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# Water Conservation and Water Shortage Ordinance

Public Hearing  
June 9, 2021



# Overview

1. Ordinance Development & Public Engagement Process
2. Purpose of the Water Conservation and Water Shortage Ordinance
3. Water Conservation and Water Shortage Ordinance Overview
4. Public Comments & Answers



# SCV WATER PLANNING EFFORTS & PROJECTS

Water for Today & Tomorrow



**Groundwater  
Sustainability Plan**



**Urban Water  
Management Plan**



**Water Shortage  
Contingency Plan**



**Recycled  
Water Planning**



**Rate Case  
Planning**



**PFAS**

To learn more visit: [www.yourSCVwater.com/planning](http://www.yourSCVwater.com/planning)



# Schedule





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# Purpose of the Water Conservation and Water Shortage Ordinance



# Water Shortage Ordinance

## What is a Water Shortage Ordinance?

Following approval by the SCV Water Board of Directors, the Water Conservation and Water Shortage Ordinance provides the legal authorities that empower the agency implement and enforce its shortage response actions.

## How does the Water Shortage Ordinance Benefit the Community?

- Prioritizes domestic uses, sanitation, and fire protection.
- Identifies, communicates, and limits wasteful water use practices.
- Enables water agency to enforce provisions of the Water Shortage Contingency Plan and prioritizes reducing inefficient and wasteful uses of water.



# Water Conservation and Water Shortage Ordinance

- Creates uniform conservation ordinance and rescinds previous regulations/rule:
  - CLWA/SCWD Ordinance No. 44
  - NCWD Ordinance No. 117
  - VWC Rule 14.1
- Shortage declarations sole discretion of SCV Water due to:
  - Drought
  - State regulations
  - Water supply conditions
  - Reduction of water use necessary to make most efficient use of water and to respond to existing water and regulatory conditions



# Proposed Water Shortage Ordinance Components

- General water use efficiency recommendations
- Watering restrictions
- Water shortage stages
  - Specific measures to achieve demand reduction
- Penalties, enforcement, and appeals
- Waivers







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# Water Conservation and Water Shortage Ordinance



# General Water Use Efficiency Recommendations

- Outdoor water use efficiency recommendations:
  - Irrigation system, controller, and landscape operations & maintenance
- Indoor water use efficiency recommendations:
  - Repair leaks
  - WaterSense devices
  - Energy Star® appliances
  - Smart business practices



# Watering Restrictions

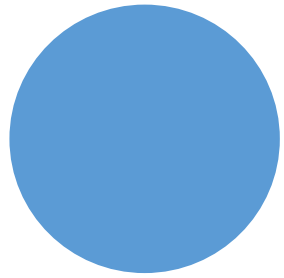
- Allowing runoff onto non-irrigated areas when irrigating with potable water
- Using hoses with no shutoff nozzles to wash cars
- Using potable water to wash sidewalks, driveways, and hardscapes
- Using potable water in decorative water features that do not recirculate the water



# Watering Restrictions (Continued)

- Irrigation outdoors during and within 48 hours following measurable precipitation (quarter-inch or more)
- Irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with current regulations
- The irrigation with potable water of ornamental turf on public street medians

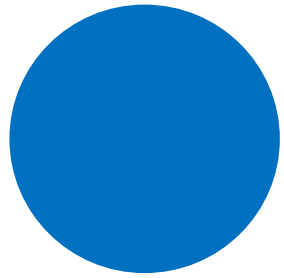




# Stage 1 Water Shortage

- Water use reduction goal: Voluntary - up to 10% reduction
- Watering restrictions prohibited
- Additional measures:
  - None



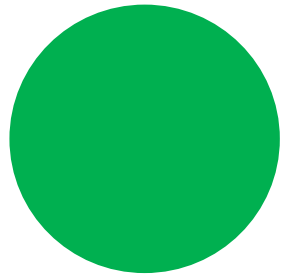


# Stage 2 Moderate Water Shortage

- Water use reduction goal: Voluntary - up to 20% decrease in water use
- Watering restrictions prohibited
- Additional Measures:
  - Limits on watering days - (not to exceed 3 days per week)
  - Limits on watering station run time (Duration)\* - Two 5-minute cycles (10 minutes max.)
  - Watering times (Time of Day) - Nov. thru Apr. (6 PM to 10 AM), May thru Oct. (8 PM to 9 AM)

\* Watering time limitations do not apply to zones using drip irrigation or low precipitation HE rotary nozzles (<1"/hr.)



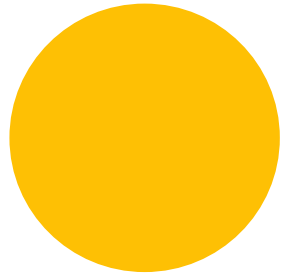


# Stage 3 Significant Water Shortage

- Water use reduction goal: Voluntary - up to 30% decrease in water use
- Watering restrictions prohibited
- Additional Measures:
  - Limits on watering days - Nov. thru Mar. (2 days per week), Apr. thru Oct. (3 days per week)
  - Limits on watering station run time (Duration)\* - Two 5-minute cycles (10 minutes max.)
  - Watering times (Time of Day) - Nov. thru Apr. (6 PM to 10 AM), May thru Oct. (8 PM to 9 AM)

\* Watering time limitations do not apply to zones using drip irrigation or low precipitation HE rotary nozzles (<1"/hr.)





# Stage 4 Critical Water Shortage

- Water use reduction goal: Mandatory- up to 40% decrease in water use
- Watering restrictions prohibited
- Additional Measures:
  - Limits on watering days - 2 days per week
  - Limits on watering station run time (Duration)\* - Two 5-minute cycles (10 minutes max.)
  - Watering times (Time of Day) - Nov. thru Apr. (6 PM to 10 AM), May thru Oct. (8 PM to 9 AM)

\* Watering time limitations do not apply to zones using drip irrigation or low precipitation HE rotary nozzles (<1"/hr.)





# Stage 5 Emergency Water Shortage

- Water use reduction goal: Mandatory - 50% decrease in water use
- Watering restrictions prohibited
- Additional Measures:
  - Limits on watering days - 1 day per week
  - Limits on watering station run time (Duration)\* - Two 5-minute cycles (10 minutes max.)
  - Watering times (Time of Day) - Nov. thru Apr. (6 PM to 10 AM), May thru Oct. (8 PM to 9 AM)

\* Watering time limitations do not apply to zones using drip irrigation or low precipitation HE rotary nozzles (<1"/hr.)

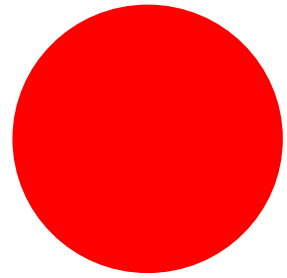


# Stage 5 Emergency Water Shortage

- **Additional Measures:**

- Hotels and motels provide guests with option of choosing not to have towels and linens laundered daily
- Eating or drinking establishments serve drinking water only upon request
- No potable water may be used for new landscaping except for drought tolerant plants
- No potable water may be used for any lawn established after the declaration
- No pools or spas may not be filled with potable water, but existing levels may be maintained
- No new potable water service, exceptions for valid building permits, public health, safety or welfare, or for enforceable offset commitments
- No potable water for grading, non-recycling car wash facilities, or street cleaning





# Stage 6 Emergency Water Shortage

- Water use reduction goal: Mandatory - Greater than 50% decrease in water use
- Watering restrictions prohibited
- Additional Measures:
  - All measures included in Stages 1-5
  - No irrigation watering
    - Water or irrigation of outdoor lawns, landscape, or other vegetated areas with potable water is prohibited





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# Penalties, Enforcement, and Appeals



# Penalties & Enforcement

- Agency has duty to enforce provisions of the Ordinance
- Agency's goal to conserve water resources and generate greatest benefit to customers during drought and shortage
- Prioritizes communication, education, and enforcement
- Penalties:
  - First violation – written notice
  - Second violation – written notice and \$50 fine per violation
  - Third and subsequent violations – written notice, \$100 fine violation (increase of \$100 for each violation up to a maximum of \$500 per day)
- Additional activity (greater than 3 occurrences in 12-month period):
  - Agency may install flow restrictor



# Penalties & Enforcement (Continued)

- Additional penalties:
  - Agency may shutoff a customer's water service for willful violations of mandatory restrictions
  - Leak shut off – dedicated irrigation meters
    - In instances where a leak is observed on the customer's side of a dedicated irrigation system or water meter, the agency may immediately shut off system/meter and may issue notice of violation as provided for in the ordinance.
    - Water service will not be reinstated until the leak is repaired
- Each violation of the Ordinance is a separate offense



# Appeals

- Agency will notify customers by mail or personal delivery
- Customers may appeal a notice of violation by filing a written appeal within 10 days of the Notice of Violation
  - Any Notice of Violation not timely appealed will be final
- For timely Notice of Violation appeals agency will:
  - Schedule hearing on appeal
  - Provide written notice to customer at least ten (10) days before hearing date
  - Delegate hearing officer
  - Provide decisions on appeal
  - Promptly send written notification on final decision(s)





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# Waivers





# Waivers

- Waiver types:
  - Undue or disproportional hardship
  - Establishment waiver
  - Alternative performance compliance waiver
- Application
  - Customers must submit a written request/application to agency
- Written finding
  - Waivers may be granted, partially granted, or denied
- Approval authority
  - Agency will provide waiver applicants with determination in writing within ten (10) business days after submittal





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# Public Comments



# Public Comment Summary

- Timeframe – March 12, 2021 – April 12, 2021
- Comment Submissions by: Mail, email, online comment form
  - 3 responses received (13 comments)
- SCV Water BOD Comments (5/27/2021 UWMP Public Hearing)
- Additional Comments
- Responses to Comments:
  - Water Conservation and Water Shortage Ordinance Public Comment Period
  - Comments from 5/27/2021 UWMP Public Hearing
  - Additional comments





# Additional WCWSO Comments (Public Comment Period)

Comment – Synopsis, due to large irrigation customers' demand profiles and management capabilities, the irrigation watering restrictions salient to frequency (days per week, irrigation runtimes, frequency) are insufficient to meet deficit irrigation requirements and limits its use of technology investments and upgrades (smart controllers, central control, other irrigation improvements).

Response – See “Alternative Performance Compliance Waiver.” Customers with more than ten (10) master-controlled irrigation controllers would be eligible for the waiver and would commit to reducing demands in alignment with a declared water shortage stage. Customers with approved APCW are not exempt from the prohibited watering restrictions.



# Additional WCWSO Comments (Public Comment Period)

Comment – Ordinance should include increased allowance for livestock.

Response – The WCWSO prioritizes reductions in wasteful and inefficient uses of water. Maintaining livestock is not considered a wasteful use of water.



# Additional WCWSO Comments (Public Comment Period)

Comment – (1) Cutbacks in grading, private wells, and Honor Rancho are not included in the WCWSO. (2) Recommend to never allow grading with potable water.

Response – SCV Water has limited jurisdiction pertaining to private wells. Demand reductions for water uses pertaining to grading and new services are included in Stages 5 – Emergency Water Shortage and Stages 6 Catastrophic Water Shortage of the WCWSO.



# Additional WCWSO Comments (Public Comment Period)

Comment – (1) The Ordinance should include 5 stages instead of 6. (2) Eliminate Stage 1 and have 5 Stages.

Response – Updates to Water Code Section 10632 (a)(3) – (A) six standard water shortage levels corresponding to progressive ranges of up to 10, 20.... and greater than 50 percent shortage. SCV Water's WSCP and WCWSO include six stages reflecting this requirement.





# Additional WCWSO Comments (Public Comment Period)

Comment – The WSCP and WCWSO do not provide hard indicators of drought and leaves such findings and declarations to the “agency’s sole discretion.”

Response – Declaring a water shortage is in the agency’s sole discretion. The Water Shortage Contingency Plan provides the framework for real-time analysis and assessment to determine gaps between available supplies and unconstrained demands. Implementation of the plan is premised on priority dispatch of specific measures (supply augmentation, communications and engagement, conservation program enhancement, and enforcement) and persistent performance monitoring to determine success of activities.



# Additional WCWSO Comments (Public Comment Period)

Comment – Explain how the water agency will police water usage times.

Response – The agency’s priority is to educate and engage the community to assist with optimal water use efficiency practices. Implementation of enforcement activities could include patrols/inspections and could be enhanced based on violation of irrigation related watering restrictions.



# Additional WCWSO Comments (Public Comment Period)

Comment – Early penalties are insufficient to dissuade water use.

Response – The penalty values included in the Ordinance are carry-over from previous Ordinance iterations. In support of the agency’s goal to educate and engage the community to implement optimal water use efficiency practices, the first violation includes a written notice. Additional violations may result in fines up to \$500 per, the installation of a flow restrictor, or water service shutoff.



# Additional WCWSO Comments (Public Comment Period)

Comment – Does total water shutoff comply with state law?

Response – Yes. Water agency's may shutoff water service for persistent and willful violation of the provisions stated in the Ordinance.



# Additional WCWSO Comments (Public Comment Period)

Comment – Who is going to review waivers and under what conditions are they granted?

Response – The General Manager would direct staff to review waivers and grant waivers based on verified criteria. Waiver approval would not preclude the agency from enforcement of the watering restriction provisions defined in the Ordinance.



# Additional WCWSO Comments (Public Comment Period)

Comment – SCV Water should consider a temporary cost increase.

Response – As part of the Water Shortage Contingency Planning development process, SCV Water considered a myriad of options and alternatives capable of accomplishing its objectives. Specific to demand response stages, SCV Water’s plan prioritizes education and community engagement to promote optimal water use efficiency practices and includes enforcement provisions should they be necessary.



# Response to UWMP Public Hearing Comment

Comment – Why are we continuing to develop when asking current customers to use less water?

Response – It is sound public policy that water is used efficiently. California recognizes that water is a limited and vital resource which benefits ecosystems, human health, safety, urban and agricultural economies. As such, the California legislature continues to mandate increased water efficiency in support of “Making Conservation a California Way of Life”. SCV Water provides a myriad of programs, incentives, rebates, services, and educational opportunities to support our customers’ diverse water use efficiency goals.

Regarding development, LA County, like many counties across California, is experiencing a chronic housing shortage. SCV has been allocated a share of new homes and in response, the City and County developed the “One Valley One Vision” general plan. Development decisions are ultimately determined by the city and county respectively. SCV Water’s mission includes assuring reliable water supplies for existing and future customers (families, businesses, schools, and recreation). When assessing water supply reliability, one of the most cost-effective means to achieving success occurs through sustainable, community-wide water use efficiency practices.

(**Note:** Additional comments were received during the thirty-day public comment period and from agency social media posts).



# Response to UWMP Public Hearing Comment

Comment – Recommendation to move components addressing limits on new development from Stage 5 to Stage 4 of the plan/ordinance?

Response – The Water Shortage Contingency Plan and Water Conservation and Water Shortage Ordinance are premised on existing and legacy approaches to critical demand reduction requirements. The current approach aligns available conservation potential to relevant demand reduction needs. The SCV Water BOD can modify the draft plan and ordinance.





# Additional Comments

Comment – When are we going to declare a water emergency in Santa Clarita?

Response – At this time, SCV Water has determined that supplies are available to adequately meet current demands (valley-wide water use). Additionally, the agency has launched internal and external efforts to enhance water conservation and water use efficiency practices. The agency continues to monitor current drought conditions and assess impacts on its supply and demand profile. Such analysis does not preclude the agency from responding to a Drought Emergency Declaration should Governor Newsom expand the current declaration to include our region. The WSCP and WCWSO provide the tools and activity to effectively and efficiently respond to a water emergency.



# Project Schedule



**2021**

Planning, Analysis & Public Involvement (August 2020-July 2021)

