B) The objective of Stage 2 is to affect a moderate reduction in water use up to 4% through mandatory actions and may be adjusted depending on supply conditions via a Board approved Resolution.

(C) Mandatory conservation measures will be called upon during this stage. The restrictions listed in Stage I shall remain in effect with the following additions:

(1) Use of movable or permanent sprinkler systems for lawn irrigation and watering of plants, trees, shrubs or other landscaped areas shall be permitted no more than **three days per week**. However, irrigation of lawns, gardens, landscaped areas, trees, shrubs or other plants is permitted at any time if:

- a. A hand-held hose is used, or
- b. A hand-held bucket is used, or
- c. A drip irrigation system is used, or

d. Recycled water is used.

(i) Irrigation occurring during or 48 hours after a rain event is prohibited;

(2) Construction meters utilizing potable water shall be issued only to those persons who have been issued valid grading and/or building permits.

(3) All restaurants, cafes, and other public food service establishments are prohibited from serving drinking water unless specifically requested by their customers.

(4) Hotels, motels and other commercial lodging establishments should provide customers the option of not having towels and linens laundered daily. Commercial lodging establishments should prominently display notice of this option in each bathroom using clear and easily understood language.

(5) Customers shall install pool and spa covers to minimize water loss due to evaporation.

(6) Installation of new landscapes shall be prohibited unless irrigated with drip irrigation. Exceptions may be provided for projects with prior approval by the appropriate jurisdiction.

(7) The District shall develop a public information campaign to provide Customers with options for achieving the Stage 2 demand reduction goal. The District shall explore increased Customer incentives for conservation measures.

**Section 8. Stage 3 – Mandatory Waste Reduction**

(A) The intent of Stage 3 is to target and eliminate excessive water use and water waste. Stage 3 applies during periods when a reasonable probability exists that the District will not be able to meet all of the water demands of its Customers. This may correlate to Metropolitan's Shortage Allocation Plan Shortage Levels 1 through 4. The District's Board of Directors

may choose to implement a temporary drought rate and a temporary drought penalty to achieve water conservation.

(B) After a Stage 3 has been declared and the District has completed the notice requirements set forth herein, each customer who has had a potable water account with the District shall be limited to using potable water as follows:

(i) For residential customers, water use shall be limited to using a volume equal to Blocks 1 and 2 of their potable water budget per billing cycle for indoor and outdoor water use for his or her property;

(ii) For irrigation customers, water use shall be limited to using a volume equal to Block 1 of their irrigation water budget per billing cycle for outdoor water use for his or her property;

(iii) For wholesale customers, water use shall be limited to using a volume equal to Block 1 and Block 2;

(iv) Water use beyond the water volume permitted in (i), (ii) and (iii) above will be charged a civil administrative penalty of \$1.59 per CCF.

(C) The objective of the measures undertaken in Stage 3 is to reduce water system consumption within the District by five to fifteen percent (5 to 20%).

(D) Stage 3 does not apply to the use of non-potable or recycled water. The use of recycled water for daytime irrigation is permitted.

(E) Mandatory conservation measures will be called upon during this stage. The restrictions listed in Stages 1 and 2 shall remain in effect with the following additions:

(1) Stage 3 (a)

(i) Use of movable or permanent sprinkler systems for lawn irrigation and watering of plants, trees, shrubs or other landscaped areas shall be permitted no more than **two days per week**. However, irrigation of lawns, gardens, landscaped areas, trees, shrubs or other plants is permitted at any time if:

- a. A hand-held hose is used, or
- b. A hand-held bucket is used, or
- c. A drip irrigation system is used, or
- d. Recycled water is used.

(ii) The filling, refilling or addition of water to uncovered outdoor swimming pools, wading pools or spas is prohibited;

(iii) The operation of any exterior ornamental fountain or similar structure is prohibited;

(2) Stage 3 (b)

(i) The washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment, is permitted only on the immediate premises of a commercial car wash, a commercial service station or car dealership with commercial car washing equipment, or by a licensed mobile detailing/car wash professional using low volume, high pressure washing equipment. Further, such washings are exempted from these regulations where the health, safety, and welfare of the public is contingent upon frequent vehicle cleanings, such as garbage trucks and vehicles used to transport food and perishables;

(3) Stage 3 (c)

(i) The District shall eliminate all adjustments to existing residential Customers' outdoor Water Budgets including, but not limited to, increases for swimming pools, spas, or pond maintenance adjustments. New water using features or expanded landscapes shall not qualify for a Water Budget Variance.

(F) The District shall develop a public information campaign to provide Customers with options for achieving the Stage 3 demand reduction goal and complying with their applicable water allocation. The District shall explore increased Customer incentives for conservation measures.

**Section 9. Stage 4 - Mandatory Outdoor Reductions**

(A) The intent of this stage and the related sub-stages is to strategically reduce the demand for water through targeted outdoor reduction actions. Stage 4 applies during periods when the District will not be able to meet all of the water demands of its Customers. This may correlate to any of Metropolitan's WSAP Regional Shortage Levels 5 through 7. The District's Board of Directors may choose to implement a temporary drought rate and a temporary drought penalty to achieve water conservation.

(B) After a Stage 4 has been declared and the District has completed the notice requirements set forth herein, each customer who has had a potable water account with the District shall be limited to using potable water as follows:

- (i) For residential customers, water use shall be limited to using a volume equal to Block 2 of their potable water budget per billing cycle for indoor and outdoor water use for his or her property;
- (ii) For irrigation customers, water use shall be limited to using a volume equal to Block 1 of their irrigation water budget per billing cycle for outdoor water use for his or her property;
- (iii) For wholesale customers, water use shall be limited to using a volume equal to Block 1 and Block 2;
- (iv) Water use beyond the water volume permitted in (i), (ii) and (iii) above will be charged a civil administrative penalty of \$2.09 per CCF.

(C) The objective of the measures undertaken in Stage 4 is to reduce water system consumption within the District by twenty-five to forty percent (25 to 40%).

(D) Stage 4 does not apply to non-potable or recycled water. The use of recycled water for daytime irrigation is permitted.

(E) Except as otherwise provided in this Section 9, all supply shortage response measures of Stages 1 through 3 shall be in full force and effect during Stage 4.

(1) Stage 4 (a)

(i) Use of movable or permanent sprinkler systems for lawn irrigation and watering of plants, trees, shrubs or other landscaped areas shall be permitted no more than **two days per week on odd/even** calendar days corresponding to the last digit of a service address. However, irrigation of lawns, gardens, landscaped areas, trees, shrubs or other plants is permitted at any time if:

- a. A hand-held hose is used, or
- b. A hand-held bucket is used, or
- c. A drip irrigation system is used, or
- d. Recycled water is used.

(2) Stage 4 (b)

(i) Use of water from fire hydrants shall be limited to firefighting, related activities and/or other activities necessary to maintain the health, safety and welfare of the citizenry and shall not be used for construction uses;

(ii) No District water shall be used for construction purposes except for system pressurization and/or testing.

(3) Stage 4 (c)

(i) No new construction or hydrant meters will be issued. Potable water shall not be used for earth work, road construction purposes, dust control, compaction, or trenching jetting. Construction projects necessary to maintain the health, safety, and welfare of the public are exempt from these regulations.

(ii) If the District Board of Directors declares a Water Shortage Emergency during a Stage 4, no new potable water service

connections shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:

- (1) a valid, unexpired building permit has been issued for the project; or
- (2) the project is necessary to protect the public's health, safety, and welfare; or
- (3) where an existing service connection exists and an existing water meter is inoperable and cannot be repaired. In such an instance, the size of the new water meter shall be the same or smaller than the water meter being replaced.

(F) The District shall develop a public information campaign to provide Customers with options for achieving the Stage 4 demand reduction goals and complying with their applicable allocation. The District may explore increased Customer incentives for conservation measures.

**Section 10. Stage 5 – Mandatory Targeted Indoor/Outdoor Reductions – Catastrophic Failure or “Immediate Emergency”**

(A) The intent of this stage and the related sub-stages is to substantially reduce the demand for water through indoor actions in addition to the elimination of landscape and non-essential outdoor water use. Stage 5 applies during periods when the District will not be able to meet all of the water demands of its Customers. This shortage level may correlate to Metropolitan's WSAP Regional Shortage Levels 8, 9, 10, or greater. Stage 5 may be declared during an Immediate Emergency. A Stage 5 declaration may also be accompanied by a Board Resolution declaring a Water Shortage Emergency under California Water Code sections 350 *et seq.* The District's Board of Directors may choose to implement a temporary drought rate and a temporary drought penalty to achieve water conservation.

(B) After a Stage 5 has been declared and the District has completed the notice requirements set forth herein, each customer who has had a potable water account with the District shall be limited to using potable water as follows:

(i) For residential customers, water use shall be limited to using a volume equal to Block 2 of their potable water budget per billing cycle for indoor and outdoor water use for his or her property;

(ii) For irrigation customers, water use shall be limited to using a volume equal to Block 1 of their irrigation water budget per billing cycle for outdoor water use for his or her property;

(iii) For wholesale customers, water use shall be limited to using a volume equal to Block 1 and Block 2;

(iv) Water use beyond the water volume permitted in (i), (ii) and (iii) above will be charged a civil administrative penalty of \$4.01 per CCF.

(C) The objective of the measures undertaken in Stage 5 is to significantly reduce water consumption within the District to protect public health, safety, and fire flow.

(D) Except as otherwise provided in this Section 10, all water supply shortage response measures of Stages 1 through 4 shall be in full force and effect during Stage 5.

(E) Stage 5 does not apply to non-potable or recycled water, although there is no guarantee of availability. The use of recycled water for daytime irrigation is permitted.

(1) Stage 5 (a)

(i) All landscape and non-essential outdoor water use for all Customers in all areas of the District's retail water service area shall be prohibited.

(2) Stage 5 (b)

(i) Except as to property for which a building permit has been heretofore issued, no new water meter(s) shall be provided, except in the following circumstances:

(1) for projects necessary to protect the public's health, safety, and welfare; or

(2) when using recycled water.

(ii) The use of water for commercial, manufacturing, or processing purposes may be further reduced in volume if it is determined to be in the best interest of the health, sanitation, and fire flow protection in the communities served by the District. This determination may be made by the Board of Directors, the General Manager or his or her authorized designee as provided for in Section 5(E).

(3) Stage 5 (c)

(i) All dedicated irrigation meters will be locked off by District personnel.

(ii) Customers with a District authorized Medical Adjustment to their Tier 1 allocation will be permitted 100 percent (100%) of their Tier 1 Water Budget.

(F) The District shall develop a public information campaign to provide Customers with options for achieving the Stage 5 demand reduction goals and complying with their allocation. The District may explore increased Customer incentives for conservation measures.

### **Section 11. Violations and Remedies**

(A) Criminal Violation. It shall be unlawful for any Person to willfully violate the provisions of this Ordinance. Any violation of the provisions of this Ordinance shall be a misdemeanor, unless made an infraction by the prosecutor, subject to imprisonment in the county jail for not more than thirty (30) days or by fine not to exceed \$1,000, or by both as provided in California Water Code section 377.

(B) Cease and Desist Order. The General Manager may issue a cease and desist order directing the Property Owner, or occupant, or other Person in charge of day-to-day operations of any property, and/or any other Person responsible for a violation of this Ordinance to:

(1) immediately discontinue any prohibited use of water pursuant to this Ordinance; and

(2) immediately cease any activity not in compliance with the terms, conditions, and requirements of this Ordinance.

(C) Civil Action. In addition to any other remedies provided in this Ordinance, any violation of this Ordinance may be enforced by civil action brought by the District and the imposition of administrative fines and/or penalties. In any such action, the District may seek, and the court may grant, as appropriate, any or all of the following remedies:

(1) a temporary and/or permanent injunction;

(2) assessment of the violator for the costs of enforcement of the violation and for the reasonable costs of preparing and bringing legal action under this Ordinance; and

(3) assessments under this subsection shall be paid to the District to be used exclusively for costs associated with implementing or enforcing the water supply shortage and regulatory provisions of this Ordinance.

(D) Cumulative. All remedies provided herein shall be cumulative and not exclusive.

(E) On-going. A Person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this Ordinance is committed, continued, or permitted.

## **Section 12. Notices**

(A) Any notice, notice of violation, cease and desist order, and administrative compliance order shall be served pursuant to the requirements of this Ordinance and shall:

(1) identify the provision(s) of this Ordinance and any State law, if applicable, alleged to have been violated; and

(2) state that continued noncompliance may result in civil, criminal, or administrative enforcement actions against the Person who committed the violation, or the Property Owner and/or occupant of the property where the violation occurred; and

(3) state a compliance date that must be met by the Person who committed the violation, or the Property Owner and/or occupant of the property where the violation occurred; and

(4) order remediation work, where applicable, that must be taken by the Property Owner and/or occupant of the property; and

(5) state that the recipient has a right to appeal the matter as set forth in this Ordinance; and

(6) include the address of the affected property and be addressed to the Property Owner as shown on the most recently issued equalized assessment roll, or as may otherwise appear in the current records of the District. If the order applies to a responsible party who is not the Property Owner, or if the event is not related to a specific property, the notice may be sent to the last known address of the responsible party; and

(7) be deemed served ten (10) business days after posting on the property, if the Property Owner or occupant of the affected property cannot be located after the reasonable efforts of the General Manager or his or her authorized designee.

(B) Any notice, notice of violation, cease and desist order, and administrative compliance order may be sent by regular mail. Service by regular mail is effective on the date of mailing.

(C) The notice of violation may include, where deemed applicable by the General Manager or his or her authorized designee, the following terms and conditions:

(1) specific steps or actions and time schedules for compliance as reasonably necessary to prevent future violations of this Ordinance; and

(2) any other terms, conditions, or requirements reasonably calculated to prevent continued or threatened future violations of this Ordinance, including, but not limited to, discontinuing or limiting water service.

(D) In addition to or in conjunction with the notice of violation, for a first violation of any provision of this Ordinance, within two (2) weeks of the violation:

(1) the District may provide notice to the Property Owner or occupant of the property where the violation occurred to advise such Person of:

(a) the water supply shortage stage then in effect and the provisions of this Ordinance relating thereto;

(b) water supply shortage response measures that are required and may be implemented pursuant to this Ordinance;

(c) possible consequences and actions which may be taken by the District for future violations of this Ordinance, including discontinuance of water service; and

(d) fines and/or penalties that may be imposed for the specific violation and any future violations of this Ordinance;

(E) In addition to or in conjunction with the notice of violation, for a second or any subsequent violation of this Ordinance, within two (2) weeks of the violation:

(1) the District may provide notice to the property where the violation occurred to notify the Property Owner or occupant of the property where the violation occurred to advise such Person of:

(a) the water supply shortage stage then in effect and the provisions of this Ordinance relating thereto;

(b) the water supply shortage response measures that are required and may be implemented by such Person; and

(c) possible consequences which may occur in the event of any future violations of this Ordinance;

(2) if the General Manager or his or her authorized designee deem it to be appropriate, the District may order the installation of a flow-restricting device on the service line for any Person who violates any term or provision of this Ordinance;

(3) if the General Manager or his or her authorized designee deem it to be appropriate, the District may discontinue water service at the location where the violation occurred.

(F) The District may, after one (1) written notice of violation, order that a special meter reading or readings be made in order to ascertain whether wasteful or unreasonable use of water is occurring. The District may impose a meter reading fee for each meter reading it conducts pursuant to this Ordinance.

### **Section 13. Administrative Compliance Order and Fines and/or Penalties**

(A) Separate from, in addition to, or in combination with a notice of violation or cease and desist order, the General Manager or his or her authorized designee may issue an administrative compliance order against the Property Owner and/or occupant of the property where a violation of this Ordinance occurred and/or any other Person responsible for a violation of this Ordinance who violates any provision of this Ordinance. Issuance of a notice of violation or a cease and desist order is not a prerequisite to the issuance of an administrative compliance order. The administrative compliance order shall allege the act(s) or failure(s) to act that constitute violations of this Ordinance and shall set forth the penalty for the violation(s).

(B) The General Manager may impose the following administrative monetary fines and/or penalties, in addition to other appropriate action requirements and measures:

(i) For the first violation during any water supply shortage stage by any Person of any provision of this Ordinance, the District shall issue a written warning notice of non-compliance for any Person who violates any provisions of this Ordinance.

(ii) For a second violation during any water supply shortage stage by any Person of any provision of this Ordinance within the preceding twelve (12) calendar months, the District shall issue a final written notice to the Person which sets forth a complete copy of this Ordinance or summary document of the WSCP as well as additional information such as the required compliance and potential fines and/or penalties for noncompliance.

(iii) For a third violation during Stages 1 and 2 by any Person of any of the provisions of this Ordinance within the preceding twelve (12) calendar months, the District may impose a monetary penalty in the amount of one hundred dollars (\$100.00) per day for each day a Person violates any provision of this Ordinance. During Stages 3, 4, and 5 the District may impose a monetary penalty in the amount of two hundred dollars (\$200.00) per day for each day a Person violates any provision of this Ordinance.

(iv) For a fourth and any subsequent violation during Stages 1 and 2 by any Person of any of the provisions of this Ordinance, the District may impose a monetary penalty in the amount of one hundred dollars (\$100.00) per day for each day a Person violates any provision of this Ordinance. During Stages 3, 4, and 5 the District may impose a monetary penalty in the amount of four hundred dollars (\$400.00) per day for each day a Person violates any provision of this Ordinance.

(v) For a fifth violation during Stages 1 and 2 by any Person of any of the provisions of this Ordinance within the preceding twelve (12) calendar months, the District may impose a monetary penalty in the amount of one hundred dollars (\$100.00) per day for each day a Person violates any

provision of this Ordinance. During Stages 3, 4, and 5 the District may impose a monetary penalty in the amount of five hundred dollars (\$500.00) per day for each day a Person violates any provision of this Ordinance.

(vi) For a sixth and any subsequent violation, the District may install a flow-restricting device or terminate a Person's service in accordance with the District's applicable rules and regulations. These measures are in addition to any monetary fines and/or penalties provided for herein.

(vii) Any such restricted or terminated service may be restored in accordance with the District's applicable rules and regulations and only upon a showing that the Person is in compliance with this Ordinance. Prior to any restoration of service, the Customer shall pay all District charges for any restriction or termination of service and its restoration as provided for in the District rules governing water service, including, but not limited to payment of all past due bills and fines and/or penalties and any other amounts which may be due and owing under this Ordinance.

(viii) An amount that shall not exceed five hundred dollars (\$500.00) per day for each day on which a Person violates any provision of this Ordinance. Unless timely appealed, an administrative compliance order shall be effective and final as of the date it is issued by the General Manager.

(ix) To the extent the amounts of penalties and fines referenced in this Section are not otherwise authorized under State law, the penalties and fines assessed shall be in the amounts authorized under the Municipal Water District Law of 1911.

(C) The amount of any fines and/or penalties imposed pursuant to this Section 13 may be collected by including said amount on the Customer's water bill. The amount of any fines and/or penalties imposed pursuant to this Section 13 which have remained delinquent for a period of sixty (60) calendar days shall constitute a lien against the real property of the Person violating this Ordinance. The lien provided herein shall have no force and effect until recorded with the Riverside County Recorder and when recorded shall have the force and effect and priority of a judgment lien and continue for ten (10) years from the time

of recording unless sooner released, and shall be renewable in accordance with the provisions of sections 683.110 to 683.220, inclusive, of the California Code of Civil Procedure.

(D) All moneys collected under this Section 13 shall be deposited in a special account of the District and shall be made available for enforcement of this Ordinance and enhanced water conservation incentive programs.

(E) The District may, at its option, elect to petition the Superior Court to confirm any order establishing administrative fines and/or penalties and enter judgment in conformity therewith in accordance with the provisions of sections 1285 to 1287.6, inclusive, of the California Code of Civil Procedure.

#### **Section 14. Over-Budget Water Use Penalties**

(A) All penalty moneys collected from over-budget water use during a declared water shortage stage in excess of the applicable Tier 2 rate, shall be deposited in the existing special funding accounts designated for conservation penalty and/or supply penalty as appropriate and may be allocated to or used for any of the following as determined by the District:

1. Conservation Penalty Account:

(a) Enhanced conservation programs designed to reduce water demands;

(b) Outreach and Education Programs designed to reduce water demands, decrease water waste, or generally raise water awareness;

(c) Enforcement of any provision of this Ordinance;

2. Supply Penalty Account:

(a) Purchase, acquisition, delivery, or wheeling of additional water supplies;

(b) General operations and maintenance expenses, including those incurred as a result of reduced water sales;

(c) The difference between budgeted revenue expected from the operations and maintenance component in the water rates of Tier 1 and 2 and actual revenue received from this component;

(d) Payment of penalty expenses incurred as a result of exceeding a Metropolitan water supply allocation;

(e) Payment of any other incremental cost of service associated with providing water deliveries and/or water service during any water curtailment, water shortage emergency, or "Immediate Emergency" pursuant to Water Code sections 350 *et seq.*

### **Section 15. Recovery of Costs**

(A) The General Manager shall serve an invoice for costs upon the Property Owner and/or occupant of any property, or any other responsible Person who is subject to a notice of violation, a cease and desist order, or an administrative compliance order. An invoice for costs shall be immediately due and payable to the District. If any Property Owner or Person in charge of day-to-day operations, Customer, or responsible party, or any other Person fails to either pay the invoice for costs or appeal successfully the invoice for costs in accordance with this Ordinance, then the District may institute collection proceedings. The invoice for costs may include reasonable attorneys' fees.

(B) The District shall impose any other fines and/or penalties or regulatory fees, as fixed from time to time by the Board of Directors, for a violation or enforcement of this Ordinance.

(C) In order to recover the costs of the WSCP set forth in this Ordinance, the Board of Directors may, from time to time, fix and impose regulatory fees. These regulatory fees shall not exceed the cost of the regulatory activities for which they are imposed and shall not be used for unrelated revenue purposes. The District fees and charges may include, but are not limited to fees and charges for:

(1) any visits of an Enforcement Officer or other District staff for time incurred for meter reading, follow-up visits, or the installation or removal of a flow-restricting device;

- (2) monitoring, inspection, and surveillance procedures pertaining to enforcement of this Ordinance;
- (3) enforcing compliance with any term or provision of this Ordinance;
- (4) re-initiating service at a property where service has been discontinued pursuant to this Ordinance;
- (5) processing any fees necessary to carry out the provisions of this Ordinance.

### **Section 16. Appeals**

Any Person subject to a notice of violation, cease and desist order, or administrative compliance order may file a written appeal of such order or notice to the General Manager within thirty (30) calendar days of the date of service of the order or notice. An appeal shall be made in accordance with the following procedures:

(A) The Appellant shall complete and submit in writing a form provided by the District for such purpose and shall state in such form the grounds for his or her appeal. All appeals shall be submitted to the District Secretary within thirty (30) calendar days of the date of the notice of violation, cease and desist order, or administrative compliance order.

(B) The General Manager or his or her authorized designee shall review the appeal and any related information provided, and, if necessary, cause an investigation and report to be made concerning the request for Relief. The General Manager or his or her authorized designee shall have fifteen (15) calendar days from the submission of the appeal to render a decision on whether to grant the appeal and mail notice thereof to the Appellant. If the General Manager or his or her authorized designee grants the appeal, then within fifteen (15) calendar days of such determination the General Manager or his or her authorized designee shall give written notice thereof to the Appellant.

(C) The decision of the General Manager or his or her authorized designee may be appealed by the Appellant to the Board of Directors.

Such appeal must be submitted in writing and filed with the District Secretary within fifteen (15) calendar days of the date of decision of the General Manager or his or her authorized designee. The Board of Directors shall conduct a hearing on such appeal at its next regularly scheduled Board of Directors meeting; provided, however, the Board of Directors shall have received the notice of appeal at least fifteen (15) calendar days prior to such meeting. If the appeal is not submitted within at least fifteen (15) calendar days prior to a regularly scheduled Board of Directors meeting, then the Hearing shall be held at the following regularly scheduled meeting of the Board of Directors. A notice of the Hearing shall be mailed to the Appellant at least ten (10) calendar days before the date fixed for the Hearing. The Board of Directors shall review the appeal de novo. The determination of the Board of Directors shall be conclusive and shall constitute a final order. Notice of the determination by the Board of Directors shall be mailed to the Appellant within ten (10) calendar days of such determination and shall indicate whether the appeal has been granted in whole or in part and set forth the terms and conditions of the appeal, if any, granted to the Appellant. If the appeal is denied, the Appellant shall comply with all terms and conditions of this Ordinance and the applicable stage then in effect.

(D) After an Appeal Request form has been received, a site survey may be required by the District. 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) Until the conclusion of the appeal process, all provisions and decisions under appeal shall remain in full force and effect until the conclusion of the appeal process.

### **Section 17. Variances**

The District may, in writing, grant a temporary variance from any fines, Allocation Surcharges and monetary assessments, or restrictions imposed by the WSCP if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire

protection for the public or the person requesting such variance, and under the following conditions:

(A) Compliance with the WSCP cannot be technically accomplished during the duration of a water supply shortage or other condition for which the WSCP Shortage Stage is in effect

(B) Alternative methods or technology used as part of a District-sanctioned trial or test study can be implemented which will achieve the same level or reduction in water use.

(C) Doctor-approved health circumstances, illness or injury will be considered on a case-by-case basis.

(D) No variances will be issued, beginning in Shortage Stage 3c of the WSCP, for filling swimming pools, leaks not repaired within 14 days or having large livestock animals.

(E) Additional 55 gallons per day (gpd) for each additional person. Documentation of additional residents must be submitted with application if the property will have more than 6 full-time residents. This may be children's birth certificates, school records, copies of income tax returns, lease agreements, etc. Type of documentation provided for this variance will be verified and notated on the variance form. After verification is complete, documentation provided will be destroyed.

(F) Variances will be considered for landscape adjustments within a 60 day grace period after the WSCP adoption.

(G) Variances will be considered for health and safety issue only in Shortage Stages 4 and 5.

(H) A written variance shall be accepted by the District, and may be denied at the sole discretion of the District.

(I) All variances must be requested in writing any time after the WSCP stage implementation. The following must be provided:

1. Name, contact phone number, service address and customer account number of petitioner;

2. Purpose of water use (e.g., domestic, commercial, agriculture);
3. Specific provision(s) of the WSCP from which the petitioner is requesting relief;
4. Detailed statement as to how the provision of the WSCP adversely affects the petitioner or what damage or harm will occur;
5. Description of the relief requested;
6. Period of time for which the variance is sought; and
7. Any alternative water use restrictions (e.g. indoor use) that the petitioner is taking or proposes to take to meet the intent of the WSCP.

### **Section 18. Relief From Compliance**

Consideration of written applications for Relief from compliance regarding the regulations and restrictions on water use set forth in this Ordinance may be made by the District.

(A) Written applications for Relief shall be accepted, and may be granted or denied, by the Approving Authority, at his or her sole discretion, or by his or her designee at his or her sole discretion. The application shall be in a form prescribed by the District and shall be accompanied by a non-refundable processing fee in an amount as determined by the Board of Directors for the purpose of defraying the costs incidental to the proceedings.

(B) The grounds for granting or conditionally granting Relief are:

(1) due to unique circumstances, a specific requirement of this Ordinance would result in undue hardship to a Person using District water or to property upon which District water is used, that is disproportionate to the impacts to other District water users generally or to similar property or classes of water users; or

(2) failure to grant Relief would adversely affect the health, sanitation, fire protection, or safety of the applicant or the public.

(C) The application for Relief shall be accompanied, as appropriate, with photographs, maps, drawings, and other information substantiating the applicant's request, including a statement of the applicant.

(D) An application for Relief shall be denied unless the Approving Authority finds, based on the information provided in the application, supporting documentation, or such other additional information as may be requested, and on water use information for the property as shown by the records of the District, all of the following:

(1) That the Relief does not constitute a grant of special privilege inconsistent with the limitations upon other District Customers;

(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: (a) the property or use that exceeds Customers generally; or (b) the applicant's health that exceeds Customers generally;

(3) That the authorization of such Relief will not be of substantial detriment to adjacent properties, will not materially affect the ability of the District to effectuate the purposes of this Ordinance, and will not be detrimental to the public interest; and

(4) That the condition or situation of: (a) the subject property or the intended use of the property for which the Relief is sought is not common, recurrent, or general in nature; or (b) the applicant's health or safety is not common, recurrent, or general in nature.

(E) The denial or grant of a Relief shall be acted upon within fifteen (15) business days of the submittal of the complete application, including any photographs, maps, drawings, and other information substantiating the applicant's request and the statement of the applicant. The application may be approved, conditionally approved, or denied. The decision of the Approving Authority shall be prepared in writing, include terms and conditions, if any, and promptly sent to the applicant.

(F) The denial of a request for Relief may be appealed in writing to the General Manager. An appeal shall be made in accordance with the following procedures:

(1) The Appellant shall complete and submit in writing a form provided by the District for such purpose and shall state in such form the grounds for his or her appeal. All appeals shall be submitted to the District Secretary within thirty (30) calendar days of the date of the notice of the denial of the request for Relief.

(2) The General Manager or his or her authorized designee shall review the appeal and any related information provided, and, if necessary, cause an investigation and report to be made concerning the request for Relief. The General Manager or his or her authorized designee shall have fifteen (15) calendar days from the submission of the appeal to render a decision on whether to grant the appeal and mail notice thereof to the Appellant. If the General Manager or his or her authorized designee grants the appeal and determines that the request for Relief shall be granted, then within fifteen (15) calendar days of such determination the General Manager or his or her authorized designee shall give written notice thereof to the Appellant.

(3) The decision of the General Manager or his or her authorized designee may be appealed by the Appellant to the Board of Directors. Such appeal must be submitted in writing and filed with the District Secretary within fifteen (15) calendar days of the date of decision of the General Manager or his or her authorized designee. The Board of Directors shall conduct a hearing on such appeal at its next regularly scheduled Board of Directors meeting; provided, however, the Board of Directors shall have received the notice of appeal at least fifteen (15) calendar days prior to such meeting. If the appeal is not submitted within at least fifteen (15) calendar days prior to a regularly scheduled Board of Directors meeting, then the Hearing shall be held at the following regularly scheduled meeting of the Board of Directors. A notice of the Hearing shall be mailed to the Appellant at least ten (10) calendar days before the date fixed for the Hearing. The Board of Directors shall review the appeal de

novo. The determination of the Board of Directors shall be conclusive and shall constitute a final order. Notice of the determination by the Board of Directors shall be mailed to the Appellant within ten (10) calendar days of such determination and shall indicate whether the appeal has been granted in whole or in part and set forth the terms and conditions of the Relief, if any, granted to the Appellant. If the appeal is denied, the Appellant shall comply with all terms and conditions of this Ordinance and the applicable stage then in effect.

(4) Until the conclusion of the appeal process, all provisions and decisions under appeal shall remain in full force and effect until the conclusion of the appeal process.

### **Section 18. Conflicting Provisions**

If provisions of this Ordinance are in conflict with each other, other rules and regulations of the District, or any other resolution or ordinance of the District, including but not limited to Ordinance Numbers 78, 79, 81, 87, 88, 185, and 219 as any or all of same have been amended from time to time the provisions of this Ordinance No. 255 shall apply. If the provisions of this Ordinance are in conflict with any State law or regulation, the more restrictive provisions shall apply.

### **Section 19. Severability**

If any provision, section, subsection, sentence, clause or phrase or sections of this Ordinance, or the application of same to any Person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the invalidity of the remaining portions of sections of this Ordinance shall not be affected, it being the intent of the Board of Directors in adopting this Ordinance that no portions, provisions, or regulations contained herein shall become inoperative, or fail by reason of the unconstitutionality of any other provision hereof and all provisions of this Ordinance are declared to be severable for that purpose.

### **Section 20. Effective Date and Publication**

This Ordinance shall be effective immediately upon adoption. Within ten (10) days after its adoption, the District Secretary shall cause this

Ordinance to be published once pursuant to California Government Code section 6061 in full in a newspaper of general circulation which is printed, published, and circulated in the District. If there is no such newspaper, the Ordinance shall be posted within the District after its adoption in three public places.

**ADOPTED AND APPROVED** this 28th day of May 2015 by the Board of Directors of the Elsinore Valley Municipal Water District.

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Phil Williams, President  
Board of Directors  
Elsinore Valley Municipal Water District

ATTEST:

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Terese Quintanar, Secretary of the  
Board of Directors of the  
Elsinore Valley Municipal Water District

STATE OF CALIFORNIA        )  
   ) ss:  
 COUNTY OF RIVERSIDE        )

I, Terese Quintanar, Secretary of the Board of Directors of the Elsinore Valley Municipal Water District, do hereby certify that the foregoing Ordinance No. 225 was duly adopted by said Board at its Regular Meeting held on May 28, 2015, and that it was so adopted by the following roll call vote:

AYES:           Cambero, Horton, Morris, Ryan, Williams  
 NOES:           None  
 ABSENT:        None  
 ABSTAIN:       None

\_\_\_\_\_  
 Terese Quintanar, Secretary of the  
 Board of Directors of the Elsinore Valley  
 Municipal Water District