

WATER SHORTAGE CONTINGENCY PLAN

JULY 2021

CITY OF SOLEDAD



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DEFINITIONS

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

Basin: Central Salinas Valley Groundwater Basin.

City: City of Soledad.

Commercial, Industrial, and Institutional (CII): Includes but is not limited to any type of non-profit establishments, governmental entities, schools, retail establishments, hotels, motels, restaurants, car washes, and office buildings.

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

Customer: Any person, company, agency, or organization using water supplied by the City.

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

Household: Residential premises served by the customer's meter.

Forebay Subarea: Forebay Aquifer Subbasin of the Central Salinas Valley Groundwater Basin.

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

Long-Term Shortage: A prolonged shortage of water supplies expected to last at least a year.

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

Short-Term Shortage: A shortage of water supplies expected to last less than a year.

Shortage Level: Levels (stages) of water shortage.

VOC: Volatile organic compounds.

WAC: Water Awareness Committee of Monterey County.

Water Resources Agency: Monterey County Water Resources Agency.

Water Shortage: A condition in which the existing or projected potable water supply available to the City is not adequate to meet the water requirements of its customers. This condition may be the result of factors including but not limited to drought, groundwater limitations, or emergency conditions or failures of water distribution systems.

Water Shortage Contingency Plan: The WSC Plan, as defined by this document.

Water Shortage Period: The period beginning on the effective date of the City Council's approval of implementing the City's Water Shortage Contingency Plan and ending on the date of the City Council's finding that a potable water shortage no longer exists.

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1 OVERVIEW AND INTENTION

1.1 WATER CODE SECTION 10632 – WATER SHORTAGE CONTINGENCY PLAN

The City of Soledad (City) is responsible for conserving the available water supply, protecting the integrity of water supply facilities (infrastructure), and implementing a contingency plan in times of drought, supply reductions, failure of water distribution systems, or emergencies. Particular emphasis is placed on use of domestic (potable) water, sanitation, fire protection, and preservation of public health, welfare, and safety, in addition to minimization of the adverse impacts of water supply shortage or other water supply emergency conditions that do not include recycled water.

The City has developed a Water Shortage Contingency Plan (WSC Plan) in accordance with California Water Code (CWC) Section 10632, which is part of the Urban Water Management Planning regulatory requirements. In 2018, as a response to California’s drought of 2012–2016 and some urban water suppliers experiencing water reliability challenges, the State Legislature updated Section 10632 to require that all urban water suppliers develop and adopt a WSC Plan as part of the 2020 Urban Water Management Plan (UWMP). Water Code Section 10632 now requires several prescriptive elements that suppliers must address. These requirements are listed below, along with the section of this WSC Plan where they are addressed:

- Water Supply Reliability Analysis (Section 2)
- Annual Water Supply and Demand Assessment Procedures (Section 2)
- Water Shortage Levels (Section 3)
- Shortage Response Actions (Section 4)
- Communication Protocols (Section 5)
- Seismic Risk Assessment (Section 6)
- Compliance and Enforcement (Section 7)
- Legal Authorities (Section 8)
- Financial Consequences of WSC Plan Activation (Section 9)
- Monitoring and Reporting (Section 10)
- WSC Plan Refinement Procedures (Section 10)
- Special Water Feature Distinction (Section 11)
- Plan Adoption, Submittal, and Availability (Section 12)

This WSC Plan outlines the shortage response actions that will be implemented by the City in the event of water supply shortages due to catastrophic events, drought, etc. The WSC Plan’s purpose is to provide a plan of action to be followed at the various levels of a water shortage in order to balance demand with constrained supplies.

The WSC Plan supports and builds on the City’s Mandatory Water Conservation Regulations (Chapter 13.09, City of Soledad Municipal Code, Ordinance 534, 1993) to meet the CWC requirements. This WSC Plan and the Mandatory Water Conservation Regulations will be informed and enacted through the annual water supply and demand assessment (Section 2). Additionally, this WSC Plan outlines the shortage response actions the City may take to balance demand with constrained supplies. The

Mandatory Water Conservation Regulations establish the regulatory authority and policies with respect to water conservation and the declaration of a water supply shortage and are attached in Appendix A.

In addition, the Water Shortages and Service Interruptions (Appendix B) of the Mandatory Water Conservation Regulations declares, “The City shall exercise reasonable diligence to provide continuous and adequate water service to consumers and to avoid any shortage or interruption of delivery of water; provided, that the City may suspend water service temporarily to make necessary repairs and improvements to the municipal water system.” It also states, “During any period of threatened or actual water shortage, the City may apportion its available water among consumers in such manner as appears most equitable under the circumstances then prevailing and with due regard to public health and safety.”

This WSC Plan provides the strategic responses the City may take if a water shortage is declared to conserve and manage precious water resources that are essential to maintain public health and community vitality. It is included as an appendix to its 2020 UWMP. However, this WSC Plan is separate from the City’s 2020 UWMP and can be amended, as needed, without amending the 2020 UWMP.

1.2 PRINCIPLES OF THE CITY’S WATER SHORTAGE CONTINGENCY PLAN

The overall principle of the City’s WSC Plan is to maintain reliability to meet water demand during shortages caused by supply interruptions, reductions, or allocations, as well as respond to emergency conditions. The WSC Plan recognizes the following priorities for potable water:

- Public safety, health, and welfare
- Economic sustainability
- Quality of life for City customers
- Statutory and regulatory requirements

The domestic water use regulated and/or prohibited under this WSC Plan is considered to be non-essential, or discretionary, use. Water Code Section 106 establishes that domestic use of water is the highest use of water and that the next highest use is for irrigation. Continued use of non-essential water during times of water shortage or emergency supply conditions is deemed to constitute a waste of water and may be subject to citations, monetary assessments and fines, or appropriate surcharges as described in Section 7 of this Plan.

The City prides itself in working with the community it serves such that the intent and goal in implementing the contents of this WSC Plan is to conserve water resources and generate the greatest benefit for the City’s water customers during times of drought and water shortages. In the most recent drought of 2012–2017, the City was mandated to reduce water use by 24 percent by the State of California.¹ The City was able to achieve its target water conservation goal through coordination and communication with its customers and by implementing adaptive water shortage response actions to minimize the collective pain of the statewide declared water shortage. This WSC Plan builds on the

¹ State Water Resources Control Board, Resolution No. 2015-0032, Emergency Regulation for Statewide Urban Water Conservation.

lessons learned during the challenges of the 2012–2017 drought and the strategic community partnerships established through years of providing water and wastewater services to its customers.

WSC Plan Coordination. Coordination of this WSC Plan is in cooperation with regional water planning groups, including the Integrated Regional Water Management Plan for Greater Monterey County, the Water Resources Agency of Monterey County, and the Water Awareness Committee of Monterey County (WAC). Through the WAC, representatives from 14 agencies throughout Monterey County work together to coordinate conservation and other water awareness efforts, including educational programs and information booths at special events, for public understanding of Monterey County water challenges and opportunities.

To complement the WSC Plan from an emergency perspective, the City has adopted the following additional plans:

- a. **Emergency Operations Plan (EOP)** (March 2020). The City has prepared its EOP to ensure the most efficient use of resources to protect its community and its property before, during, and after a natural, technological, or man-made emergency, including cyberattacks.

The EOP is an extension of the State Emergency Plan and the Monterey County Operational Area Plan. The EOP is designed to assist City and other staff members who have key roles and responsibilities for responding during emergencies.

The EOP includes a Hazard Analysis that identifies designated City-owned critical infrastructure. Of the 13 facilities listed, nine are water and wastewater facilities. Listed are the Soledad Water Reclamation Facility, the City’s five wells, La Cuesta Booster Station, Section 16 Water Storage Tank, and the Prison Wastewater Plan. Multiple Hazard Descriptions are also defined, including flooding, drought, pipeline emergencies, etc.

The EOP includes guidelines and agreements for cooperative efforts with other state and local agencies, as required by the California Department of Public Health.

Supporting the EOP are Emergency Action Plans—actions the City would initiate in the event of a catastrophic reduction of its water supply. The EOP defines Emergency Operations Center (EOC) Action Plans as plans that provide designated personnel with knowledge of the incident objectives and the steps required for achievement. EOC Action Plans not only provide direction but also serve to provide a basis for measuring achievement of objectives and overall system performance. Action planning is an important management tool that involves the following:

- A process for identifying priorities and objectives for emergency response or recovery efforts
- Documentation of the priorities and objectives, as well as the tasks and personnel assignments associated with meeting them

The EOP includes incident-specific operational objectives. Soledad will be responsible for the overall direction and control of emergency response activities within city limits or involving City infrastructure. Specifically for water, damage assessment with a priority on City facilities and infrastructure will be performed. For all incidents, Mobilization of Resources and Public Response

includes, “If water [or wastewater] services are interrupted for a substantial period of time, more than 12 hours, and restoration of water systems is uncertain, the City must deliver water through alternate means until water services can be reinstated.” For treated water, regional services are provided by a mix of City staff, special districts, municipal utilities and private agencies. Mutual aid arrangements may include both governmental and private agencies.

- b. Mandatory Water Conservation Regulations.** City of Soledad, Title 13, Public Services; Division II, Water; Chapter 13.09, Code of Ordinances (Ord. 534, 1993). The purpose of the regulations is to increase public awareness of the need for water conservation, and to provide regulations and restrictions on the delivery of water and the consumption within the city limits of water supplied for public use as will (1) conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation and fire protection, and (2) ensure compliance with water regulations of other governmental agencies of appropriate jurisdiction.

2 RELIABILITY AND ANNUAL ASSESSMENT PROCESS

2.1 WATER SUPPLY RELIABILITY ANALYSIS

In addition to the WSC Plan, the Urban Water Management Planning Act requires suppliers to conduct two other planning analyses to evaluate supply reliability. The first is a Water Reliability Assessment that compares the total water supply sources available to the water supplier with long-term projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and a drought lasting five consecutive water years. The second is a Drought Risk Assessment that evaluates a drought period that lasts five consecutive water years starting from the year following when the assessment is conducted.

2.1.1 BASIN WATER SUPPLY RELIABILITY

The City provides water service to the entire community through the operation of five active wells. The wells have a combined total pumping capacity of about 4,788 gallons per minute (gpm) and a firm capacity of 3,260 gpm.² The capacity is sufficient for all areas within the existing city limits and within some areas designated for growth. The City has been proactive with respect to improving and developing its water supply system, including proactive planning for the development of additional sources to keep up with additional demand due to future growth.

The City obtains its water supply from the Central Salinas Valley Groundwater Basin (Basin)—specifically, the Forebay Aquifer Subbasin (Forebay Subarea)—as its sole potable water source. The Basin is not adjudicated and provides water for growers, municipalities, and other municipal and industrial uses in the Salinas Valley. The City continues to work with the Monterey County Water Resources Agency (Water Resources Agency) in developing plans to coordinate and encourage preservation of the Basin aquifers by all municipal and agricultural users.

The main groundwater inflows into the subbasin are (1) the percolation of precipitation and applied agricultural irrigation water and (2) streambed recharge. Groundwater pumping is the predominant groundwater outflow. The smaller outflow terms are evapotranspiration, discharge to streams, and subsurface outflows to adjacent subbasins.

Infiltration in the Salinas River channel is the principal source of groundwater recharge for the Basin. The recharge area is generally believed to end at a point between Chualar and the City of Salinas. Both natural runoff and conservation releases from the Nacimiento and San Antonio Reservoirs, operated by the Monterey County Water Resources Agency, contribute to the flow in the Salinas River. Infiltration from smaller tributaries that drain the highland areas also provides recharge to the Basin. The down-valley movement of this subsurface water is essential to the containment of saltwater intrusion into the

² Firm capacity is total capacity with the largest single unit offline (Soledad 2019 Water System Master Plan, Section 2.3).

Pressure subarea. Higher elevations tend to have little potential for groundwater recharge due to both shallow or non-existent soils and steep slopes.

Projected sustainable yield is the long-term pumping that can be sustained once all undesirable results have been addressed. However, it is not the amount of pumping needed to stop undesirable results before sustainability is reached. The Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) recognizes that, depending on the success of various proposed projects and management actions, there may be some years when pumping must be held at a lower level to achieve necessary rises in groundwater elevation. The actual amount of allowable pumping from the Subbasin will be adjusted in the future based on the success of projects and management actions.

To retain consistency with the historical sustainable yield, projected sustainable yield can be estimated by summing all the average groundwater extractions and subtracting the average change in storage. This represents the change in pumping that results in no change in storage, assuming no other projects or management actions are implemented. Chapter 6 of the Salinas Valley: Forebay Aquifer Subbasin Groundwater Sustainability Plan (GSP) (Draft, March 2021, Table 6-20) shows projected sustainable yield estimates. These results indicate that the projected future sustainable yield is larger than the projected future groundwater pumping. The general conclusion is that the Subbasin can be managed within its sustainable yield in the future. The sustainable yield value will be updated in future GSP updates as more data is collected and additional analyses are conducted.

Groundwater demands in the Subbasin are classified into the following water use sectors, consistent with GSP Regulations: urban/industrial, agricultural, and native vegetation. Agricultural, including grazing land, is the largest water use sector in the Subbasin, representing at least 90 percent of the Subbasin water consumption. The Water Resources Agency reports that there has not been an instance of overdraft in the Forebay Subarea since it began groundwater measurement in the 1950s. The Forebay Subarea groundwater levels are particularly high due to being just downstream of the confluence of the Salinas River and Arroyo Seco River. Therefore, no overdraft is expected in the near future, supported by the recently projected sustainable yield estimated for the Forebay Subarea.

In 1991, the final year of a three-year drought, the groundwater table dropped between 90 and 100 feet in the areas near the coast, and drawdown in the Forebay Subarea was generally limited to 15 to 20 feet. In 2016, the fourth year of the 2012–2017 drought, the Forebay Subarea dropped nearly 33 feet. Since very little rainfall occurs in the summer months, the groundwater table is generally 10 feet lower during the summer than during the winter. Regardless, Soledad’s water supply has not proven vulnerable to seasonal changes.

To ensure a reliable water supply, the City is developing a recycled water project for irrigation of City-owned parks and landscape areas. Use of recycled water is anticipated to begin in late 2021 or early 2022.

2.2 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT PROCEDURES

As an urban water supplier, the City is required under CWC Section 10632(a)(2) to prepare and submit an “annual water supply and demand assessment” (Annual Assessment). The Annual Assessment is a determination of the City’s near-term outlook for supplies and demands and how a perceived shortage

may relate to WSC Plan shortage level response actions in the current calendar year. This determination will be based on known circumstances and information available to the City at the time of analysis.

Starting in 2022, the Annual Assessment will be due by July 1 of each year, as indicated by CWC Section 10632.1. The Annual Assessment and related reporting are to be conducted based on the procedures described in this WSC Plan. This section describes the City's procedures for conducting the Annual Assessment, which include (1) the written decision-making process to determine water supply reliability and (2) the key data inputs and assessment methodology to evaluate water supply reliability for the current year and one dry year.

2.2.1 PROCESS TO CONDUCT THE ANNUAL ASSESSMENT

The City's Annual Assessment will primarily be based on the water supply planning, forecasting, and water budgeting of the Basin as a whole and specifically the Forebay Subarea. The City will work closely with the Water Resources Agency, the Salinas Valley Basin Groundwater Sustainability Agency, and others to assess the Basin condition.

The City will perform an assessment as discussed below. If the assessment indicates a current or expected shortage level, the City Council shall vote on the findings of the Annual Assessment and, if necessary, trigger implementation of any water shortage response actions resulting from the Annual Assessment through a resolution. The steps to complete the Annual Assessment are described below.

2.2.2 INPUTS AND METHODOLOGY TO EVALUATE WATER SUPPLY RELIABILITY

On or before June 1 of each year, the City will evaluate water supply reliability for the current year and one dry year for the purpose of the Annual Assessment. The Annual Assessment determination will be based on considerations of local water supplies, unconstrained water demand, planned water use, and infrastructure considerations. The balance between projected Basin supplies and anticipated unconstrained demand will be used to determine what, if any, shortage level is expected under the WSC Plan framework. The WSC Plan's standard shortage levels are defined in terms of shortage percentages. The assessment will be performed separately for anticipated current year conditions and for assumed dry year conditions.

Available Water Supply

Available water supply for the City shall be quantified each year by summing the capacity of each groundwater well. An analysis of one subsequent dry year shall also be done. Since the City's water supply has not historically been impacted by drought, it is likely that the available supply for the subsequent dry year will be the same as the current year.

Unconstrained Customer Demand

The WSC Plan and Annual Assessment define unconstrained demand as expected water use prior to any projected shortage response actions that may be taken under the WSC Plan. Unconstrained demand is distinguished from observed demand, which may be constrained by preceding, ongoing, or future actions, such as emergency supply allocations during a multi-year drought. WSC Plan shortage response

actions to constrain demand are inherently extraordinary; routine activities, such as ongoing conservation programs and regular operational adjustments, are not considered constraints on demands. The City uses historical water use, by customer classification, to inform demand trends as it relates to known development, weather, and economic conditions in the city. Additionally, the City factors in land use planning data to improve demand forecasts.

Water Use and Connections. Water use can be quantified by summing the meter usage of each customer class for the previous year. Customer water demands for the City can be projected for the upcoming year based on the previous year's water usage and the number of anticipated new customer connections.

Population. To calculate the annual future population, multiply the number of anticipated new customer connections by the number of persons per household as shown on the U.S. Census Bureau website for the City. That number shall be added to the current population to obtain the future population.

Future Population = Current Population + Number of New Connections x Persons per Household

Anticipated Water Demand. To calculate anticipated demands for the upcoming year, multiply each meter usage per customer class by the future population and divide it by the current population.

Anticipated Demand = Meter Usage x Future Population / Current Population

If the available water supply is greater than the anticipated customer demand for the upcoming year, then the City does not need to take any further action. If the anticipated customer demand for the upcoming year is greater than the available water supplies, the City can initiate water conservation actions as detailed in this WSC Plan.

Planned Water Use for Current Year Considering Dry Subsequent Year

CWC Section 10632(a)(2)(B)(ii) requires the Annual Assessment to determine "current year available supply, considering hydrological and regulatory conditions in the current year and one dry year." The Annual Assessment will include two separate estimates of annual water supply and unconstrained demand using (1) current year conditions and (2) assumed dry year conditions. Accordingly, the Annual Assessment's shortage analysis will present separate sets of findings for the current year and dry year scenarios. The CWC does not specify the characteristics of a dry year, allowing discretion to the water supplier. The City will use its discretion to refine and update its assumptions for a dry year scenario in each Annual Assessment as information becomes available and in accordance with best management practices.

In the City's 2020 UWMP, the "single dry year" is characterized to resemble conditions as a year in which conditions reflect the lowest water supply available to the City. Supply and demand analyses for the single-dry year case were based on conditions affecting the Basin. On January 17, 2014, Governor Brown declared the drought a State of Emergency, citing 2014 as the driest year in California history.

However, as presented, the City's water supply has not historically been impacted by drought. Therefore, planned water use for the current year may not be impacted by an anticipated subsequent dry year. Even so, each Annual Assessment will be performed.

Infrastructure Considerations

Infrastructure reliability, capability, and construction considerations are included as part of the Annual Assessment. The City's infrastructure capabilities are constantly monitored by operations and engineering staff and communicated if adjustments in water supplies are required throughout the year. If infrastructure projects are anticipated for the upcoming year that could impact water supply production (e.g., repairs at treatment plant, new groundwater well), these water supply impacts shall be evaluated for the time frame (i.e., months) the infrastructure projects will impact the system. Thus, the available water supply shall be increased or reduced accordingly for each month.

Other Considerations

The following are locally applicable factors that can influence or disrupt supplies, along with other unique considerations that are considered as part of the Annual Assessment:

- Construction projects
- Planned and unplanned outages on any major infrastructure
- Demand fluctuations with weather changes
- Natural disasters, such as fires, earthquakes, or pandemics
- Electrical outages
- Water quality
- Equipment failures
- Water Treatment Plant or Water Reclamation Facility disruptions
- Legal or regulatory issues that disrupt water reliability

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3 WATER SHORTAGE LEVELS

3.1 SIX STANDARD WATER SHORTAGE LEVELS

As required by CWC Section 10632(a)(3)(A), the WSC Plan is framed around six standard water shortage levels (stages) that represent shortages from the normal reliability as determined in the Annual Assessment.

The six water shortage levels have been standardized by the CWC to provide a consistent regional and statewide approach to conveying the relative severity of water supply shortage conditions. The six standard shortage levels correspond to progressively increasing estimated shortage conditions (up to 10, 20, 30, 40, 50, and greater than 50 percent water shortages) and align with the response actions the City may implement to meet a declared water shortage or emergency.

The levels will be implemented during water supply shortages or regional drought conditions that may or may not directly influence the City’s water supplies. The level of determination and declaration of a water supply shortage will be made by the City Council.

For example, if the Annual Assessment determines a shortage of 17 percent, the City would then be in a Moderate Water Shortage condition, or Water Shortage Level 2. Water shortage levels also apply to catastrophic interruption of water supplies, including but not limited to a regional power outage, an earthquake, and other emergency events.

Table 3-1 lists the six water shortage levels and associated conditions, demand reduction goals, and action types. Details on water supply conditions applicable to each level, herein referred to as “triggering mechanisms,” are discussed on the following pages.

TABLE 3-1: WATER SHORTAGE LEVELS, CONDITIONS, REDUCTION GOALS, AND ACTION TYPES

WSC Plan Level	Shortage Level	Water Shortage Condition	Demand Reduction Goal	Action Type
1	< 10%	Mild	Less than 10%	Voluntary
2	10–20%	Moderate	Minimum 10% to 20%	Voluntary
3	20–30%	Severe	Minimum 20% to 30%	Mandatory
4	30–40%	Critical	Minimum 30% to 40%	Mandatory
5	40–50%	Critical	Minimum 40% to 50%	Mandatory
6	>50%	Catastrophic	More than 50%	Mandatory

3.2 TRIGGERING MECHANISMS (SUPPLY CONDITIONS) FOR SHORTAGE LEVELS

The six water shortage levels represent an ever-increasing gap between normal available supplies and normal expected customer demands to be addressed through appropriate local water shortage response actions.

The Basin is currently the most important source of water for the City of Soledad. In 2020, the City groundwater withdrawals of 2,264 acre feet accounted for less than one percent of the estimated basin-wide annual extractions. Given this relatively small percentage, the City’s conservation and contingency management activities have a relatively minor impact on the Basin. The foremost concern in developing

appropriate triggers is achieving the maximum practical protection of an adequate long-term water supply of acceptable quality for City water customers. To that end, triggering mechanisms should be tied to factors that, directly or indirectly, have the greatest potential effect on the quality and quantity of available ground water.

The two general types of threats most likely to cause the City to experience water shortages:

1. Unanticipated catastrophic system failure due to earthquake, terrorist attack or sudden contamination of the water supply, or
2. Chronic system threat, such as a Nitrate Maximum Contaminant Level exceedance requiring that impacted wells be removed from service.

In the case of a catastrophic failure, the City will assess the nature and extent of the failure, and the City Manager will identify the appropriate water shortage level in accordance with the City's Emergency Operating Plan, including enacting emergency ordinances as may be required by the City Council.

A chronic system threat to the City's present water supplies is nitrate contamination, which has occurred along the Salinas Valley in response to historical agriculture activities of fertilization of fields. Contamination in the upper aquifer from volatile organic compounds (VOCs) has also affected the City's wells and could pose additional problems. Although nitrate contamination has not yet affected deep zones of the Basin, which is the source of supply for Soledad active wells, it is possible that continued extractions in the deeper aquifers could ultimately lead to contamination of these water supplies.

The City monitors nitrate levels and, if necessary, could construct and develop nitrate removal treatment alternatives. Consequently, the City has structured the WSC Plan with the primary goal of reducing water demands to allow time for alternative water supply measures, including treatment or drilling of alternate wells in areas unaffected by contamination or falling water levels. A specific triggering mechanism for various levels of conservation is tied to concentrations of nitrates or water levels in the City wells.

The City Manager and/or City Council may impose any of the following shortage levels based upon facts and circumstances that may not have been otherwise anticipated in this Plan.

The City will implement an appropriate water shortage level based on current water conditions. Higher levels will be implemented as shortages continue and/or if customer response does not bring about desired water savings. Restrictions, penalties, and enforcement will build on each other as higher shortage levels are implemented.

Triggering mechanisms of supply conditions for each shortage level shall be interpreted as guidelines and are summarized in Table 3-2, followed by a discussion of each level.

TABLE 3-2: SHORTAGE LEVEL TRIGGERING MECHANISMS (SUPPLY CONDITIONS)

Shortage Level	System Malfunction Result In Shortage on a Daily, Peak, Seasonal or Annual Basis	Increase in Nitrates	VOC Concentrations	Static Levels in Wells
Level 1 0–10% Shortage Voluntary Actions	Up to 10% shortage	Not expected to exceed drinking water quality standard	Not expected to exceed drinking water quality standard	Reach 220–235 ft below surface
Level 2 10–20% Voluntary Actions	10–20% shortage	Not expected to exceed drinking water quality standard	Not expected to exceed drinking water quality standard	Reach 235–250 ft below surface
Level 3 20–30% Mandatory Actions	20–30% shortage	Expected to exceed drinking water quality standard	Not expected to exceed standards with blending or when remaining capacity is reduced by up to 25%	Reach 250–265 ft below surface
Level 4 30–40% Mandatory Actions	30–40% shortage	Expected to exceed drinking water quality standard	Not expected to exceed standards with blending or when remaining capacity is reduced by up to 35%	Reach 265–280 ft below surface
Level 5 40–50% Mandatory Actions	40–50% shortage	Expected to exceed drinking water quality standard	Not expected to exceed standards with blending or when remaining capacity is reduced by up to 50%	Reach 280–300 ft below surface
Level 6 >50% Mandatory Actions	>50% shortage	Expected to exceed drinking water quality standard	Not expected to exceed standards with blending or when remaining capacity is reduced by up to 50%	Reach 300–320 ft below surface

For all water shortage levels, further triggering also may occur due to prolonged drought conditions and a need to focus public attention on water conservation. It may also occur based on detection of a statistically significant increase in nitrate concentrations but where such concentrations do not threaten to exceed the CDPH “Upper Level” primary drinking water standard currently set 45 mg/L at the well(s) in question.

Water Shortage Levels 1 and 2 may be triggered based on detection of a statistically significant increase in VOC concentrations, but where such concentrations do not threaten to exceed the primary drinking water maximum contaminant level (MCL) for each VOC at the well(s) in question, and/or blending of this supply with other well supplies cannot maintain a distribution system concentration(s) below these standards.

Water Shortage Level 3 may be triggered based on detection of VOC concentrations, but where such concentrations do not threaten to exceed the primary drinking water MCL for each VOC, and/or blending of this supply with other well supplies cannot maintain a distribution system concentration(s) below

these standards, and/or when gross reduced well production of up to 30 percent is necessary to maintain adequate water quality.

Water Shortage Level 4 may be triggered based on detection of VOC concentrations, but where such concentrations do not threaten to exceed the primary drinking water MCL for each VOC, and/or blending of this supply with other well supplies cannot maintain a distribution system concentration(s) below these standards, and/or when gross reduced well production of up to 40 percent is necessary to maintain adequate water quality.

Water Shortage Level 5 may be triggered based on detection of VOC concentrations, but where such concentrations do not threaten to exceed the primary drinking water MCL for each VOC, and/or blending of this supply with other well supplies cannot maintain a distribution system concentration(s) below these standards, and/or when gross reduced well production of up to 50 percent is necessary to maintain adequate water quality.

Water Shortage Level 6 may be triggered based on detection of VOC concentrations, but where such concentrations do not threaten to exceed the primary drinking water MCL for each VOC, and/or blending of this supply with other well supplies cannot maintain a distribution system concentration(s) below these standards, and/or when gross reduced well production of more than 50 percent is necessary to maintain adequate water quality.

4 WATER SHORTAGE RESPONSE ACTIONS

4.1 HISTORY AND OVERVIEW OF SHORTAGE RESPONSE ACTIONS

In previous droughts and potential water supply shortages, the City has worked collaboratively with the community and the water management agencies it partners with to implement pragmatic solutions to respond to water supply challenges. The WSC Plan continues this tradition of taking an adaptive management approach to its response at all water shortage levels. In any given water shortage level, the City will actively monitor relevant supply and demand data inputs and performance indicators to adjust its response actions or intensity. As an example, the City can adaptively increase activity in public education and awareness to reduce demand. These approaches have been successful in past periods of water shortage without the use of fines or drought surcharges, which can be reserved for extreme shortages.

The various supply and demand data inputs and performance indicators the City will rely on to assess and adjust the efficacy of shortage response actions taken include hydrologic conditions, basin water availability, local demands by customer class and water type, and any supplemental or transfer water the City may need to procure. In any given water shortage level, should there be a shift in available water supplies or in customer demand, the City will determine the severity of the change, factor in the existing water shortage condition, and then determine the appropriate response.

4.2 PERMANENT WATER CONSERVATION BEST MANAGEMENT PRACTICES

The City's Ordinance 534 Section 2 (part), 1993, Chapter 13.09, Mandatory Water Conservation (Appendix A), establishes Permanent Water Conservation Best Management Practices (BMPs) that are in effect at all times in the City's service area. These BMPs are intended to promote water conservation as a permanent way of life, even during years of normal or above normal precipitation and water supplies. The following is an abbreviated list of permanent BMPs from the Ordinance:

- Repair plumbing, sprinkler, and irrigation systems in a reasonable time after identification of leaks.
- No using potable water through a hose to wash vehicles, clean the exterior of any building or structure, or clean paved or hard-surfaced areas unless the hose is equipped with an automatic shutoff nozzle.
- No spilling water into streets, curbs, or gutters or to cause any runoff.
- No emptying and refilling of swimming pools/spas except to repair structural damage or comply with public health regulations.
- Only use recycled water in decorative fountains.
- No use of potable water for construction activities where there is a reasonably available source of recycled water.
- The City shall maintain a distribution system leakage detection and repair program.
- New construction shall have ultra-low-flow toilets, low-flow showerheads, water recirculating systems and, if requiring a permit, shall apply drought-tolerant landscaping principles.
- Retrofit toilets and showerheads to ultra-low-flow and low-flow devices on change of ownership.

- No indiscriminate running of water which is wasteful and without reasonable purpose.
- Maintain irrigation of lawns, landscape, and other turf areas in accordance with City and county ordinances.

Additionally, the City has operationalized water conservation in the various policies, programs, and business practices that contribute to ongoing structural water savings. Table 4-1 summarizes several of these important business practices. Moreover, these practices may be adjusted or managed to respond to a given water shortage condition as deemed necessary.

TABLE 4-1: CITY OF SOLEDAD BUSINESS PRACTICES

City Business Practice	Description
Tiered Rate Structure	The City’s volume-based rate structure is designed and intended to be an ongoing and active water demand management tool that proportionately recovers the cost of providing water service within the city. See Section 9.1 for more information.
Customer Billing and Bill Presentation	The City meters 100% of its retail connections, reads each meter monthly, and bills monthly. Water bills present the customer’s usage pattern in both gallons and hundred cubic feet units. Line-item detail is provided for consumption in each tier along with the corresponding volumetric rates charged in each tier.
Meter Reading Technology	The City is installing new meters to allow for remote meter reading and provide superior graphics that help detect leaks/abnormally high usage in real time. This allows for quicker resolution of water loss issues. The City will continue to install approximately 300 new meters per year, completing installs across the service area by 2030.
Customer Assistance and Site Surveys	Water use site surveys are offered to customers to assist in high usage investigations, leak detection, and overall efficiency assessments. The City actively sends out high use notifications to customers promoting this free service.
Public Education, Outreach, and Incentives	The City provides education to reduce water consumption and raise public awareness about water conservation, as well as incentivize replacement of high water use fixtures through optional and mandated fixture replacement programs.
Reduce System Water Loss	The City conducts water system audits on its distribution system annually using the American Water Works Association’s (AWWA) Water Audit Software, as discussed in Chapter 4 of the 2020 UWMP. This audit helps to monitor water losses and plan for system changes.
Construction Water	In the future, the City will consider promoting the use of recycled water for construction projects, including dust control in large development projects. This will save precious drinking water for critical and beneficial purposes while still allowing for construction activities. The City can also increase hydrant security.
Line Flushing Efficiency	The City actively seeks to minimize the amount of water used for line flushing required for various City operational practices, such as exercising valves, sewer line cleaning, or replacing angle stops at services.
CIP Priorities	The City may change water CIP priorities to focus on water reducing projects and programs.

4.3 REQUIRED SHORTAGE RESPONSE ACTIONS

California Water Code Section 10632(a)(4) requires the WSC Plan to specify shortage response actions that align with the defined shortage levels, and include, at a minimum, all of the following:

- Locally appropriate supply augmentation actions;
- Locally appropriate demand reduction actions to adequately respond to shortages;
- Locally appropriate operational changes;
- Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions; and
- An estimate of the extent to which the gap between supply and demand will be reduced by implementation of each action.

Shortage response actions included in this WSC Plan are a mix of prohibitions on end use, demand reduction methods, supply augmentation, and operational change measures. The California Department of Water Resources (DWR) defines prohibitions on end uses as measures to address areas that are the responsibility of end users, such as a broken sprinkler or leaking faucet.

Demand reduction methods are actions invoked by a water agency to reduce consumption, such as expanding public information campaigns and offering water use surveys.

Supply augmentation is defined as any action designed to increase the existing supply availability such as the use of emergency storage or acquiring additional transfer water. The City does not anticipate development of supply augmentation actions given that it is 100 percent dependent on a reliable source of groundwater and recycled water is still being developed. Supply augmentations represent short-term management objectives triggered by the WSC Plan and do not overlap with the long-term new water supply development or supply reliability enhancement projects. The groundwater supply available to the City in all levels of water shortage is anticipated to satisfy the demands of the City's customers even if demand reduction actions were limited.

Operational changes are defined as actions taken by the City to change the way in which existing supplies are used within its service area. Examples of operational change include reducing hydrant flushing or adjusting operations for sewer line cleaning.

Motivated by the need to minimize customer disruption and costs, a priority for protecting customer end uses of water emerges as shown in the Table 4-2. These priorities guide how the City progressively implements water shortage response actions. The first two water shortage levels focus on response actions that seek to limit impacts on customer quality of life while addressing the water shortage condition. Water Shortage Level 1 looks to emphasize the City's Permanent Water Conservation BMPs with an accompanying public awareness campaign. Water Shortage Level 2 expands on the BMPs with additional mandatory prohibitions along with targeted outreach to high and/or overbudget water users. An increase in mandatory prohibitions and the use of emergency storage withdrawals in Levels 5 and 6 reflect the urgency responding to worsening water shortage conditions.

TABLE 4-2: PRIORITIZED WATER USES

Prioritized Water Uses
1. Health and Safety – interior residential and firefighting
2. Commercial, Industrial, and Institutional – maintain economic base, protect jobs
3. Permanent Crops – requires over 5 years to replace or re-establish
4. Annual Crops – protect jobs, provide a community food source
5. Landscaping – trees shrubs that provide more community benefit and value, along with turf grass for recreational sports fields
6. New Demand – beyond construction projects already approved

Shortage response actions from previous levels are assumed to remain in effect as the water shortage levels increase. The mix of shortage response actions in any given level is designed to produce an additional 10 percent demand reduction above the previous level’s reduction. The following subsections list the combinations of shortage response actions associated with each of the six WSC Plan water shortage levels. Response action types are listed with each shortage action as **Demand Reduction, Mandatory Prohibition, Operational Change, or Revenue Stability**.

Per CWC Section 10632(a)(4), “For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.” The categories of “**Low,**” “**Medium,**” or “**High**” are assigned to each shortage response action based on the estimated extent to which it can reduce the supply gap and correspond to percentage reduction ranges of 1–4%, 5–9%, and 10% or greater, respectively.

4.3.1 WATER SHORTAGE LEVEL 1 – VOLUNTARY – WATER SHORTAGE WARNING

The City shall declare a Water Shortage Level 1 – Water Shortage Warning when it determines there is a water shortage, or threatened shortage, condition of up to 10%. Shortage response actions listed under this level emphasize the Permanent Water Conservation BMPs listed in Section 4.2 and detailed in the City’s Ordinance 534, Chapter 13.09. In addition, the following shortage response actions have been included in Level 1 – Water Shortage Warning to elicit a voluntary customer demand reduction of up to 10%:

1. **Increase Public Awareness. *Demand Reduction/Low.*** The City will increase public awareness of, and messaging about, the water supply situation and call for voluntary conservation.
 - Mail information to every customer and reasonably available potential water user explaining the importance of water use reductions. Provide technical information to customers on ways to conserve water and to improve water use efficiency.
 - Conduct a media campaign to remind consumers of the need to save water.
 - Publicize water efficiency programs available at the time, including low-flow showerheads, toilet rebates, and other programs.
2. **Encourage Voluntary Outdoor Water Efficiency. *Demand Reduction/Low.*** In combination with increased public awareness, customers will be encouraged to use water efficiently, particularly outdoors with efficient irrigation practices.

3. **Obligation to Fix Leaks. *Mandatory Prohibition/Low.*** All leaks, breaks, or other malfunctions in the water user’s plumbing or distribution system must be repaired within 72 hours of notification by the City unless other arrangements are made with the City.
4. **Reinforce the Permanent Water Conservation BMPs. *Mandatory Prohibition/Low.*** Reinforce and advertise the Permanent Water Conservation BMPs as provided in the City’s Municipal Code Chapter 13.09, Mandatory Water Conservation.

4.3.2 WATER SHORTAGE LEVEL 2 – VOLUNTARY – MODERATE WATER SHORTAGE

In addition to the actions listed in Level 1, the City shall perform the following shortage response action:

1. **Voluntary Reductions of Up to 25%. *Demand Reduction/Medium.*** Call for voluntary reductions of up to 25% for each connection based on the average use during a base period proposed by the Water Quality Control Division and adopted by the City Council.

4.3.3 WATER SHORTAGE LEVEL 3 – MANDATORY – SIGNIFICANT WATER SHORTAGE

In addition to the actions listed in Levels 1 and 2, the City shall establish mandatory annual allotments for each connection based on the average use during a base period proposed by the Water Quality Division and adopted by the City Council. When Level 3 use reduction becomes necessary, administration and enforcement of water conservation rules becomes the major focus of the Water Quality Division. If necessary, additional temporary personnel may be hired and special meetings of the Water Quality Division and/or City Council may be scheduled. The Level 3 shortage response actions are as follows:

- **Water Allotment. *Operational Change/Medium.*** Each water service connection may receive an allotted quantity of water, typically specified in hundred cubic feet (hcf) units per billing cycle, as calculated by the Water Resources Manager.
- **Emergency Ordinance. *Revenue Stability/Low.*** The City Council may pass an emergency ordinance increasing the usage rate for potable water in order to ensure stable revenues for operation and maintenance of the City’s water system.
- **Customized Public Outreach Efforts. *Demand Reduction/Medium.*** The city may implement customized outreach efforts to increase community awareness, strategic messaging, and outreach for specific community groups and customer types.
- **Special Considerations. *Operational Change/Low.*** As individual customers are notified of allotments, requests for special consideration will be processed rapidly, efficiently, and fairly. Every application for variance must be heard, evaluated, and acted upon by the Planning Director as rapidly as possible. Every action by the City Manager shall be referred to the City Council for consideration. The procedures for variances are defined below.
- **Freeze on Building Permits and Meters. *Operational Change/Medium.*** No building permits will be issued or meters installed for new accounts that had not received building permits before the Level 3 – Significant Water Shortage was declared.

The following water use restrictions shall be imposed for Shortage Level 3 as listed in Table 4-3.

TABLE 4-3: SHORTAGE LEVEL 3 WATER USE RESTRICTIONS

Shortage Level	Type of Use	Restriction
3	Landscaping Irrigation for Existing Landscapes, including Public Parks	<p>Landscape watering with recycled water may continue without restriction.</p> <p>Mandatory Prohibition/Low. Landscape watering with potable water shall be subject to the following limits:</p> <ol style="list-style-type: none"> 1) Landscape watering using sprinkler or irrigation systems is permitted only 2 days per week. Address ending in even numbers (0, 2, 4, 6, 8) may water on Mondays and Thursdays. Addresses ending in odd numbers (1, 3, 5, 7, 9) may water on Tuesdays and Fridays. If there is no street address, or if more than one street address is associated with a contiguous property, the irrigation days are Wednesday and Saturday. 2) Manual landscape watering with a soaker hose, handheld hose, or watering can/bucket is allowed on any day.
3	Landscape Irrigation for New Landscapes, including Public Parks	<p>Landscape watering with recycled water may continue without restriction.</p> <p>Mandatory Prohibition/Low. Landscape watering with potable water shall be subject to the following limits:</p> <ol style="list-style-type: none"> 1) Landscape watering is permitted to maintain adequate growth on newly installed landscapes, for a period generally up to five weeks. Property owners must notify the Water Quality Division of the address where new landscape is installed and the date of installation. 2) Following the initial establishment period, landscape watering using a sprinkler or irrigation system is permitted only on days associated with the current conservation level in effect.
3	Golf Courses, Athletic Fields	<p>Landscape watering with recycled water may continue without restriction.</p> <p>Mandatory Prohibition/Medium. Landscape watering with potable water shall be subject to the following limits:</p> <ol style="list-style-type: none"> 1) All landscape out-of-play areas, such as those that may be found around a clubhouse or entryway, shall follow the general landscape irrigation restrictions. 2) All in-play areas may be irrigated during the standard watering hours (before 10 a.m. or after 5 p.m.). 3) Course operators shall implement a 10% reduction in irrigation water use.
3	Hotels, motels and bed and breakfasts	Mandatory Prohibition/Low. Hotels, motels, and B&Bs must offer and clearly notify guests of a “limited linen/towel exchange” program.
3	Swimming pools, hot tubs	Mandatory Prohibition/Low. Initially filling new and existing swimming pools is prohibited. Draining and refilling existing swimming pools is permitted only if repairing a pool leak or repairing, maintaining, or replacing a pool component that has become hazardous. All pools and tubs shall be covered when not in use to reduce evaporation.
3	Industrial and Commercial	Mandatory Prohibition/Low. Reduction of water use by any means is encouraged. Compliance with mandatory demand reduction measures is required for outdoor water uses, including landscape irrigation, swimming pools, and vehicle washing. Use of water from unmetered fire hydrants is prohibited, except by City and/or Fire personnel.
3	Vehicle and Equipment Washing	Mandatory Prohibition/Low. Non-commercial washing of vehicles and mobile equipment (e.g., washing a vehicle at a residence) is permitted only on assigned landscape watering days during landscape watering hours (before 10 a.m. or after 5 p.m.). Fleet managers are encouraged to wash only those vehicles as necessary for health and safety.
3	Heavy Construction	Operational Change/Low. The use of potable water for dust control shall be reduced to the greatest extent possible.

4.3.4 WATER SHORTAGE LEVEL 4 – MANDATORY – SEVERE WATER SHORTAGE

In addition to the actions listed in Levels 1, 2 and 3, the City of shall establish allotments based upon a 35–50% curtailment of water use. All new and previous appeals for waiver shall be evaluated by field audit and shall be reheard by the Water Quality Division, if necessary, upon recommendation of Water Quality Division staff. Water rates may be increased by the City Council.

The following water use restrictions shall be imposed for Shortage Level 4 as listed in Table 4-4.

TABLE 4-4: SHORTAGE LEVEL 4 WATER USE RESTRICTIONS

Shortage Level	Type Use	Restriction
4	Landscape Irrigation for Existing Landscapes, including Public Parks	Landscape watering with recycled water may continue without restriction. Mandatory Prohibition/Medium. Landscape watering with potable water shall be subject to the following limits: 1) Landscape watering using sprinkler or irrigation systems is permitted only 1 day per week. Addresses ending in numbers 0 or 1 may water on Mondays. Addresses ending in numbers 2 or 3 may water on Tuesdays. Addresses ending in numbers 4 or 5 may water on Wednesdays. Addresses ending in numbers 6 or 7 may water on Thursdays. Addresses ending in numbers 8 or 9 may water on Fridays. If there is no street address, or if more than one street address is associated with a contiguous property, the irrigation day is Wednesday. Manual landscape watering with a soaker hose, handheld hose, or watering can/bucket is allowed on any day.
4	Landscape Irrigation for New Landscapes, including Public Parks	Landscape watering with recycled water may continue without restriction. Mandatory Prohibition/Medium. Landscape watering with potable water shall be subject to the following limits: Landscape watering is permitted 3 days a week to maintain adequate growth on newly installed landscapes, for a period generally up to five weeks. Watering days for new landscapes are Tuesday, Thursday, and Saturday. Property owners must notify the Water Quality Division of the address where new landscape is installed and the date of installation. Following the initial establishment period, landscape watering using a sprinkler or irrigation system is permitted only on days associated with the current conservation level in effect.
4	Golf Courses, Athletic Fields	Landscape watering with recycled water may continue without restriction. Mandatory Prohibition/Medium. Landscape watering with potable water shall be subject to the following limits: All landscape out-of-play areas, such as those that may be found around a clubhouse or entryway, shall follow the general landscape irrigation restrictions. All in-play areas may be irrigated during the standard watering hours (before 10 a.m. or after 5 p.m.). Course operators shall implement a 20% reduction in irrigation water use.
4	Hotels, motels, and bed and breakfasts	Mandatory Prohibition/Medium. Hotels, motels, and B&Bs must limit linen/towel exchange to once every two nights or for the entire stay, whichever is shorter, except for health and safety program.
4	Swimming pools, hot tubs	Mandatory Prohibition/Medium. Initially filling new and existing swimming pools is prohibited. Draining and refilling existing swimming pools is permitted only if repairing a pool leak or repairing, maintaining, or replacing a pool component that

TABLE 4-4: SHORTAGE LEVEL 4 WATER USE RESTRICTIONS

Shortage Level	Type Use	Restriction
		has become hazardous. All pools and tubs shall be covered when not in use to reduce evaporation.
4	Vehicle and Equipment Washing	Mandatory Prohibition/Low. Non-commercial washing of vehicles and mobile equipment (e.g., washing a vehicle at a residence) is permitted only on assigned landscape watering days during landscape watering hours (before 10 a.m. or after 5 p.m.). Fleet managers are encouraged to wash only those vehicles as necessary for health and safety.
4	Industrial and Commercial	Demand Reduction/Low. Reduction of water use by any means is encouraged. Mandatory Prohibition/Medium. The City Council may establish mandatory use reduction targets, if needed. Compliance with mandatory demand reduction measures is required for outdoor water uses including landscape irrigation, swimming pools, and vehicle washing. Use of water from unmetered fire hydrants is prohibited, except by City and/or Fire personnel.
4	Heavy Construction	Operational Change/Low. The use of potable water for dust control shall be reduced to the greatest extent possible.

4.3.5 WATER SHORTAGE LEVEL 5 – MANDATORY – CRITICAL WATER SHORTAGE

The City shall calculate 40–50% water shortage allotments, as appropriate, and provide notice of revised allotments to customers. Appropriate administration and enforcement of this stringent program shall be the highest priority of the Water Quality Control Division activity. All resources of the Water Quality Control Division will be directed toward improvement and increase of water supply to the system. Water rates may be further increased by the City Council.

The following water use restrictions shall be imposed for Shortage Level 5 as listed in Table 4-5.

TABLE 4-5: SHORTAGE LEVEL 5 WATER USE RESTRICTIONS

Shortage Level	Type Use	Restriction
5	Landscape Irrigation for Existing Landscapes, including Public Parks	Landscape watering with recycled water may continue without restriction. Mandatory Prohibition/High. Landscape watering with potable water is prohibited.
5	Landscape Irrigation for New Landscapes, including Public Parks	Landscape watering with recycled water may continue without restriction. Mandatory Prohibition/Medium. The installation of new landscapes irrigated with potable water is prohibited. New landscapes installed prior to declaration of Water Shortage Level 5 may water 2 days a week to maintain adequate growth on newly installed landscapes, for the remainder of the initial five-week establishment period. Watering days for new landscapes are Tuesday and Friday. Property owners must notify the City of the address where new landscape is installed and the date of installation.

TABLE 4-5: SHORTAGE LEVEL 5 WATER USE RESTRICTIONS

Shortage Level	Type Use	Restriction
5	Golf Courses, Athletic Fields	Landscape watering with recycled water may continue without restriction. Operational Change/Medium. Landscape watering with potable water shall be subject to the following limits: <ol style="list-style-type: none"> 1) All landscape out-of-play areas, such as those that may be found around a clubhouse or entryway, shall follow the general landscape irrigation restrictions. 2) All in-play areas may be irrigated during the standard watering hours (before 10 a.m. or after 5 p.m.). Course operators shall implement a 30% reduction in irrigation water use.
5	Hotels, motels, and bed and breakfasts	Mandatory Prohibition/Low. Hotels, motels, and B&Bs must limit linen/towel exchange to once every three nights or for the entire stay, whichever is shorter, except for health and safety program.
5	Swimming pools, hot tubs	Mandatory Prohibitions/Low. Filling new and existing swimming pools and/or draining and refilling existing swimming pools is prohibited. All pools and tubs shall be covered when not in use to reduce evaporation. Contact Water Quality Division staff if an existing swimming pool must be repaired and refilled.
5	Vehicle and Equipment Washing	Mandatory Prohibition/Low. Non-commercial washing of vehicles and mobile equipment is prohibited. Only commercial facilities with water recycling systems may be used.
5	Industrial and Commercial	Mandatory Prohibition/Low. Reduction of water use by any means is encouraged. The City Council may establish mandatory use reduction targets, if needed. Compliance with mandatory demand reduction measures is required for outdoor water uses, including landscape irrigation, swimming pools, and vehicle washing. Use of water from unmetered fire hydrants is prohibited, except by City and/or Fire personnel.
5	Heavy Construction	Operational Change/Low. The use of potable water for dust control shall be reduced to the greatest extent possible. The City may establish mandatory construction water budgets, if needed.

4.3.6 WATER SHORTAGE LEVEL 6 – MANDATORY – EMERGENCY WATER SHORTAGE

California Water Code Section 10632(e) provides for consumption reduction methods in the most restrictive levels. The City may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, as appropriate for its service area, and have the ability to achieve a water use reduction consistent with up to a 50% reduction in water supply.

The City shall calculate greater than 50% water shortage allotments, as appropriate, and provide notice to customers. Appropriate administration and enforcement of this stringent program shall be the highest priority of the Water Quality Division activity. All resources of the Water Quality Division will be directed toward improvement and increase of water supply to the system. Water rates may be further increased by the City Council.

The City’s Municipal Code, Chapter 13.09, Mandatory Water Conservation Regulations, prohibits water waste and promotes water conservation, which is in force at all times. Water use reduction methods for Water Shortage Level 5 remain in effect. Additional reduction measures in order to comply with use

reductions during this most restrictive water shortage level include but are not limited to the following reduction measures:

- a) Emergency public outreach
- b) Elimination of turf irrigation with potable supplies
- c) Restriction of landscape watering to shrubs and trees by hand or drip irrigation only
- d) Elimination of vehicle washing except in car washes that have recirculation systems
- e) Prohibition on filling or topping off of swimming pools where damage to pumping equipment will not result in a health hazard or hazardous conditions
- f) Elimination of water served in food service establishments unless requested
- g) Elimination of the issuance of construction meters
- h) Shut-off of dedicated landscape irrigation meters
- i) Moratorium on provision of new supply meters
- j) Other mandatory restrictions and enforcement, as necessary

If water use reductions called for in Levels 4–6 are not achieved, the City may amend this WSC Plan to make any of the above available conservation measures mandatory.

4.3.7 WATER SHORTAGE LEVELS, SHORTAGE RESPONSE ACTIONS, AND SHORTAGE GAP REDUCTION MATRIX

When a water shortage level is triggered, specific shortage response actions are implemented. These shortage response actions could assist in reducing water demand to reduce the shortage gap. Table 4-6 shows the shortage response actions by shortage level and the potential percent reduction in shortage gap that may result.

TABLE 4-6: SHORTAGE RESPONSE ACTIONS AND SHORTAGE GAP REDUCTIONS

Shortage Level	Shortage Response Action	Response Action Type	% Shortage Gap Reduced
1 – Mild Water Shortage Warning: Up to 10% Shortage	Increase public awareness of water supply situation	Demand Reduction	Low 2.5%
	Encourage voluntary outdoor water use efficiency	Demand Reduction	Low 2.5%
	Encourage diligent repair of water leaks within 72 hours	Mandatory Prohibition	Low 1%
	Reinforce permanent water conservation BMPs	Mandatory Prohibition	Low 1%
2 – Moderate Water Shortage: Up to 20% Shortage	Shortage Level 1 response actions remain in effect		
	Voluntary reductions of up to 25%	Demand Reduction	Medium 5%
3 – Significant Water Shortage: Up to 30% Shortage	Shortage Levels 1 and 2 response actions remain in effect		
	Irrigation limits to watering days: Existing Landscapes – 2 days/week; New Landscapes – for adequate growth up to 5 weeks	Mandatory Prohibition	Low 4%
	Golf Courses/Athletic Fields: Out-of-play areas 2 days/week; in-play area only before 10 a.m. or after 5 p.m. to implement 10% reduction in irrigation water use	Mandatory Prohibition	Medium 5%
	Hotels, motels and B&Bs offer limited linen/towel exchange	Mandatory Prohibition	Low 1%
	Swimming pools/spas: Initial filling prohibited; draining/refilling permitted only if repair needed; must be covered	Mandatory Prohibition	Low 1%
	Industrial/commercial water use reduction encouraged; compliance with outdoor water use required; use from unmetered fire hydrants prohibited, except by City personnel	Mandatory Prohibition	Low 1%
	Non-commercial washing of vehicles and mobile equipment permitted on assigned landscape watering days	Mandatory Prohibition	Low 2%
	Use of potable water for dust control reduced as possible	Operational Change	Low 1%
4 – Severe Water Shortage: Up to 40% Shortage	Shortage Levels 1, 2, and 3 response actions remain in effect or are revised		
	Irrigation limits to watering days: Existing Landscapes – 1 day/ week; New Landscapes – 3 days/week for 5 weeks, then 1 day/week	Mandatory Prohibition	Medium 5%
	Golf Courses/Athletic Fields: Out-of-play areas 1 day/week; in-play area only before 10 a.m. or after 5 p.m. to implement 20% reduction in irrigation water use	Mandatory Prohibition	Medium 5%
	Hotels, motels, and B&Bs limit linen/towel exchange to once every 2 nights or for entire stay, whichever is shorter	Mandatory Prohibition	Low 1%
	Swimming pools/spas: Initial filling prohibited; draining/refilling permitted only if a pool component has become hazardous; must be covered to avoid evaporation	Mandatory Prohibition	Low 1%

TABLE 4-6: SHORTAGE RESPONSE ACTIONS AND SHORTAGE GAP REDUCTIONS

Shortage Level	Shortage Response Action	Response Action Type	% Shortage Gap Reduced
	Non-commercial washing of vehicles and mobile equipment permitted on assigned landscape watering days only during landscape watering hours; fleet managers encouraged to only wash vehicles as necessary for health and safety	Mandatory Prohibition	Low 1%
	Reduction of water use by any means encouraged	Demand Reduction	Low 1%
	City Council may establish mandatory use reduction targets, if needed	Mandatory Prohibition	Medium 5%
5 – Critical Water Shortage: Up to 50% Shortage	Shortage Levels 1, 2, 3, and 4 response actions remain in effect or are revised		
	Landscape watering with potable water is prohibited except for new landscape, then 2 days/week for 5 weeks	Mandatory Prohibition	High 10%
	Golf Courses/Athletic Fields: Out-of-play areas watering prohibited; in-play area only before 10 a.m. or after 5 p.m. to implement 30% reduction in irrigation water use	Mandatory Prohibition	Medium 8%
	Hotels, motels, and B&Bs limit linen/towel exchange to once every 3 nights or for entire stay, whichever is shorter	Mandatory Prohibition	Low 2%
	Swimming pools/spas: All filling and draining/refilling is prohibited; must be covered to avoid evaporation	Mandatory Prohibition	Low 1%
	Non-commercial washing of vehicles and mobile equipment is prohibited; only commercial facilities with water recycling systems permitted	Mandatory Prohibition	Low 1%
	Industrial/commercial water use reduction encouraged; City Council may establish mandatory use reduction targets; compliance with outdoor water use required; use from unmetered fire hydrants prohibited, except by City personnel	Mandatory Prohibition	Low 2%
	City Council may establish mandatory construction water budgets	Operational Change	Low 2%
6 – Critical Water Shortage: Up to 50% Shortage	Shortage Levels 1, 2, 3, 4, and 5 response actions remain in effect or are revised		
	Emergency public outreach	Demand Reduction	Medium 5%
	Elimination of all turf irrigation with potable supplies; restrict watering to shrubs and trees by hand or drip irrigation only	Mandatory Prohibition	High 15%
	Shut-off of dedicated landscape irrigation meters	Operational Change	High 10%
	Elimination of water served in food service establishments unless requested	Mandatory Prohibition	Low 1%
	Elimination of the issuance of construction meters	Operational Change	Low 2.5%
	Moratorium on provision of new supply meters	Operational Change	Low 2.5%
	Other mandatory restrictions and enforcement, as necessary	Mandatory Prohibition	Low 2.5%

4.4 CITY MANAGEMENT EMERGENCY DECLARATION

If the City Manager, or his/her designee, determines that a sudden event has, or threatens to, significantly diminish the reliability or quality of the City's water supply, the City Manager may declare a catastrophic water supply shortage and impose whatever emergency water allocation or conservation actions deemed necessary, in the City Manager's professional judgment, to protect the reliability and quality of the City's water supply until the emergency passes or the City takes other action.

4.5 PROCESS FOR INITIATION/TERMINATION OF WATER SHORTAGE LEVEL

Driven by the requirements outlined in CWC Section 10632, and if demand for potable water is expected to be in excess of the water supply, the City Manager shall request the City Council to authorize and implement the provisions of the WSC Plan. The request shall be made at a regular or special meeting of the City Council, to implement the appropriate level and provisions of the WSC Plan. The City Council has the authority to initiate or terminate the water shortage contingency measures described in this WSC Plan.

The City Manager will recommend the appropriate level of response to a water shortage based on the best information available at the time. Conditions that will be considered include the following:

- Water supply conditions and storage levels
- Statewide water supply conditions
- Local water supply and demand conditions
- Actions by surrounding agencies

As water supply conditions either deteriorate or improve, the City Manager will return to the City Council to revise the appropriate level of response. It shall not be necessary to implement any level prior to another; the levels may be implemented in any reasonable order.

In the event the state or local agencies, through executive action, emergency legislation, or other actions, impose conditions, requirements, or procedures that are not included in the City's Water Shortage Contingency Plan, the City Manager is authorized to implement such measures as are reasonably required to bring the City's actions in each level into functional conformity with such conditions, requirements, or procedures.

4.6 REQUEST FOR VARIANCE PROCEDURE

Any person who wishes to request a variance to a customer classification or allotment shall do so in writing by using the forms (Appendix C) provided by the City:

1. Variances will be reviewed by the Planning Director and staff. Site visits may be scheduled.
2. A condition of granting a variance shall be that all plumbing fixtures or irrigation systems be replaced or modified for maximum water conservation.

3. Examples of variances that may be considered include the following:
 - a. Substantial medical requirements.
 - b. Commercial/Industrial/Institutional accounts where any additional water supply reductions will result in unemployment or inappropriate hardship, after confirmation by the City Manager that the account has instituted all applicable water efficiency improvements.
 - c. The City Manager may grant a temporary variance of up to one year to come into compliance with the terms in Chapter 13.08.030 of the City's Municipal Code.
4. In the event a variance is requested for irrigation of trees or vegetation, the Planning Director and Water Quality staff may use the services of a qualified consultant in determining the validity of the request. Costs for such consulting services shall be paid by the party or parties making the request.
5. The Planning Director shall refer all variances to the City Manager. The City Manager may refer variances to the City Council.
6. If the City Manager and the applicant are unable to reach an agreement, then the variance shall be heard by the City Council, who will make the final determination.
7. All variances shall be reported monthly to the City Council as a part of the Water Supply Report.

5 COMMUNICATION PROTOCOLS

Timely and effective communication is a critical element of the WSC Plan implementation. Per CWC Section 10632(a)(5), the City has established communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments regarding any current or predicted shortages as determined by the Annual Assessment (Section 2 of this WSC Plan) described pursuant to Section 10632.1; any shortage response actions triggered or anticipated to be triggered by the Annual Assessment described pursuant to Section 10632.1; and any other relevant communications.

Strategic communication is an ongoing activity where the purpose, audience, message, tools, and channels may change at any given moment. In the context of water shortage response, the purpose may be an emergency water shortage situation, such as may result from an earthquake, or a longer-term, non-emergency, shortage condition, such as may result from a drought.

In an emergency, the City will activate the communication protocol detailed in the City's Emergency Operations Plan. In a non-emergency water shortage situation, the City will implement communication protocols outlined in this section.

5.1 COORDINATION

To communicate effectively, avoid confusion, and maintain credibility, the coordination of the WSC Plan is in cooperation with various levels of City management, as well as with the Basin Manager, Monterey County Water Resources Agency, and other regional planning groups, including the Water Awareness Committee of Monterey County (WAC) and the Integrated Regional Water Management Plan for Greater Monterey County. Through the WAC, representatives from 14 agencies throughout Monterey County work together coordinating conservation and other water awareness efforts, including educational programs and information booths for special events, for public understanding of Monterey County water challenges and opportunities.

During droughts or other times of limited supply, the frequency and extent of coordination will increase to ensure outreach tactics are consistent with the changing needs of the region and, specifically, the City and its customers. The City will seek opportunities to leverage external resources to complement its own outreach and lean on the key community partnerships it has forged to coordinate and facilitate communication.

5.2 KEY AUDIENCES, STAKEHOLDERS, AND PARTNERS

Communicating to various stakeholders is essential during normal supply periods and becomes increasingly more involved during water shortages. Communicating to these audiences requires varying levels of involvement depending on the status of supply conditions. Feedback, research, and leveraging existing relationships are central to an effective communications plan. The City will continue to coordinate closely with water resource agencies in the region, stakeholders, and governing agencies on an ongoing basis to ensure appropriate messaging is effective and culturally competent within the City's

service area. Provided below is a selection of key audiences, stakeholders, and community partners the City can reach out to when implementing this WSC Plan:

Internal

- City staff: Management, Customer Relations, Administrative, and Field
- City Council

Residents

- Single-family residential (owner or tenant)
- Multi-family residential (owners and tenants)

Businesses/Organizations

- Homeowners associations
- Commercial/Industrial/Institutional
- Building industry association and developers
- Chamber of Commerce
- Vendors/contractors/consultants doing business with the City

Public/Community Agencies

- Elected officials and community leaders
- Staff and departments at Monterey County
- Community-based organizations (CBOs): Non-profits, service clubs, and fraternal organizations
- Educational institutions, school districts, educators, and students
- State and federal representatives and staff
- Environmental groups
- Watershed interests
- Communities of Faith
- Sports leagues and associations

Industry/Trade Groups and Organizations

- Water industry, such as Association of California Water Agencies (state and federal), National Water Resources Association, and neighboring water agency partners
- Regulatory agencies, such as California Department of Water Resources, State Water Resources Control Board, and Central Coast Regional Water Quality Board
- Environmental agencies, including California Department of Fish and Wildlife and U.S. Fish and Wildlife Service
- Water use efficiency organizations, such as California Water Efficiency Partnership (CalWEP), Alliance for Water Efficiency AWE), and EPA WaterSense
- Landscape and irrigation groups, such as Irrigation Association and California Landscape

- Contractors Association
- California Association of Community Managers

Media

- Local print and radio
- Homeowners association newsletters
- City's social media

5.3 CUSTOMER OUTREACH AND ENGAGEMENT TOOLS

Water efficiency as a sustainable way of life remains central to City messaging during normal supply conditions. Indoor and outdoor water use efficiency, sustainable landscaping principals, rebate programs, investments to maintain infrastructure, emergency preparedness, local supply programs, water quality, and local supply reliability are among some of the themes that are in the City's communications mix to promote, normalize, and advocate for water conserving ethics and activities.

Below is a snapshot of the various strategies and activities the City uses or may use for communication that could be strategically ramped up in a water shortage condition:

Awareness and Education

- City website and subpages
- Social media (Instagram, Facebook, Twitter, YouTube, NextDoor)
- eNewsletter
- Emails to customers
- Emails and correspondence to County, state, and local elected officials
- Media relations (press releases, interviews, op-eds)
- FAQ sheet/fact sheets
- Digital, print, and other paid media marketing
- Direct mail (bill messages/inserts, postcards, targeted letters)
- Community events
- Education outreach (e.g., school programs)
- Resources (water efficiency "how to" videos, lead detection guides, landscape design templates, etc.)
- Roadway signage

Communication through Action

- In-person, phone-based and virtual customer assistance
- On-site customer assistance (site surveys)
- Conservation rebate programs
- Community events and demonstrations

5.4 COMMUNICATION OBJECTIVES

The City will periodically provide the public with information about the WSC Plan using any of the outreach methods in Section 5.5. During water shortage conditions and when urgent conservation is needed, the City believes it is important to communicate the following to customers:

- Why water needs to be saved
- How much water needs to be saved and for how long (shortage level initiated and terminated)
- Specific actions needed to save water
- What the City, along with the water industry, is doing to remedy the water shortage condition

To that end, communication objectives during the various water shortage levels of the WSC Plan include the following:

- Motivate water users to increase conservation in ways that are consistent with any voluntary or mandatory actions called for at the current level of the WSC Plan
- Raise awareness and understanding of the drought, regulatory, or other condition affecting water supplies and the need for increased conservation
- Minimize confusion and maintain credibility of water agencies and conservation messages with an appropriate tone that invokes trust and avoids non-compliance backlash
- Make water users feel appreciated for accomplishments in improving their water use efficiency, and for supporting regional and local investments in water supply reliability
- Educate civic and business leaders and the public that the City has improved its water supply reliability and is committed to furthering local, sustainable, and reliable supplies
- Prepare the City's customers for any potential escalation (or de-escalation) of the WSC Plan based on trending supply conditions
- Ensure customers and stakeholders believe they are being treated fairly in relationship to others
- Maintain communication effectiveness by soliciting or monitoring feedback from regional water agencies/managers, key stakeholders, and the general public to update or adapt messages or communication tools
- Depart WSC Plan implementation having demonstrated the effectiveness and value of conservation actions and water supply reliability investments in minimizing impacts to customer's quality of life or the community's economy

5.5 COMMUNICATION PROTOCOL FOR DECLARING A WATER SHORTAGE

A current or predicted water shortage, or the termination of a current shortage, as determined by the Annual Assessment, will be communicated to the public upon submittal of the Annual Assessment in June of any given year.

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

- (a) City management and other key decision makers must be notified regarding the situation, actions to be taken, goals customers are intended to achieve, and how these actions will be implemented.
- (b) By adopting this WSC Plan, the City Council authorizes the City Manager to declare the extent of a potable water shortage emergency and to implement the appropriate water shortage level and contingency measures. The City Manager shall report such water shortage conditions and the level of response to the City Council in a timely manner.
- (c) The declaration of the City Council that the appropriate water shortage level of water conservation be implemented or terminated will be done by resolution adopted in accordance with this WSC Plan and public announcement. The City shall publish a copy of the resolution in a newspaper used for publication of official notices and shall post a notice on the City's website at <https://cityofsoledad.com>. These postings, notices, and notifications will communicate to the public the shortage response actions in place to offset the water shortage gap. Adoption of a resolution terminating any shortage level shall be made at a public meeting of the City Council.
- (d) The public at large will be informed of the situation and actions the City will be taking. Communications will occur through any of the following: billing inserts, special mailings (direct mail), telephone contact, email, social media, roadway signage, water conservation booths and other booths in the community, speaker's bureau, community association meetings, newsletters, education programs, etc. Literature appropriate to the drought circumstance will be provided regarding the potable water shortage condition, conservation methods, and water-savings devices.
- (e) Use of all forms of media may be employed. This would include public service announcements on radio and cable television and social media. as well as earned media and advertisements in local newspapers.
- (f) The City's website, <https://cityofsoledad.com>, will be the central location for messaging and customer communications.

5.6 COMMUNICATION PROTOCOL AND STRATEGIES FOR WATER SHORTAGE LEVELS

To reduce water consumption during any water shortage level, the City will increase its public education and outreach efforts to build awareness of needed actions from the public. In addition, the City's outreach efforts will be regularly revised to reflect current conditions. Key communication strategies and associated water shortage level implementation are listed below; communication strategies established from previous shortage levels are assumed to be built upon or intensified should water shortage conditions worsen:

- Announce status change to key stakeholders and the general public (all water shortage levels)
- Provide regular updates to customers and the media on conditions (all water shortage levels)
- Increase agency coordination via monthly meetings (Water Shortage Level 1 and 2)
- Conduct issue briefings with key officials and civic and business leaders (Water Shortage Level 2)

- Target outreach to dedicated irrigation accounts, particularly with homeowners associations to leverage their relationships and communication with their residents and/or sub-associations (Water Shortage Level 2)
- Promote available water assistance resources for vulnerable populations; customized outreach for impact customer groups (Water Shortage Levels 3 and 4)
- Conduct specialized outreach to reduce discretionary outdoor use while minimizing landscape damage (Water Shortage Levels 3 and 4)
- Suspend promotion of long-term water use efficiency programs/tools to focus on imminent needs (Water Shortages Levels 5 and 6)
- Perform crisis communication, as outlined in the City’s Emergency Operations Plan; outreach messaging will reflect emergency conditions and the need to focus on health and public safety (Water Shortage Level 6 – Emergency Water Shortage)

5.7 CRISIS COMMUNICATION – EMERGENCY WATER SHORTAGE

In the event of a catastrophic shortage due to an infrastructure failure and/or natural disaster, the City will enact its crisis communications as part of the City’s Emergency Operations Plan. The City’s Emergency Operations Plan was developed in accordance with local, regional, state, and federal emergency response guidelines to ensure a coordinated effort and effective response and was adopted by the City Council in March 2020.

6 LOCAL HAZARD MITIGATION PLAN AND SEISMIC RISK ASSESSMENT

6.1 MONTEREY COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN

A new requirement for the WSC Plan is to include a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of the supplier's water system and to mitigate those vulnerabilities. Compliance may include submitting a copy of the most recently adopted local hazard mitigation plan if it addresses seismic risk.

The City recognizes that the threat from natural hazards poses a risk to water and wastewater utilities and the individuals they serve, and impacts can result in regional economic and public health consequences. There are two types of disaster planning documents: Hazard Mitigation Plan (HMP) and Emergency Operations Plan (EOP).

A HMP is different from the City's Emergency Operations Plan such that a HMP is proactive, while the EOP is reactive. The HMP develops actions to reduce or eliminate risk from a future hazard event, while the EOP establishes overall operational concepts. The HMP identifies implementation priorities based on an in-depth local hazard assessment, while the EOP details emergency management for significant emergency or disaster.

The City of Soledad is under the Monterey County Multi-Jurisdictional HMP (MJHMP) (March 2016).³ The 2016 MJHMP is currently being updated to 2021, led by Monterey County, and all 12 cities, as well as special districts, are participating in the planning process.

Once available, the updated MJHMP would have a comprehensive review process that includes the State Board of Forestry and Fire Protection, a 30-day stakeholder review, a 30-day public review, the California Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA), followed by adoption by the County Board of Supervisors and each City Council.

The MJHMP establishes a broad local vision and guiding principles for reducing hazard risk and proposes specific mitigation actions to eliminate or reduce identified vulnerabilities. The MJHMP goal is to "protect the public health, safety, quality of life, environment, and economy of Monterey County by reducing the long-term risk of damage and loss to known hazards through coordinated planning, partnerships, capacity building, and implementation of effective risk reduction measures."

MJHMP Mitigation Goals include the following:

1. Promote disaster-resistance and ***climate adaptation*** strategies in future development.
2. Retrofit, reinforce, or otherwise protect ***existing community assets***, especially ***critical infrastructure***, for hazard resilience.

³ [Previous MJHMPs | Monterey County, CA](https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/office-of-emergency-services/hazard-mitigation/previous-mjhmps) or <https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/office-of-emergency-services/hazard-mitigation/previous-mjhmps>

3. Encourage **natural systems protection** through plans and policies; vegetation, debris and sediment control measures; maintenance and restoration programs; ecosystem services.
4. Provide **regulatory tools** for applicable hazards and integrate hazard mitigation principles into appropriate local plans.
5. Increase **public education and awareness** on hazard risks; build and support **personal preparedness** to enable the public to better prepare for, respond to, and recover from disasters.
6. Improve **local government capacity** for disaster resiliency; facilitate **coordination** between participating jurisdictions and state and federal agencies, local utility companies, local businesses, non-profit organizations, and other stakeholders to promote hazard risk reduction.

Monterey County is potentially vulnerable to a wide range of natural and man-made hazards. These hazards can threaten the life and safety of residents and visitors and have the potential to damage or destroy both public and private property and disrupt the local economy and overall quality of life. While the threats from hazard events may never be fully eliminated, there is much that can be done to lessen their potential impact on communities. By minimizing the damaging impacts of hazards upon our built environment, we can prevent such events from resulting in disasters. The concept and practice of reducing risks to people and property from known hazards is called hazard mitigation.

The MJHMP identifies the following 12 hazards, including climate change, drought, earthquake, and others, that could impact the City's water and wastewater infrastructure:

- Agricultural
- Climate change/sea level rise
- Coastal erosion
- Dam failure
- Drought
- Earthquake
- Flood
- Hazardous materials event
- Landslide
- Tsunami
- Wildland fire
- Windstorm

6.2 SEISMIC RISK ASSESSMENT AND HAZARD MITIGATION PLAN

The CWC requires the WSC Plan to include a seismic risk assessment and mitigation plan to assess the vulnerability of each water facility. Per CWC Section 10632.5(c), this requirement is met by the Monterey County MJHMP.

Section 4, Hazard Analysis, of the MJHMP shows that several active faults, including the San Andreas Fault, run through Monterey County. The MJHMP also includes a hazard profile for earthquakes that includes a discussion of the nature of an earthquake, history of earthquakes in the region, and the location, extent, and probability of future seismic events. The probability analysis shows that Monterey

County experiences several small detectable earthquakes every year. Also, moderate-sized, potentially damaging earthquakes could occur in this area at any time. Recent research by the USGS shows that the San Andreas Fault has a 21 percent probability and the San Gregorio–Palo Colorado Fault zone has a 10 percent probability of a magnitude 6.7 or greater earthquake by 2032. Because Monterey County experiences small earthquakes every year, the overall probability of occurrence of this hazard to some degree is considered highly likely.

Section 5, Vulnerability Analysis, of the MJHMP shows that all of the City of Soledad is located in a moderate shaking hazard area. A total of 15 critical government facilities across the City are vulnerable to a moderate shaking event.

Appendix T of the MJHMP includes resources available to the City for hazard mitigation including legal and regulatory resources, administrative and technical resources, financial resources, and education and outreach resources. Table T-10 in Appendix T presents the City’s Mitigation Action Plan Matrix. Within the matrix is Action Number 2 – *Identify hazard prone critical facilities and infrastructure and carry out acquisition, relocation and structural and nonstructural retrofitting measures, as necessary*. This is ranked a high priority. The City’s Public Works Department is the responsible entity. The benefit-costs analysis suggests that this action will help ensure that the community/critical facilities can operate in some capacity before, during, and after the disaster.

6.3 CATASTROPHIC SUPPLY INTERRUPTION PLANNING AND THE CITY’S EMERGENCY OPERATIONS PLAN

A catastrophic supply interruption occurs when a disaster suddenly disrupts all or a large portion of the water available to meet the region’s needs. The Urban Water Management Planning Act requires agencies to identify actions they will take if there is a catastrophic supply interruption, specifically including interruptions from a power outage, earthquake, or other non-drought-related emergency. The City has developed plans for catastrophic supply interruptions that include a regional power outage, earthquake, or other disaster.

Catastrophic supply interruption events are considered when determining the City’s overall water supply shortage as defined by the water shortage levels identified in Section 3, Water Shortage Levels. The City does not propose to designate a specific catastrophic supply interruption water shortage level with its own shortage response actions. Rather, the resulting shortage of a catastrophic supply interruption would contribute to the City’s total projected shortage in any given year. Shortage response actions associated with the determined water shortage level will help guide the City’s response to catastrophic supply interruptions.

As presented in Section 1.2 above, the City’s EOP includes a Hazard Analysis that identifies designated City-owned critical infrastructure. Of the 13 facilities listed, nine are water and wastewater facilities. Listed are the Soledad Water Reclamation Facility, the City’s five wells, La Cuesta Booster Station, Section 16, Water Storage Tank, and the Prison Wastewater Plan. Multiple hazard descriptions are also defined, including flooding, drought, pipeline emergencies, etc.

Supporting the EOP are Emergency Action Plans—actions the City would initiate in the event of a catastrophic reduction of its water supply. The EOP defines EOC Action Plans as plans that provide designated personnel with knowledge of the incident objectives and the steps required for achievement. EOC Action Plans not only provide direction but also serve to provide a basis for measuring achievement of objectives and overall system performance. Action planning is an important management tool that involves the following:

- A process for identifying priorities and objectives for emergency response or recovery efforts
- Documentation of the priorities and objectives and tasks and personnel assignments associated with meeting them

The EOP includes incident-specific operational objectives. Soledad will be responsible for the overall direction and control of emergency response activities within city limits or involving City infrastructure. Specifically for water, damage assessment with a priority on City facilities and infrastructure will be performed. For all incidents, Mobilization of Resources and Public Response includes, “If water [or wastewater] services are interrupted for a substantial period of time, more than 12 hours, and restoration of water systems is uncertain, the City must deliver water through alternate means until water services can be reinstated.” For treated water, regional services are provided by a mix of City staff, special districts, municipal utilities and private agencies. Mutual aid arrangements may include both governmental and private agencies.

The City is a member of the California Water/Wastewater Agency Response Network (CalWARN). The mission of CalWARN is to support and promote statewide emergency preparedness, disaster response, and mutual assistance processes for public and private water and wastewater utilities. CalWARN expands member abilities to achieve agency, regional, and state preparedness by providing tools and proven practices to enhance readiness.

7 COMPLIANCE AND ENFORCEMENT

Fundamentally, the City's volume-based tiered rate structure serves as an ongoing and self-corrective compliance and enforcement mechanism. It's also considered an active water demand management tool. The water shortage contingency measures of the WSC Plan shall apply to all persons, customers, and properties utilizing potable water provided by the City. The terms "person" and "customer" as used in the WSC Plan include individuals, corporations, partnerships, agencies, associations, and all other legal entities.

CWC Section 10632(a)(6) requires a water supplier to penalize or charge for excessive use, where applicable. Chapter 13.09.050 of the City Municipal Code (Appendix A) provides for a system of violations, warnings, and enforcement as follows:

13.09.050. Warnings.

In order to encourage cooperative efforts to achieve water conservation, it shall be the policy of the city of Soledad to issue a written warning notice when an alleged violation is first noted. Such warning shall include an explanation of the alleged violation. Any individual provided with such notice will then be given an opportunity to correct the identified problem. However, if an infraction citation is issued and a prosecution commenced for the alleged violation, in no case shall proof of a violation depend upon the showing that a warning was previously given, nor shall failure to give a warning be a defense.

13.09.060. Penalties.

- A. Each violation of this chapter is an infraction.
- B. Any violation that occurs or continues from one day to the next shall be deemed a separate violation, for each day during which such violation occurs or continues to occur.
- C. The fine for a first violation of this chapter shall be fifty dollars (\$50.00). The fine for a second violation and each subsequent violation of this chapter within a period of twelve (12) months, regardless of the specific section or subsection violated, shall be one hundred dollars (\$100.00).

13.09.080. Variances.

- A. Any person may, at any time, apply in writing for a variance from strict application of this chapter. The application for the variance shall be filed with the City of Soledad. The planning director may, in his discretion, temporarily dispense with the requirement to file a written application, if he finds that an emergency condition exists requiring immediate action on the variance request.
- B. The city manager may grant a temporary variance of up to one year to come into compliance with the terms of this chapter upon making both of the following findings:
 1. The strict application of the chapter would create an undue hardship, or an emergency condition exists which requires that the variance be granted; and
 2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other water consumers.

- C. In granting a variance, the city manager may impose any conditions in order to ensure that the variance is consistent with the overall goal of water conservation. The granting of a variance and any conditions imposed upon such variance shall be set forth in writing.
- D. Any decision of the city manager with respect to an application for a variance may be appealed in writing to the city council. The city council shall schedule the matter for hearing within thirty days of receipt. The city council may confirm, modify or rescind any decision of the city manager in this regard. The city council's decision on all variance appeals shall be final.

13.09.090. Revenues received from enforcement.

All revenues received by the city from enforcement of this chapter shall be used exclusively for city water conservation programs, including but not limited to administrative, monitoring and enforcement costs of mandatory water conservation.

The procedures for warnings and penalties above are for ongoing activities through Water Shortage Level 2. For Water Shortage Levels 3 through 6, the following will apply:

Procedure for Water Shortage Levels 3 through 6

- 1) Issue a written warning notice when an alleged violation is first noted. Such warning shall include an explanation of the alleged violation. Any individual provided with such notice will then be given an opportunity to correct the identified problem.
- 2) If the violation is not corrected after one written warning notice, the City shall install a flow restrictive device on the service line of any customer observed by City personnel to be using water for any non-essential or unauthorized use.
- 3) Repeated violations of unauthorized water use will result in discontinuance of water service.

8 LEGAL AUTHORITIES

The City has the legal authority to implement and enforce its WSC Plan. California Constitution Article X – Water, Section 2, and California Water Code Section 100 provide that water must be put to beneficial use, the waste or unreasonable use or unreasonable method of use of water shall be prevented, and the conservation of water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and the public welfare. In addition, Water Code Section 375 provides the City with the statutory authority to adopt and enforce water conservation restrictions, and Water Code Section 350 et seq. authorizes the City to declare a water shortage emergency and impose water conservation measures when it determines that the City may not be able to satisfy ordinary demands without depleting supplies to an insufficient level.

Pursuant to these authorities, the City adopted Ordinance 534 Mandatory Water Conservation (Appendix A), which prohibits the waste of water and imposes water conservation requirements on customers. In addition, this WSC Plan, approved and adopted by the Soledad City Council (July 21, 2021), contains six levels of water shortage conditions with escalating water conservation requirements at each level. These levels are consistent with the requirements of Water Code Section 10632(a)(3) and include the declaration of a water shortage emergency by the City Council depending on conditions at the appropriate levels. Such declarations will be made in accordance with Water Code Section 350.

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9 FINANCIAL IMPACTS

9.1 VOLUMETRIC-BASED TIERED RATE STRUCTURE

The City's volume-based rate structure is designed and intended to be an ongoing and active water demand management tool that proportionately recovers the cost of providing water service within the City's service area. Since the City reads meters and bills its customers monthly, the water use can provide a monthly signal, or performance measure, to assist customers in managing their water consumption. Moreover, the City's volumetric rates are tiered such that customers who exceed a tier quantity experience more expensive rates for water used in higher tiers.

The City's rate structure is based upon adopted rate tiers and allows for modification of rates by due process. There is a flat rate based on meter size as well as a volume-based rate. The volume-based rate incorporates higher rates for higher usage tiers.

All City water service connections are charged monthly for the volume of water used. The City's current water rate schedule provides separate water rates for single-family residential, multi-family residential, commercial, school, and public account types. Each account type is charged at a specific rate for every hundred cubic feet (hcf) of water used monthly.

The single-family residential account type is further broken down into three usage tiers based on the amount of water consumed. These tiers are:

- Tier 1: 0 to 7 hcf
- Tier 2: 7.01 to 23 hcf
- Tier 3: Greater than 23 hcf

The first 7 hcf used is charged at the lowest rate. The next tier, 7.01–23 hcf, is charged at a higher rate. If the household uses more than 23 hcf, that usage is charged at the highest rate. The tiered structure communicates the value of water, provides financial incentives to conserve water, and reimburses the utility for the cost of maintaining a safe drinking water program with sufficient capacity to meet the needs of the City.

9.2 REVENUE SOURCES AND MANAGEMENT

In the event that the City implements the WSC Plan, it is recognized that the reductions in water sales would impact the revenues that would normally be generated to the Water Enterprise Fund. However, the City's Water Enterprise Fund revenues may vary according to regional weather, the economy, and other factors. For example, in dry years, local demands tend to increase, and the City may receive higher than anticipated revenues due to increased sales volumes. In contrast, in wet years, demands tend to decrease, and revenues drop due to lower sales volumes. Such revenue surpluses and shortages could cause instability in water rates.

To the extent that this reduction negatively impacts the coverage of its fixed costs (those that are not tied to volume), the City will temporarily utilize its Water Reserves to mitigate any shortfall. Maintaining financial reserves is a way the City can manage rate volatility. The reserves are fully flexible to use appropriately, including funds dedicated for rate stabilization. The reserves can, therefore, be a useful tool to offset the need for revenues during times of lower water sales or unanticipated water supply costs.

To mitigate the effects of volumetric revenue volatility, the City seeks to maintain volumetric water rates, which closely match its volumetric cost of water produced. The City additionally generates a significant portion of total water sales revenues from the fixed water charge (flat rate), which is based on the size of the water meter. The City's fixed charge is designed to capture nearly all the City's fixed costs to provide water services, such as water quality testing, environmental compliance, administrative costs, maintenance and repair of facilities and assets, and capital expenditures that enhance local water supply reliability. The Water Enterprise Fund also receives a lesser amount of revenue from interest and miscellaneous revenue.

Under long-term drought conditions, it may be necessary to institute temporary increases to rates to cover increased operating expenses. The City may consider adopting a surcharge or flat rate increase over a specific time period to cover increased operating expenses while under a water shortage. This measure would allow the City to implement various levels of rate increases after the City Council, by resolution, has declared a threatened shortage of funds due to a water shortage or other emergency.

Conditions of drought and the implementation of water restrictions would also impact expenditures. Reduced availability of groundwater would produce higher energy bills. The difference in groundwater elevation would lengthen the pumping time required to produce the same amount of groundwater.

Enforcement of the WSC Plan is presumed to be covered by enhanced revenues from application of excess use charges and penalties.

10 MONITORING, REPORTING, AND REFINEMENT

Normal Monitoring Procedure

In normal water supply conditions, production data is recorded daily. Totals are then reported monthly to the Water Resources Manager and Water Supervisor. Production figures are reported monthly to the State Water Resources Control Board (Water Board) Office of Research, Planning, and Performance (drinc@waterboards.ca.gov) and in the Annual Report to the Drinking Water Program, which is submitted to the Water Board Water Division each year.

Water supply volumes are generated monthly from the Basin Manager. If the goals of balancing supply and demand under shortage conditions are not met, the City can adjust shortage response actions following an adaptive management approach. Baseline and demand reduction targets may utilize unconstrained demands, demand target as a percentage, or weighted by month to determine success.

Water Shortage Levels 1 and 2

During a Level 1 or Level 2 water shortage, daily production figures will be reported to the Water Operations Supervisor and Water Resources Manager. The Water Resources Manager compares the weekly production to the target weekly production to verify that the reduction goal is being met. Monthly reports are forwarded to the Public Works Director, the City Manager and the City Council. If reductions goals are not met, the City Manager may notify the City Council so that corrective action can be taken.

Water Shortage Levels 3 and 4

During a Level 3 or Level 4 water shortage, the Level 1 and 2 procedure will be followed, with the addition of a daily production report to the Public Works Director and weekly reports to the City Manager and City Council. Special meetings may be called for administration of the WSC Plan.

Water Shortage Levels 5 and 6

During a Level 5 or Level 6 shortage, production figures will be reported to the Water Resources Manager hourly and to the Public Works Director and the City Manager daily. Reports will also be provided to the City Manager, City Council, the Monterey County Office of Emergency Services, the Planning Department, and any other land use jurisdictions within the City's service territory.

Refinement

It is envisioned that the WSC Plan will be periodically re-evaluated to ensure that its shortage risk tolerance is adequate and that the shortage response actions are effective and up to date based on lessons learned from implementing the WSC Plan. The WSC Plan will be revised and updated during the UWMP update cycle to incorporate updated and new information. However, if revisions to the WSC Plan are warranted before the UWMP is updated, the WSC Plan can be updated outside of the UWMP update cycle. The City's Annual Assessment process is a natural and logical opportunity for the City to consider the functionality of the existing WSC Plan and can prepare refinements if changes are found to be needed.

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11 SPECIAL WATER FEATURE DISTINCTION

CWC Section 10632(b) requires the City to analyze and define water features in the WSC Plan that are artificially supplied with water, including ponds, fountains, etc. separately from pools and spas as defined by subdivision (a) of Section 115921 of the Health and Safety Code. Pools and spas must use potable water whereas ponds, fountains and other water features may be able to use recycled water.

This WSC Plan differentiates special water features following the City's Municipal Code Chapter 13.09 Mandatory Water Conservation distinctions. In summary, the City has identified two types of water features:

- **Decorative Water Features** exist for decorative or aesthetic purposes and not intended for recreational uses, such as pools or spas. More specifically, regarding fountains, no person shall use water to operate or maintain levels in decorative fountains, unless such water is recycled in the fountain.
- **Recreational Water Features** are intended for recreation, such as a swimming pool or spa. They may be residentially or municipally/commercially owned and operated. Regarding swimming pools and spas, no person shall empty and refill a swimming pool or spa except to prevent or repair structural damage or to comply with public health regulations.

Additionally, the City will consider artificial man-made lakes as new developments are approved and include such lakes. Artificial man-made lakes are large bodies of water artificially created for a variety of intended purposes, that may include recreation, habitat, aesthetics, and community amenities that require supplemental water fill from City water services.

Water shortage response actions identified in this WSC Plan primarily target restrictions or prohibitions to filling water features that use drinking water. Water features that use recycled water are generally exempted from fill restrictions, unless the City declares otherwise, based on an assessment of the supply and availability of recycled water. Note that the City does not allow recycled water to be used to fill swimming pools or spas.

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12 WSC PLAN ADOPTION, SUBMITTAL, AND AVAILABILITY

The City of Soledad City Council adopted this WSC Plan by **Resolution No. 2021-??**, on July 21, 2021, which enables implementation of the WSC Plan upon advice of staff based in part on the triggering mechanisms discussed herein. The resolution is attached as Appendix D.

Per CWC Section 10632(a)(c), the City provided notice of the availability of the Draft WSC Plan and notice of the public hearing to consider adoption of the WSC Plan. The public review draft of the WSC Plan was posted prominently on the City's website, <https://cityofsoledad.com/>, in advance of the public hearing. The public hearing notification was published in local newspapers following the requirements of CWC Section 10642 and Government Code Section 6066.

The City held the public hearing for the Draft WSC Plan at the July 21, 2021, City Council meeting, and the City Council reviewed and approved the WSC Plan by resolution (Appendix D) in the same meeting.

The City's WSC Plan was filed with the California Department of Water Resources (DWR), the California State Library, and the County of Monterey. The City will make the WSC Plan available for public review on its website no later than 30 days after filing with DWR. Based on DWR's review of the WSC Plan, the City will make amendments in its adopted WSC Plan, as required and directed by DWR. If the City revises its WSC Plan after the 2020 UWMP is approved by DWR, then an electronic copy of the revised WSC Plan will be submitted to DWR within 30 days of its adoption.

The City may choose to amend the WSC Plan at any time; in so doing, each of the steps above must be followed.

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**APPENDIX A: CITY OF SOLEDAD MUNICIPAL CODE SECTION 13.09
MANDATORY WATER CONSERVATION REGULATIONS**

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Soledad Code of Ordinances

Title 13. Public Services

Division II. Water

Chapter 13.09 Mandatory Water Conservation

Ordinance 534 §2 (part), 1993 (http://soledad-ca.elaws.us/code/coor_title13_divii)

13.09.010. Purpose.

The purpose of this chapter is to increase public awareness of the need for water conservation, and to provide regulations and restrictions on the delivery of water and the consumption within the city limits of water supplied for public use as will (1) conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation and fire protection, and (2) ensure compliance with water regulations of other governmental agencies of appropriate jurisdiction.

(Ord. 534 § 2 (part), 1993)

13.09.020. Definitions.

- A. Agency. "Agency" means the Monterey County Water Resources Agency.
- B. "Automatic shutoff nozzle" means a water release mechanism securely affixed to the end of a water hose that requires the person using the hose to apply and maintain the flow of water, and that shuts off immediately when pressure is released.
- C. "Change of ownership" means a transfer of the right to beneficial use thereof, regardless of whether such transfer is voluntary, involuntary, or by operation of law, court order, grant, gift, devise, inheritance, trust, contract of sale, addition or deletion of an owner, property settlement or by any other means.
- D. "Change of use" means a change from one use of a structure to another use that is identified as a different use under the zoning ordinance, Title 17, of the Municipal Code of the city of Soledad.
- E. "City manager" means the city manager of the city of Soledad.
- F. "New construction" means a completely new structure, a new addition to a previously existing structure or the portion of a previously existing structure that is newly remodeled or renovated.
- G. "Overdraft" means the condition of a groundwater basin where the amount of water withdrawn by pumping exceeds the amount of water replenishing the basin over an extended period of time, or where the amount of water withdrawn by pumping results in an unacceptable degradation of groundwater quality within the basin.
- H. "Person" means any individual person and any firm, partnership, corporation, business entity, association, district, agency, city, county and any other entity or organization.
- I. "Public works director" means the superintendent of public works of the city of Soledad.
- J. A "shutoff nozzle" means a water release mechanism ("nozzle") securely affixed to the end of a water hose which enables the user of the hose to control the flow of water in the hose, including stopping the flow of water completely and securely, by a lever or mechanical device in the nozzle.
- K. "Superintendent of utilities" means the superintendent of utilities of the city of Soledad.

- L. "Water recirculating system" means a system approved by the city that recirculates water between hot water and cold water lines, so that substantially all the cold water standing in the pipes will be returned to the water heater and reheated before the faucet is turned on. The system may be turned on and off by a manually operated switch, by a timer-operated switch, or otherwise, or may be left on permanently.

(Ord. 534 § 2 (part), 1993)

13.09.030. Enforcement.

The city manager and all officers and employees of the city, including all ex officio officers and employees, shall enforce all the provisions of this chapter by the issuance of citations, including warning citations, and taking all other necessary action, including bringing civil action to abate a nuisance as set forth herein, through the city attorney's office.

(Ord. 534 § 2 (part), 1993)

13.09.040. Mandatory restrictions on water waste.

- A. Repair of Plumbing, Sprinkler and Irrigation Systems. Any person who is the owner, manager or person responsible for the day-to-day operation of any premises shall take caution to initiate steps to repair any leaking, broken or defective water pipes, faucets, plumbing fixtures, other water service appliances, sprinklers, water or irrigation systems, or distribution systems within a reasonable time after such person learns of such leaks, breaks or defects, and shall thereafter diligently and promptly pursue such repair work to completion. In any event, such action initiating steps for repair shall take place within seventy-two hours after such person first learns of the problem, unless a variance is obtained from the city of Soledad.
- B. Washing of Vehicles. No person shall use a water hose to wash any car, truck, boat, trailer, bus, recreational vehicle, camper, aircraft, tractor or any other vehicle, or any portion thereof, with potable water, unless the hose is equipped with an automatic shutoff nozzle.
- C. Cleaning of Structures. No person shall use potable water through a hose to clean the exterior of any building or structure unless such hose is equipped with a shutoff nozzle.
- D. Cleaning of Surfaces. No person shall use potable water through a hose to clean any sidewalk, driveway, roadway, parking lot, or any other outdoor paved or hard-surfaced area, except where necessary to protect public health and safety. The use of a bucket is not prohibited at any time for cleaning food, grease, oil, or other stains or spillage from surfaces.
- E. Water Spillage. No person shall cause, suffer or permit water to spill into streets, curbs or gutters. No person shall use any water in any manner which results in runoff beyond the immediate area of use, unless the contour of the premises is such that avoidance of some minimum spillage is impossible.
- F. Swimming Pools and Spas. No person shall empty and refill a swimming pool or spa except to prevent or repair structural damage or to comply with public health regulations.
- G. Fountains. No person shall use water to operate or maintain levels in decorative fountains, unless such water is recycled in the fountain.
- H. Visitor-Serving Facilities. The owner and manager of each hotel, motel, restaurant, convention and other visitor-serving facility shall ensure that such facility displays, in places visible to all

customers, placards or decals approved by the agency, promoting public awareness of the need for water conservation and/or advising the public that waste of water is prohibited.

- I. Public and Quasi-Public Entities. All public and quasi-public entities shall display, in visible locations in all rostrums, kitchens and dining areas, placards or decals approved by the agency, promoting public awareness of the need for water conservation and/or advising the public that waste of water is prohibited. "Quasi-public entities" include educational institutions, churches, recreational facilities open to the public, and other such entities designated by the superintendent of utilities. Placement of placards or decals by a quasi-public entity of a type not specifically mentioned in this chapter shall not be required unless the superintendent of utilities gives written notice to the entity that this chapter is applicable to the entity so notified and that placement of placards or decals is required.
- J. Commercial Car Washes. No person in charge of the operation of any commercial car wash facility shall suffer or permit the washing of any boat, trailer, recreational vehicle or other vehicle in such facility or on its premises, other than by the following methods:
 - a. Use of mechanical automatic car wash facilities utilizing water recycling equipment;
 - b. Use of a hose that operates on a timer for limited time periods and shuts off automatically at the expiration of the time period;
 - c. Use of a hose equipped with an automatic shutoff nozzle;
 - d. Use of bucket and hand washing.
- K. Construction.
 1. No potable water may be used for compaction or dust control purposes in construction activities where there is a reasonably available source of reclaimed or other subpotable water approved by Monterey County health department and appropriate for such use.
 2. All hoses used in connection with any construction activity shall be equipped with a shutoff nozzle. When an automatic shutoff nozzle can be purchased or otherwise obtained for the size or type of hose in use, the nozzle shall be an automatic shutoff nozzle.
- L. Use of Hydrants. No person, other than a member of the fire department of the city of Soledad, the fire department of any other jurisdiction giving assistance to the Soledad fire department in emergencies, the city of Soledad department of public works, or the city of Soledad water and sewer utilities department may use water from a fire hydrant, without first obtaining a permit from the planning department of the city of Soledad.
- M. Leakage and Repair Program. The public works director shall maintain in effect a distribution system leakage detection and repair program. This program shall be reviewed on an annual basis and a report analyzing the results of the program shall be prepared by the director and submitted to the city council.
- N. New Construction.
 1. In all new construction, all toilets shall be ultra low-flow toilets with a maximum tank size or flush capacity of one and one-half gallons.
 2. All shower heads shall have a maximum flow capacity of two and one-half gallons per minute.
 3. All hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a water recirculating system.

4. All new construction requiring a discretionary permit from the city of Soledad shall apply xeriscape principles throughout the exterior landscape development, associated with such new construction, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices.
- O. Retrofitting Existing Hotels and Motels. All existing hotels and motels shall, within six months following the effective date of the ordinance codified in this chapter, be retrofitted with shower heads with a maximum flow capacity of two and one-half gallons per minute.
 - P. Retrofitting Upon Change of Ownership or Use.
 1. All existing residential structures shall, at the time of change of ownership, be retrofitted, if not already so modified, with ultra low-flow toilets with a maximum tank size or flush capacity of one and one-half gallons, and shower heads with a maximum flow capacity of two and one-half gallons per minute.
 2. All existing commercial and industrial structures shall, at the time of change of ownership or change of use, be retrofitted, if not already so modified, with ultra low-flow toilets with a maximum tank size or flush capacity of two and one-half gallons per minute.
 - Q. Indiscriminate Use. No person shall cause, suffer or permit the indiscriminate running of water not otherwise prohibited by the provisions set forth above which is wasteful and without reasonable purpose.
 - R. Use in Excess of Eighty-Five Percent of 1991 Use. No person shall consume water in excess of eighty-five percent of 1991 use. Water fees charged by the city shall be reviewed November, 1994, and in November every other year thereafter to determine if rates need to be changed to:
 1. Address excessive use by any person(s); and
 2. Provide sufficient revenue for the city to meet obligations and provide water services consistent with its policies.
 - S. Use of Water to Irrigate. No person shall use water to irrigate lawns, landscape or other turf areas which is not in accordance with local city and county ordinances.

(Ord. 534 § 2 (part), 1993)

13.09.050. Warnings.

In order to encourage cooperative efforts to achieve water conservation, it shall be the policy of the city of Soledad to issue a written warning notice when an alleged violation is first noted. Such warning shall include an explanation of the alleged violation. Any individual provided with such notice will then be given an opportunity to correct the identified problem. However, if an infraction citation is issued and a prosecution commenced for the alleged violation, in no case shall proof of a violation depend upon the showing that a warning was previously given, nor shall failure to give a warning be a defense.

(Ord. 534 § 2 (part), 1993)

13.09.060. Penalties.

- A. Each violation of this chapter is an infraction.
- B. Any violation that occurs or continues from one day to the next shall be deemed a separate violation, for each day during which such violation occurs or continues to occur.

- C. The fine for a first violation of this chapter shall be fifty dollars. The fine for a second violation and each subsequent violation of this chapter within a period of twelve months, regardless of the specific section or subsection violated, shall be one hundred dollars.

(Ord. 534 § 2 (part), 1993)

13.09.070. Nuisance.

- A. Any violation of this chapter is declared to be a public nuisance.
- B. In accordance with the provisions of Chapter 9.04 of the Soledad Municipal Code, the city may, upon order of the city council, abate an identified public nuisance and/or bring civil action to enjoin or abate the nuisance and make the costs of nuisance abatement a special assessment against the parcel of land on which the nuisance is located or originates.
- C. Nothing contained in this section limits the city to the prescribed remedy, or prevents the city from initiating and prosecuting any other remedy available to it for the abatement of a public nuisance, or for recovery of the cost of abatement, under the civil or criminal statutes of the state or under other ordinances of the city.

(Ord. 534 § 2 (part), 1993)

13.09.080. Variances.

- A. Any person may, at any time, apply in writing for a variance from strict application of this chapter. The application for the variance shall be filed with the city of Soledad.

The planning director may, in his discretion, temporarily dispense with the requirement to file a written application, if he finds that an emergency condition exists requiring immediate action on the variance request.

- B. The city manager may grant a temporary variance of up to one year to come into compliance with the terms of this chapter upon making both of the following findings:
 - 1. The strict application of the chapter would create an undue hardship, or an emergency condition exists which requires that the variance be granted; and
 - 2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other water consumers.
- C. In granting a variance, the city manager may impose any conditions in order to ensure that the variance is consistent with the overall goal of water conservation. The granting of a variance and any conditions imposed upon such variance shall be set forth in writing.
- D. Any decision of the city manager with respect to an application for a variance may be appealed in writing to the city council. The city council shall schedule the matter for hearing within thirty days of receipt. The city council may confirm, modify or rescind any decision of the city manager in this regard. The city council's decision on all variance appeals shall be final.

(Ord. 534 § 2 (part), 1993)

13.09.090. Revenues received from enforcement.

All revenues received by the city from enforcement of this chapter shall be used exclusively for city water conservation programs, including but not limited to administrative, monitoring and enforcement costs of mandatory water conservation.

(Ord. 534 § 2 (part), 1993)

13.09.100. Severability.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter. The city council declares that it would have passed this chapter and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid.

(Ord. 534 § 2 (part), 1993)

**APPENDIX B: CITY OF SOLEDAD MUNICIPAL CODE SECTION 13.08
WATER SHORTAGES AND SERVICE INTERRUPTIONS**

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Division II. - Water

Chapter 13.08 - WATER USE REGULATIONS

Sections:

13.08.010 - Definitions.

For the purposes of this chapter:

- A. "Consumer" means any person, firm, company, corporation, partnership, association, public corporation, political subdivision, city, county, district, the state, the United States of America, or any department or agent thereof, billed for water furnished by the municipal water system.
- B. "Municipal water system" means the enterprise described as a waterworks system for the production, transmission and distribution of water, including lands, easements, water rights, reservoirs, water mains, filtration works, pumping stations, water supply, storage and distribution facilities and equipment, and other works, including any existing facilities used or useful in obtaining, conserving, treating and disposing of water for the city.
- C. "Premises" means any lot, piece or parcel of land, any building or other structure, or any part of any building or structure, having a connection with the municipal water system.
- D. "Superintendent" means the superintendent of public works of the city.
- E. "Water" means water furnished by the municipal water system.
- F. "Water service" means the service, facilities and water furnished or made available to premises by the municipal water system.
- G. "Water superintendent" means the superintendent of public works of the city.

(Prior code § 26-51)

13.08.020 - Connection permits—Connections and service generally.

- A. Permit Required. No person shall connect any premises or cause any premises to be connected with the municipal water system without first obtaining a permit to do so from the water superintendent.
- B. Statement Upon Applying for Permit. The water superintendent may require any person who applies for any connection permit or any consumer to file a statement or declaration under penalty of perjury for the purpose of determining the amount of connection fees and charges payable by such person or consumer under Chapter 13.40. Each such statement or declaration shall contain the information required by the water superintendent. Failure by any person or consumer to file the statement or declaration is a violation of this chapter. No such statement or declaration shall be conclusive as to the matters therein set forth, nor shall the filing of any statement or declaration preclude the city from collecting from the person or consumer responsible for payment such sum as is actually due and payable to the city under Chapter 13.40.
- C. Notice of Change in Use of Water. Any person or consumer making any material change in the size, character or extent of the utilizing equipment or operation for which water is furnished shall immediately give the water superintendent written notice of the extent and nature of such change.
- D. Contract for Large Amounts of Water. The city may require a written contract with any person or consumer as a condition precedent to providing service in any case where unusual quantities of water or the construction of special facilities is or will be required.
- E. Method of Connecting. Upon payment of the connection charge specified in Chapter 13.40, the city will furnish and install a service connection of suitable capacity from its water main to the curblineline of the property line of the premises to be served, provided the premises abut upon a public street or

existing water main right-of-way. As to any nonabutting premises, the person requesting connection must pay the cost of furnishing and installing that portion of the service connection from the curblin of the nearest street or from the nearest existing water main right-of-way. Only duly authorized employees or agents of the city shall install a service connection from any water main to any consumer's premises.

F. Water Main Extensions.

1. By City. Any owner of one or more lots or parcels, or any subdivider of a tract of land where one or more main extensions is required, who desires regular water service to serve such property, shall make written application therefor to the city. The application shall contain a full legal description of the property to be served and any additional information which is required by the city, and shall be accompanied by a map showing the location of the proposed connection. Upon receiving the application, the water superintendent shall make an investigation and survey of the proposed main extension or extensions and shall report his findings to the city council, together with a recommendation as to the facilities required and an estimate of the cost of the proposed extension or extensions. The applicant shall advance to the city a sum equal to one hundred twenty-five percent of the estimated cost, including main lines, valves, service connections, fire hydrants, costs of investigation, inspection, and legal and consulting engineer's fees, which sum must be paid to the city prior to approval of the application. Adjustments of any difference between the estimated and actual cost of the main extension or extensions shall be made as soon as the actual cost has been determined. Any excess shall be refunded to the applicant and any shortage shall be forthwith paid by the applicant to the city. All such facilities shall be the property of the city and shall be conveyed to the city by a proper instrument in writing at or before the time the facilities are completed and before they are accepted by the city. In granting an application, the city council may impose whatever further requirements or conditions it deems necessary or desirable.
 2. By Owner. In lieu of construction of any main extension or extensions by the city, as provided in subdivision 1 of this subsection, the city council may authorize construction of the main extension or extensions by the owner of the premises to be served, or his duly authorized agents, provided the property owner has made the required application. The applicant shall deposit with the city an amount equal to the estimated cost for preparation of detailed plans, specifications, legal costs, engineering costs, and other expenses incurred or anticipated to be incurred by the city in connection with the extension or extensions. If the amount deposited is insufficient to pay all costs actually incurred by the city, the property owner shall pay the deficiency to the city upon demand and prior to acceptance of the extension or extensions by the city; if the amount deposited exceeds the actual costs so incurred by the city, the excess shall be refunded to the applicant.
- G. Installation of Meters. All meters shall be installed by the city. No rent or other charge shall be paid by the city for any meter or other facilities located on a consumer's premises. All meters shall be sealed by or under the supervision of the water superintendent at the time of installation, and no seal shall be altered or broken except by an authorized employee or agent of the city.
- H. Connection with Other Water Supplies. No water pipe on any consumer's premises shall cross-connect the municipal water system with any other source of water supply.
- I. Equipment to Remain Property of City. All service connections, meters and other facilities furnished by the city and located wholly or partially upon any premises shall be and remain the property of the city, which may repair, replace and remove the facilities upon discontinuance of service.
- J. Limit of City's Responsibility. The city is not responsible for the installation or maintenance of any water pipelines beyond the end of the city's service connection or beyond its meter.
- K. City's Right of Entry. The water superintendent or any other authorized agent of the city has the right of ingress to and egress from any consumer's premises at all reasonable times for any purpose properly relating to the furnishing of water to the consumer.
- L. Nonresponsibility of City for Damage by Consumer. The city is not responsible for any loss or damage to any person or to any property caused by the negligence or willful act of any consumer or any person

installing, maintaining, operating or using any appliances, facilities or equipment for which water or water service is furnished by the city. Each consumer shall be held responsible for damage to the city's meters and other property comprising any part of the municipal water system resulting from the use or operation of any appliances or facilities on the consumer's premises.

(Prior code § 26-52)

13.08.030 - Water shortages and service interruptions.

- A. The city shall exercise reasonable diligence to provide continuous and adequate water service to consumers and to avoid any shortage or interruption of delivery of water; provided, that the city may suspend water service temporarily to make necessary repairs and improvements to the municipal water system. In each case of temporary suspension of service the city shall notify the consumers affected as soon as circumstances permit and shall prosecute the work of repair and improvement with due diligence and with the least possible inconvenience to consumers.
- B. During any period of threatened or actual water shortage, the city may apportion its available water among consumers in such manner as appears most equitable under the circumstances then prevailing and with due regard to public health and safety.

(Prior code § 26-53)

Chapter 13.09 - MANDATORY WATER CONSERVATION REGULATIONS

Sections:

13.09.010 - Purpose.

The purpose of this chapter is to increase public awareness of the need for water conservation, and to provide regulations and restrictions on the delivery of water and the consumption within the city limits of water supplied for public use as will (1) conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation and fire protection, and (2) ensure compliance with water regulations of other governmental agencies of appropriate jurisdiction.

(Ord. 534 § 2 (part), 1993)

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- C. "Change of ownership" means a transfer of the right to beneficial use thereof, regardless of whether such transfer is voluntary, involuntary, or by operation of law, court order, grant, gift, devise, inheritance, trust, contract of sale, addition or deletion of an owner, property settlement or by any other means.
- D. "Change of use" means a change from one use of a structure to another use that is identified as a different use under the zoning ordinance, Title 17, of the Municipal Code of the city of Soledad.
- E. "City manager" means the city manager of the city of Soledad.
- F. "New construction" means a completely new structure, a new addition to a previously existing structure or the portion of a previously existing structure that is newly remodeled or renovated.

- G. "Overdraft" means the condition of a groundwater basin where the amount of water withdrawn by pumping exceeds the amount of water replenishing the basin over an extended period of time, or where the amount of water withdrawn by pumping results in an unacceptable degradation of groundwater quality within the basin.
- H. "Person" means any individual person and any firm, partnership, corporation, business entity, association, district, agency, city, county and any other entity or organization.
- I. "Public works director" means the superintendent of public works of the city of Soledad.
- J. A "shutoff nozzle" means a water release mechanism ("nozzle") securely affixed to the end of a water hose which enables the user of the hose to control the flow of water in the hose, including stopping the flow of water completely and securely, by a lever or mechanical device in the nozzle.
- K. "Superintendent of utilities" means the superintendent of utilities of the city of Soledad.
- L. "Water recirculating system" means a system approved by the city that recirculates water between hot water and cold water lines, so that substantially all the cold water standing in the pipes will be returned to the water heater and reheated before the faucet is turned on. The system may be turned on and off by a manually operated switch, by a timer-operated switch, or otherwise, or may be left on permanently.

(Ord. 534 § 2 (part), 1993)

13.09.030 - Enforcement.

The city manager and all officers and employees of the city, including all ex officio officers and employees, shall enforce all the provisions of this chapter by the issuance of citations, including warning citations, and taking all other necessary action, including bringing civil action to abate a nuisance as set forth herein, through the city attorney's office.

(Ord. 534 § 2 (part), 1993)

13.09.040 - Mandatory restrictions on water waste.

- A. Repair of Plumbing, Sprinkler and Irrigation Systems. Any person who is the owner, manager or person responsible for the day-to-day operation of any premises shall take caution to initiate steps to repair any leaking, broken or defective water pipes, faucets, plumbing fixtures, other water service appliances, sprinklers, water or irrigation systems, or distribution systems within a reasonable time after such person learns of such leaks, breaks or defects, and shall thereafter diligently and promptly pursue such repair work to completion. In any event, such action initiating steps for repair shall take place within seventy-two hours after such person first learns of the problem, unless a variance is obtained from the city of Soledad.
- B. Washing of Vehicles. No person shall use a water hose to wash any car, truck, boat, trailer, bus, recreational vehicle, camper, aircraft, tractor or any other vehicle, or any portion thereof, with potable water, unless the hose is equipped with an automatic shutoff nozzle.
- C. Cleaning of Structures. No person shall use potable water through a hose to clean the exterior of any building or structure unless such hose is equipped with a shutoff nozzle.
- D. Cleaning of Surfaces. No person shall use potable water through a hose to clean any sidewalk, driveway, roadway, parking lot, or any other outdoor paved or hard-surfaced area, except where necessary to protect public health and safety. The use of a bucket is not prohibited at any time for cleaning food, grease, oil, or other stains or spillage from surfaces.

- E. Water Spillage. No person shall cause, suffer or permit water to spill into streets, curbs or gutters. No person shall use any water in any manner which results in runoff beyond the immediate area of use, unless the contour of the premises is such that avoidance of some minimum spillage is impossible.
- F. Swimming Pools and Spas. No person shall empty and refill a swimming pool or spa except to prevent or repair structural damage or to comply with public health regulations.
- G. Fountains. No person shall use water to operate or maintain levels in decorative fountains, unless such water is recycled in the fountain.
- H. Visitor-Serving Facilities. The owner and manager of each hotel, motel, restaurant, convention and other visitor-serving facility shall ensure that such facility displays, in places visible to all customers, placards or decals approved by the agency, promoting public awareness of the need for water conservation and/or advising the public that waste of water is prohibited.
- I. Public and Quasi-Public Entities. All public and quasi-public entities shall display, in visible locations in all rostrums, kitchens and dining areas, placards or decals approved by the agency, promoting public awareness of the need for water conservation and/or advising the public that waste of water is prohibited. "Quasi-public entities" include educational institutions, churches, recreational facilities open to the public, and other such entities designated by the superintendent of utilities. Placement of placards or decals by a quasi-public entity of a type not specifically mentioned in this chapter shall not be required unless the superintendent of utilities gives written notice to the entity that this chapter is applicable to the entity so notified and that placement of placards or decals is required.
- J. Commercial Car Washes. No person in charge of the operation of any commercial car wash facility shall suffer or permit the washing of any boat, trailer, recreational vehicle or other vehicle in such facility or on its premises, other than by the following methods:
 - 1. Use of mechanical automatic car wash facilities utilizing water recycling equipment;
 - 2. Use of a hose that operates on a timer for limited time periods and shuts off automatically at the expiration of the time period;
 - 3. Use of a hose equipped with an automatic shutoff nozzle;
 - 4. Use of bucket and hand washing.
- K. Construction.
 - 1. No potable water may be used for compaction or dust control purposes in construction activities where there is a reasonably available source of reclaimed or other subpotable water approved by Monterey County health department and appropriate for such use.
 - 2. All hoses used in connection with any construction activity shall be equipped with a shutoff nozzle. When an automatic shutoff nozzle can be purchased or otherwise obtained for the size or type of hose in use, the nozzle shall be an automatic shutoff nozzle.
- L. Use of Hydrants. No person, other than a member of the fire department of the city of Soledad, the fire department of any other jurisdiction giving assistance to the Soledad fire department in emergencies, the city of Soledad department of public works, or the city of Soledad water and sewer utilities department may use water from a fire hydrant, without first obtaining a permit from the planning department of the city of Soledad.
- M. Leakage and Repair Program. The public works director shall maintain in effect a distribution system leakage detection and repair program. This program shall be reviewed on an annual basis and a report analyzing the results of the program shall be prepared by the director and submitted to the city council.
- N. New Construction.
 - 1. In all new construction, all toilets shall be ultra low-flow toilets with a maximum tank size or flush capacity of one and one-half gallons.
 - 2. All shower heads shall have a maximum flow capacity of two and one-half gallons per minute.

3. All hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a water recirculating system.
 4. All new construction requiring a discretionary permit from the city of Soledad shall apply xeriscape principles throughout the exterior landscape development, associated with such new construction, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices.
- O. Retrofitting Existing Hotels and Motels. All existing hotels and motels shall, within six months following the effective date of the ordinance codified in this chapter, be retrofitted with shower heads with a maximum flow capacity of two and one-half gallons per minute.
- P. Retrofitting Upon Change of Ownership or Use.
1. All existing residential structures shall, at the time of change of ownership, be retrofitted, if not already so modified, with ultra low-flow toilets with a maximum tank size or flush capacity of one and one-half gallons, and shower heads with a maximum flow capacity of two and one-half gallons per minute.
 2. All existing commercial and industrial structures shall, at the time of change of ownership or change of use, be retrofitted, if not already so modified, with ultra low-flow toilets with a maximum tank size or flush capacity of two and one-half gallons per minute.
- Q. Indiscriminate Use. No person shall cause, suffer or permit the indiscriminate running of water not otherwise prohibited by the provisions set forth above which is wasteful and without reasonable purpose.
- R. Use in Excess of Eighty-Five Percent of 1991 Use. No person shall consume water in excess of eighty-five percent of 1991 use. Water fees charged by the city shall be reviewed November, 1994, and in November every other year thereafter to determine if rates need to be changed to:
1. Address excessive use by any person(s); and
 2. Provide sufficient revenue for the city to meet obligations and provide water services consistent with its policies.
- S. Use of Water to Irrigate. No person shall use water to irrigate lawns, landscape or other turf areas which is not in accordance with local city and county ordinances.

(Ord. 534 § 2 (part), 1993)

13.09.050 - Warnings.

In order to encourage cooperative efforts to achieve water conservation, it shall be the policy of the city of Soledad to issue a written warning notice when an alleged violation is first noted. Such warning shall include an explanation of the alleged violation. Any individual provided with such notice will then be given an opportunity to correct the identified problem. However, if an infraction citation is issued and a prosecution commenced for the alleged violation, in no case shall proof of a violation depend upon the showing that a warning was previously given, nor shall failure to give a warning be a defense.

(Ord. 534 § 2 (part), 1993)

13.09.060 - Penalties.

- A. Each violation of this chapter is an infraction.
- B. Any violation that occurs or continues from one day to the next shall be deemed a separate violation, for each day during which such violation occurs or continues to occur.

- C. The fine for a first violation of this chapter shall be fifty dollars. The fine for a second violation and each subsequent violation of this chapter within a period of twelve months, regardless of the specific section or subsection violated, shall be one hundred dollars.

(Ord. 534 § 2 (part), 1993)

13.09.070 - Nuisance.

- A. Any violation of this chapter is declared to be a public nuisance.
- B. In accordance with the provisions of Chapter 9.04 of the Soledad Municipal Code, the city may, upon order of the city council, abate an identified public nuisance and/or bring civil action to enjoin or abate the nuisance and make the costs of nuisance abatement a special assessment against the parcel of land on which the nuisance is located or originates.
- C. Nothing contained in this section limits the city to the prescribed remedy, or prevents the city from initiating and prosecuting any other remedy available to it for the abatement of a public nuisance, or for recovery of the cost of abatement, under the civil or criminal statutes of the state or under other ordinances of the city.

(Ord. 534 § 2 (part), 1993)

13.09.080 - Variances.

- A. Any person may, at any time, apply in writing for a variance from strict application of this chapter. The application for the variance shall be filed with the city of Soledad.

The planning director may, in his discretion, temporarily dispense with the requirement to file a written application, if he finds that an emergency condition exists requiring immediate action on the variance request.

- B. The city manager may grant a temporary variance of up to one year to come into compliance with the terms of this chapter upon making both of the following findings:
 - 1. The strict application of the chapter would create an undue hardship, or an emergency condition exists which requires that the variance be granted; and
 - 2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other water consumers.
- C. In granting a variance, the city manager may impose any conditions in order to ensure that the variance is consistent with the overall goal of water conservation. The granting of a variance and any conditions imposed upon such variance shall be set forth in writing.
- D. Any decision of the city manager with respect to an application for a variance may be appealed in writing to the city council. The city council shall schedule the matter for hearing within thirty days of receipt. The city council may confirm, modify or rescind any decision of the city manager in this regard. The city council's decision on all variance appeals shall be final.

(Ord. 534 § 2 (part), 1993)

13.09.090 - Revenues received from enforcement.

- A. All revenues received by the city from enforcement of this chapter shall be used exclusively for city water conservation programs, including but not limited to administrative, monitoring and enforcement costs of mandatory water conservation.

(Ord. 534 § 2 (part), 1993)

13.09.100 - Severability.

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter. The city council declares that it would have passed this chapter and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid.

(Ord. 534 § 2 (part), 1993)

Chapter 13.11 - RECYCLED WATER SERVICE

Sections:

13.11.010 - Statement of policy and declaration of purpose.

- A. Purpose. The purpose of this chapter is to establish procedures, specifications, and limitations for the safe use and operation of recycled water facilities and systems within the city's service area, and adopt rules and regulations controlling such use.
- B. Policy. It is the policy of the city that the use of recycled water shall be encouraged for any and all purposes approved by state regulations for recycled water use. Recycled water will be the primary source of supply for commercial and industrial uses, whenever the city determines that such use is available and/or feasible. Use of potable water for commercial and industrial uses shall be contrary to the city's policy, shall not be considered the most beneficial use of a natural resource, and shall be avoided to the maximum extent feasible.
 - 1. The people of the state of California have a primary interest in the development of facilities to recycle water containing waste to supplement existing surface and underground water supplies and to assist in meeting the future water requirements of the State (Water Code Section 13510 et seq.). Conservation of all available water resources requires the maximum reuse of recycled water for beneficial use (Water Code Section 461). The state of California has declared that continued use of potable water for irrigation and for certain other uses may be an unreasonable use of such water where recycled water is available (Government Code Section 65602(e); Water Code Section 13550 et seq.; California Code of Regulations, Title 22, Section 60301 et seq.).
 - 2. It is the policy of the city that recycled water shall be used within the jurisdiction of the city whenever and wherever: (a) there is not an alternative higher or better use for the recycled water; and (b) its use is consistent with legal requirements, preservation of public health, the safety and welfare of the public, and protection of the environment.

(Ord. 645 § 1 (part), 2007)

13.11.020 - Statutory authority.

Recycled water use is regulated by the California Regional Water Quality Control Board, Central Coast Region (RWQCB). In accordance with waste discharge requirements for water reclamation projects, the RWQCB requires control mechanisms to regulate facilities distributing recycled water. Article 2 of Chapter 7 of Division 7 of the California Water Code establishes a state policy to encourage the use of recycled water. Permission to use recycled water is based on the city's ability to adequately treat domestic wastewater to the point that the recycled water (effluent) meets the requirements of existing Title 22, Chapter 3 regulations of the California Code of Regulations. These regulations were adopted to

ensure proper health protection and specify the treatment degree to meet the needs of the intended applications.

(Ord. 645 § 1 (part), 2007)

13.11.030 - Priorities and goals.

- A. Priority. Connection to the recycled water system shall be provided on a first-come, first-served basis, as long as infrastructure and recycled water supplies are available.
- B. Goals. The goals of this chapter are as follows:
 - 1. Achieve conservation of potable water supplies by using recycled water for current and future demands. Recycled water uses may include:
 - a. Agricultural irrigation,
 - b. Commercial uses (including flushing toilets and urinals),
 - c. Construction use,
 - d. Industrial processes,
 - e. Landscape irrigation,
 - f. Landscape and/or recreational impoundments (ponds, reservoirs, tanks and/or similar structures that confine water),
 - g. Wildlife habitat,
 - h. Groundwater recharge;
 - 2. Maintain recycled water quality through a stringent pretreatment program for industrial wastewater;
 - 3. Prevent direct human consumption of recycled water through:
 - a. Adherence to all applicable rules and regulations,
 - b. Posting of warning signs by the user,
 - c. Cross-connection/backflow prevention program;
 - 4. Control runoff of recycled water through monitoring of the installation and operation of all recycled water facilities and use areas;
 - 5. Monitor recycled water quality.

(Ord. 645 § 1 (part), 2007)

13.11.040 - Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this chapter, in addition to the definitions set forth in Title 22, Division 4, Chapter 3, Regulations of the California Code of Regulations, shall have the meanings hereinafter designated.

"Administrator" means the city manager of the city of Soledad or his or her authorized representative.

"Agricultural use" means water used for the production of crops and/or livestock. Agricultural uses include, but are not limited to, the growing of field and nursery crops, row crops, trees and vines and the feeding of fowl and livestock.

"Air-gap separation" means a physical break between a supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe, measured vertically from the flood rim of the receiving vessel to the supply pipe; however, in no case shall this separation be less than one inch.

"Applicant" means any person, group, firm, partnership, corporation, association, or agency that applies for recycled water service.

"Application rate" means the rate at which irrigation water is applied to a design or use area, expressed in gallons per minute.

"Approved use" means an application of recycled water in a manner, and for a purpose, designated in a recycled water use agreement in compliance with applicable state and local rules and regulations and the provisions of this chapter.

"Approved use area" means a site with well-defined boundaries designated in a recycled water use agreement in compliance with applicable rules and regulations.

"As-built drawings" means the record drawings that show the completed facilities as constructed or modified.

"Automatic system" means the electronically actuated controllers, valves, and associated equipment used to program and operate irrigation systems for the efficient application of recycled water.

"Auxiliary water supply" means any water supply on or available to the premises other than the city's potable water.

"AWWA" means the American Water Works Association.

"City" means the city of Soledad.

"City council" means the city council of the city of Soledad.

"Commercial/industrial use" means the water used for non-body contact uses such as toilets, urinals, decorative fountains, decorative indoor and outdoor landscape, industrial process such as rinsing, washing, cooling, flushing, circulation, or construction; and other uses approved by the city.

"Cross-connection" means any unapproved and/or unprotected, actual or potential, connection between any part of a potable water system and any equipment, source, or system containing water or other substances not approved as safe and potable for human consumption.

"DHS" means the California Department of Health Services.

"Direct beneficial use" means the use of recycled water which has been transported from the point of production to the point of use, without an intervening discharge to waters of the state.

"Discharge" means any release or distribution of recycled water to a use area or disposal site/mechanism. Such discharges are subject to approval by the city.

"Double check valve assembly" means a double check valve (DC) that, as a minimum, conforms to the AWWA Standard C506-78 (R83) adopted on January 28, 1978, for double check valve type backflow prevention devices which is herein incorporated by reference.

"Greenbelt areas" means those areas including, but not limited to, golf courses, cemeteries, parkways, parks, rights-of-way, and landscaping within and/or surrounding a community.

"HCF" means a unit of measure equaling one hundred cubic feet or seven hundred forty-eight gallons.

"Industrial process water" means the water used in industrial facilities for blending, rinsing, washing or cooling.

"Infiltration rate" means the rate at which water penetrates the soil surface and enters the soil profile.

"Landscape impoundment" means a body of water containing recycled water, which is used for aesthetic or irrigation purposes and which is not intended for public contact or ingestion.

"Landscape irrigation/use" means recycled water used for the propagation and maintenance of trees, shrubs, ground cover and turf used for erosion control and aesthetic value, not for resale/profit purposes.

"Nonpotable water" means water that has not been treated for, or is not acceptable for human consumption, in conformance with federal, state and local water standards. Nonpotable water includes recycled water.

"Off-site facilities" means all existing or proposed facilities under the control of the city, from the source of supply to the point of connection with the customer's on-site facilities, up to and including the city's recycled water meter and meter box. Such facilities shall include, without limitation, recycled water transmission mains, recycled water pipelines, reservoirs, pumping stations, treatment plants and other appurtenances and property.

"On-site facilities" means all existing or proposed facilities within property under the control of the customer, normally downstream of the city's recycled water meter and meter box.

"On-site recycled water supervisor" means a qualified person designated by a recycled water user and approved by the city to be responsible for the safe and efficient operation of the user's recycled water system. This person shall be knowledgeable in the operation of the recycled water system and in the application of federal, state and local guidelines, criteria, standards, and rules and regulations governing the use of recycled water.

"Open space" means land that has been designated to remain undeveloped. These areas may receive recycled water service for agricultural or landscape irrigation, or other approved uses.

"POC" means the point of connection at the recycled water service meter.

"Ponding" means the retention of recycled water on the ground surface or human-made surface for a period of time following the cessation of an approved recycled water use activity, such that potential hazard to the public health may result, as determined by regulatory agencies.

"Potable water" means water which conforms to the latest federal, state and local drinking water standards.

"PSI" means pounds per square inch. This is a common unit expression of pressure measurement.

"Recreational impoundment" means a body of recycled water used for recreational activities including, but not limited to, fishing, boating, and/or swimming. Allowable uses will depend on treatment level of the recycled water.

"Recycled water" means water, which as a result of treatment of wastewater, is suitable for direct beneficial use or a controlled use that otherwise would not occur. The treatment of wastewater is accomplished in accordance with the criteria set forth in Title 22, Division 4, of the California Code of Regulations.

"Recycled water commodity rate" means a charge imposed by the city for all metered, recycled water used.

"Recycled water facilities" means the systems, structures, etc, used in the treatment, storage, pumping, transmission and distribution of recycled water.

"Recycled water use agreement" means an agreement between the user and the city to use recycled water in compliance with all applicable rules and regulations.

"Reduced pressure principle backflow prevention device" means a reduced pressure principle backflow prevention device (RP) that as a minimum, conform to the AWWA Standard C506-78 (R83) adopted on January 28, 1978 for reduced pressure principle type backflow prevention devices which is herein incorporated by reference.

"Regulatory agency" means any public entity legally constituted by federal, state and local statutes to protect health and water quality.

"Runoff" means the flow of water along natural or human-made surfaces away from the designated use area.

"RWQCB" means the California Regional Water Quality Control Board, Central Coast Region.

"Secondary effluent" means any oxidized wastewater that has been treated by gravity sedimentation to remove settled solids remaining after the primary biological treatment process.

"Service" means the delivery of recycled water to a user.

"Service connection" means facilities between the city recycled water distribution system and the customer's meter, including, but not limited to, the meter, meter box, valves, and piping equipment.

"Standard specifications" means the specifications approved by the city for construction of recycled water facilities.

"Tertiary effluent" means any secondary effluent which has been filtered and disinfected, and meets all applicable requirements under Title 22. Allowable uses for tertiary effluent shall include body contact and irrigation of human food crops.

"Unauthorized discharge" means any release of recycled water that violates any applicable federal, state, or local statutes, regulations, ordinances, contracts or other requirements.

"Use area" means the specific area designated to be served with recycled water through on-site recycled water facilities.

"User" means any person, group, firm, partnership, corporation, association or agency accepting recycled water from the city's recycled water facilities for use in accordance with this chapter. "Applicant," "owner," or "customer" are terms that are to be considered as users.

"Windblown spray" means any dispersed, airborne particles of recycled water capable of being transmitted through the air to a location other than that for which the direct application of recycled water is approved.

(Ord. 645 § 1 (part), 2007)

13.11.050 - Administrator.

Except as otherwise provided herein, the city manager shall administer, implement, and enforce the provisions of this chapter. The city manager may, at his or her discretion, delegate any or all of these powers and duties.

(Ord. 645 § 1 (part), 2007)

13.11.060 - Service area.

A. The rules and regulations contained in this chapter apply to recycled water service to lands and/or improvements lying within the legal boundaries of the city, and to properties contiguous to the city under the same ownership as abutting lands within the city or its designated service boundary. Recycled water service shall be provided to a specific service area when related distribution facilities are completed and service becomes available. Recycled water may also be provided to other agencies outside the city's service area in accordance with applicable law.

B. Determination of Recycled Use Area.

1. General.

a. The city council may adopt and periodically review the city's recycled water master plan and recommend where water service should be made with recycled water in place of potable water. The master plan shall be in accordance with the requirements of DHS and RWQCB. Where it is determined recycled water is, or will be available within five years, the city is authorized to request modifications to existing on-site water facilities and require construction of recycled water systems in new developments.

- b. The city council may enter into agreements with surrounding cities and/or other agencies to provide recycled water to those areas.
2. Existing Potable Water Service.
- a. The city council may make determinations of areas where existing potable water use should be replaced with recycled water use.
 - b. A notice of the determination to use recycled water shall be mailed to the current owner, explaining the reasons for use and resultant procedures needed to facilitate recycled water use as well as the proposed conditions and schedule for the proposed conversion. Partial or full conversion of existing customers to recycled water use may be mandated only as allowed or required by law.
 - c. If a current customer would like to enter into a recycled water use agreement to receive recycled water, he or she or it must submit an application for a recycled water permit to the city for review, along with any required application fee. The city shall then review the application for completeness and contact the customer regarding the potential provision of service and the recycled water use agreement. The application and agreement shall conform to requirements of the applicable rules and regulations. If the customer does not agree to the terms for the provision of recycled water service under a recycled water use agreement, or if the city determines that recycled water is not available for the proposed use, the city may, in its sole and absolute discretion, refuse to provide such service.
3. New Recycled Water Service.
- a. On submittal by applicant of a tentative map, land use permit, other proposed land development/land use, or request for recycled water service, the administrator shall make preliminary determinations if recycled water service can be provided to the area in question. Based upon such determinations, use of recycled water and construction of recycled water distribution systems or other facilities within a new development for the use of recycled water, and the application for a service, may be required as conditions of approval of any development application, in addition to any other conditions of the new industrial, commercial or residential development.
 - b. Upon submittal by applicant of a proposed alteration or remodeling of multifamily, commercial or industrial structures which substantially increase a facility's area, volume or size, or upon request for recycled water service, the administrator shall make preliminary determinations if recycled water service can be provided to the area in question. Based upon such determinations, use of recycled water and construction of recycled water distribution systems or other facilities, and the application for such use, may be required as conditions of approval of any application, in addition to other conditions of approval for the alteration or remodel.
 - c. The administrator may require the use of recycled water for approved uses, and refuse or otherwise restrict potable water service when recycled water is available and approved for use.

(Ord. 645 § 1 (part), 2007)

13.11.070 - Authorized uses and conditions of service.

- A. Authorized Uses. Uses of recycled water include only those uses approved by the California State Department of Health Services (DHS) and for which Title 22 of the California Code of Regulations provides treatment requirements. Each such use will be considered for approval on case-by-case basis. Prior to approval, the user must comply with the requirements established by this chapter and any other requirements imposed by the city, DHS, or any other regulatory agencies that have jurisdiction over such use.

- B. Conditions of Service. Prior to obtaining recycled water service, the user must enter into a recycled water use agreement with the city. Recycled water use shall be subject to terms and conditions established in the agreement, and in accordance with this chapter and other applicable codes, rules and regulations. If any of the conditions of service are not satisfied at all times, the recycled water use agreement may be revoked by the administrator after which all recycled water service shall cease.
1. The city shall not be liable for any damage by recycled water or resulting from:
 - a. Defective plumbing;
 - b. Broken or faulty services or recycled water mains;
 - c. On-site facilities failures;
 - d. High or low pressure conditions;
 - e. Interruptions of service;
 - f. Any inappropriate or illegal use or management practices.
 2. All recycled water will be provided to the user in the conditions and quantity specified in the recycled water use agreement.
 3. Recycled water use will not be subject to the same restrictions as potable water during drought conditions and will be supplied as available.
 4. Recycled water service may be terminated whenever the quality of the recycled water does not comply with the requirements of the regulatory agencies, or at any time the provisions of this chapter, or the conditions specified in the recycled water use agreement are violated.
- C. Other Applicable Rules and Codes. Other guidelines, rules and regulations, ordinances, specifications that may be applied by the administrator to govern the use of recycled water within the city include:
1. Regulations that deal with backflow prevention, billing, deposits, penalties, delinquencies, and metering for potable water as established in Chapters 8.20 and 13.08 of this code;
 2. Water reclamation (Title 22, Division 4 of the California Code of Regulations);
 3. Regulations relating to cross-connections (Title 17 of the California Code of Regulations);
 4. Guidelines for distribution of nonpotable water (California-Nevada Section (AWWA));
 5. City of Soledad recycled water systems procedural guidelines and general design standards;
 6. City of Soledad recycled water systems installation in nonresidential buildings;
 7. City of Soledad recycled water systems interior use in nonresidential buildings;
 8. City of Soledad recycled water systems full yard irrigation for residential lots;
 9. City of Soledad recycled water systems application and permit procedure summary;
 10. City of Soledad water recycled water systems summary of guidelines for recycled water use.

(Ord. 645 § 1 (part), 2007)

13.11.080 - Recycled water service application.

- A. Application for Service Connection. An application for a service connection must be made on a form furnished by the city. The applicant shall provide the city with the anticipated recycled water demand (maximum gallons per minute) and shall specify the size of the water meter that is desired; however the city ultimately reserves the right to determine the size of the service connection and meter. The applicant shall also specify the property to be served. The information supplied by the applicant shall be considered as authoritative and final. If any error in such application shall cause installation of a

service connection that is improper, either in size or location, the cost of all changes required shall be borne by the applicant. The steps for obtaining recycled water service are as follows:

1. The user completes and submits a recycled water service application, including existing facility "as-built" drawings or proposed facility plans as appropriate, description of where and how recycled water use is proposed, and any other information pertinent to the use of recycled water as requested by the administrator;
2. An engineering report prepared by a properly qualified engineer registered in California and experienced in the field of wastewater treatment describing proposed/requested recycled water use(s) must be submitted to DHS for approval. The city may prepare the report on behalf of the user, provided that the user pays all costs associated with the preparation of the report. The report shall contain:
 - a. A description of the design of the proposed reclamation system,
 - b. A means for compliance with these regulations and any other features specified by the regulatory agency,
 - c. A contingency plan which will assure that no untreated or inadequately treated wastewater will be delivered to the use area;
3. The user and the city will address any concerns that the DHS may have regarding the engineering report and revise the report accordingly;
4. Once the DHS approves the engineering report, the applicant will enter into a recycled water use agreement with the city, and pay any applicable fees;
5. The administrator will schedule a start-up test of on-site recycled water system to ensure that cross-connections do not exist;
6. Upon the successful completion of the test, the administrator may authorize recycled water service to begin.

(Ord. 645 § 1 (part), 2007)

13.11.090 - Recycled water use agreement.

- A. Recycled Water Use Agreement. Every applicant agreeing to receive recycled water shall sign a recycled water use agreement and shall be subject to the following conditions:
 1. The applicant shall pay any specified connection fees, service line charges and other charges, and adhere to the requirements prescribed by this chapter and to any additional requirements required by other agencies governing recycled water use;
 2. In order to maintain acceptable operating conditions throughout the recycled water system, the administrator may schedule recycled water use for specific applications. Such scheduling may involve programming deliveries to different users and/or to various portions of a single user's on-site system. Any scheduling shall consider the operating constraints of the affected users;
 3. The administrator may temporarily terminate recycled water service at any time recycled water produced by the city's reclamation plant does not meet the requirements of the regulatory agencies. Recycled water service would, in such case, be restored when the recycled water meets the governing requirements;
 4. At a minimum, the recycled water use agreement shall include the following:
 - a. Names and addresses of owner the property and user of the recycled water,
 - b. A statement that no changes in the proposed system will be undertaken without amending the agreement,

- c. A statement that the applicant recognizes potential penalties for violation of this chapter and any regulatory agencies,
- d. A copy of the DHS approved engineering report,
- e. Specific quantity of recycled water to be used, including estimated average annual use in acre-feet and the maximum gallons per minutes (GPM) needed at the point of connection (POC) as shown on the plans,
- f. Approved uses,
- g. A statement that the agreement shall be cancelled or amended if:
 - i. A change of recycled water use occurs,
 - ii. A change in the piping system has been implemented without prior approval,
 - iii. A violation of these rules and regulations occurs and results in a system turn-off.

(Ord. 645 § 1 (part), 2007)

13.11.100 - Rates, fees, charges and deposits.

- A. Rates and Charges. All rates and charges regarding recycled water service and their administrative costs shall be established, and periodically modified as necessary, by the city council by resolution, and by this reference, shall be considered a part of this chapter.
- B. Fees. Applicants for recycled water service shall pay their fair share for the construction of facilities needed to deliver recycled water to the applicant's property. All fees and estimated construction costs shall be paid prior to construction. Under certain circumstances, such as where facilities are being designed to serve more than a single applicant's property, the city may contribute to the cost of designing and/or constructing the facilities needed to deliver recycled water to an applicant's property. The city shall reimburse an applicant for costs incurred to install oversized facilities in the public right-of-way.

(Ord. 645 § 1 (part), 2007)

13.11.110 - Recycled water service.

- A. Size, Location, and Installation of Service Line. Recycled water service lines shall be extended by the property owner/developer to a curb line or property line of the customer's property, abutting on the city's public street, highway, road or city's easement in which recycled water mains are installed. The size and location and/or type of recycled water service lines, service connections, meters, backflow protection devices, and any/all other appurtenances are subject to review and approval by the city.
- B. Service Connection Limitations. Recycled water service shall be subject to the following conditions:
 - 1. A recycled water service connection and its corresponding meter shall not be used to supply adjoining property of a different owner, or to supply property of the same owner across a road, street or other public right-of-way. When a property provided with a recycled water connection and a corresponding meter is subdivided, such connection and meter shall be considered as serving the lot or parcel of land on which the meter is located. Additional recycled water mains and/or recycled water service lines will be required for all subdivided areas in accordance with this chapter;
 - 2. Private irrigation systems for homeowner's associations and other developments where landscaping around homes and in common areas are served with one meter, shall not be allowed to cross public roads, easements, or other public rights-of-way without city approval;

3. All recycled water used on any property where a meter is installed must pass through the meter. Customers shall be held responsible and charged for all recycled water passing through their meters.
- C. Service Pressure. According to AWWA "Guidelines for Distribution of Nonpotable Water (1992)," it is desirable that a pressure differential of ten psi or greater be maintained with the potable water supply having the higher pressure. Site-specific conditions may result in pressure differentials being impractical. In such cases, other design and operational measures may provide the necessary degree of protection including proper pipe identification practices, ensuring adequate horizontal and vertical separation distances between potable and nonpotable systems and maintaining accurate "as-built" maps, implementing comprehensive recycled water program elements into the existing cross-connection control program, and development of employee training/awareness programs.
- D. Relocation of Recycled Water Service Lines. Should a recycled water service line installed according to the directions of the owner or user be of the wrong size, or installed at a wrong location or depth, the cost of relocation or removal shall be paid for by the user.

(Ord. 645 § 1 (part), 2007)

13.11.120 - System protection.

- A. Protective Measures. The following provisions are intended to protect the city's potable water supplies against actual, undiscovered, unauthorized, or potential cross-connections to the user's recycled water system. These provisions are in addition to, not in lieu of, the controls and requirements of other regulatory agencies. These provisions are in accordance with Title 17 (Public Health) of the California Code of Regulations.
 1. Approved backflow prevention devices on the city's potable water services to the property as required in these provisions, shall be provided, installed, tested, and maintained according to Chapter 8.20. These devices shall be located at the property line served immediately downstream of the meter. All devices shall be readily accessible for testing and maintenance and no device shall be submerged at any time.
 2. When a request for recycled water service is initiated, the applicant must provide sufficient information, including plumbing and building plans, to enable the administrator and other regulatory agencies to determine the level of backflow protection required. The proper backflow protection, as determined by the administrator and other regulatory agencies, shall then be installed and tested according to Chapter 8.20 before recycled water service is provided.
 3. Each time there is a change of tenant on any commercial or industrial premise, the owner or user shall notify the administrator immediately. The administrator will then reassess the level of protection required. In addition, any alterations to existing on-site facilities that may affect required protection level must be reported immediately to the administrator.
 4. At their discretion, representatives of any health agency having jurisdiction, and the administrator, may inspect any property provided recycled water service by the city. The inspection shall serve to determine if any actual or potential cross-connections exist. The owner or user shall provide full cooperation in facilitating the inspection.
 5. Where protection is required, an approved backflow protection device for potable water supplies shall be provided as follows:
 - a. Each city water service connection that supplies potable water to a premise having an auxiliary water supply (including recycled water) that is not accepted as a potable source by the administrator, and/or is not approved for potable use by DHS, shall be protected against backflow from the premises into the city's potable water system.
 - b. Each city water service connection supplying potable or recycled water to a premises on which any substance is handled in such a fashion as to permit entry into the city water

systems (potable or recycled) from the premises shall be protected against backflow. This shall include, but not be limited to, the handling of fertilizers, process waters, waters originating from any of the city water systems that have been subject to deterioration in quality and agricultural use.

- c. Approved backflow devices shall be installed where premises have intricate plumbing and piping arrangements or where not all portions of the premises are readily accessible for inspection.
 - d. Appropriate backflow protection may be required at premises where there has been a history of cross-connections being re-established.
6. Other Measures.
- a. Water meters used for recycled water service shall be tagged or color-coded purple, color pantone 512 or 522, or otherwise distinguished as such per AWWA standards. These meters shall not be interchanged or used for potable water service after repairs and/or meter testing has been performed.
 - b. Periodic inspection by the city of the recycled water facilities will determine if all identifying items are still clearly discernable. If not, they shall be replaced, repaired or refurbished as needed, by the user. These items include:
 - i. Warning tags;
 - ii. Painted surfaces;
 - iii. Warning tape;
 - iv. Identification tape;
 - v. Covers, caps, signs;
 - vi. Other items that indicate recycled water is being used.
 - c. To determine the existence of any cross-connections or backflow conditions into the potable water system, periodic testing by DHS approved methods will be performed by the administrator and/or other regulatory agencies.
 - d. In the event of contamination or pollution of a city potable water system due to a cross-connection or other failure, the DHS and the administrator shall be promptly notified by telephone so that appropriate and immediate measures may be taken to correct the problem.
 - e. The state and county health departments and the administrator shall be kept informed by written document of the identity of the person responsible for the user's recycled water system on all premises concerned with these rules and regulations. At each authorized use area, an "on-site" recycled water supervisor shall be designated. This supervisor shall be responsible for:
 - i. The installation and use of all components of the on-site recycled water system(s);
 - ii. Prevention of cross-connections;
 - iii. Change in use of recycled water.
7. When the recycled water uses or conditions, as determined by the administrator or other regulatory agency, represent a clear and immediate hazard to the city potable and/or recycled water supply that cannot be immediately removed or corrected, the administrator shall terminate recycled water use. Conditions or uses that create a basis for termination include, but are not limited to, refusal to install, test or repair a required backflow prevention device.
- B. Types of Protection. The level of protection required shall be related to the degree of potential hazard that exists on the premises served, and will be determined by the administrator.

- C. Testing and Maintenance of Backflow Prevention Devices. The user is responsible for testing all backflow prevention devices and maintaining these devices in a satisfactory operating condition. Testing shall be performed at least once a year by a Monterey County certified backflow prevention tester. More frequent testing may be required if successive inspections indicate repeated failures. The backflow prevention devices shall be repaired, overhauled and/or replaced whenever they are found to be defective. These devices shall also be tested immediately after they are installed, relocated or repaired. All inspections, tests and repairs shall be performed at the user's expense. The user shall maintain records of all such tests, repairs and overhauls. These records shall be submitted to the administrator, annually, and made available to the DHS, on request.

(Ord. 645 § 1 (part), 2007)

13.11.130 - Facilities design.

A. Off-site Facilities.

1. Any off-site recycled water distribution facilities required to serve existing or new developments of the property within the city, as determined by the administrator, shall be provided (designed, constructed) by the applicant, owner, or customer at their expense.
2. The design of off-site facilities, including the preparation of plans and construction specifications shall be under the responsibility of an engineer registered in the state of California.
3. All off-site recycled water facilities shall be designed and constructed according to the requirements, conditions, and standards as adopted in the city standard specifications to ensure that such systems are in full compliance with this chapter. On-site recycled water systems shall be separate and independent of any potable water systems.
4. Before the administrator grants final acceptance of any system using recycled water, as-built drawings of the system shall be provided. The installed system shall be tested in accordance with the city standard specifications to ensure that the system is in full compliance with these rules and regulations.
5. Plans and specifications for all recycled water distribution facilities shall be submitted to and approved by the administrator, and other regulatory agencies, in advance of construction.
6. The city will assume responsibility for providing recycled water service to the point of connection of such development on transfer, to the city, of the title to all off-site recycled water systems and any necessary easements. All easements shall be in a form acceptable to the administrator, and not subject to outstanding obligations to relocate such facilities or any deeds of trust, except in instances where such is determined by the administrator to be in the best interest of the city.
7. The city and the property owner or developer may enter into a reimbursement agreement for the portions of a recycled water system that are required to be oversized with capacity to supply more recycled water than the property owner or developer requires. The determination to enter into a reimbursement agreement, and the specific items that are the subject of reimbursement, will be made by the city.

B. On-site Facilities.

1. All on-site recycled water facilities shall be provided by the owner, applicant or customer at their expense.
2. The design of on-site facilities, including the preparation of plans and construction specifications shall be under the responsibility of an engineer registered in the state of California. The design of customer (on-site) facilities that will use recycled water, and preparation of plans and construction specifications, shall be stamped and signed by a state of California registered landscape architect or civil engineer, unless otherwise approved by the administrator. When city standards and specifications require a higher quality material, equipment, design or construction method than

that required by other governing codes, rules and regulations, the city standards and specifications shall take precedence.

3. All on-site recycled water facilities shall be designed and constructed according to requirements, conditions, and standards as adopted in the city standard specifications to ensure that such systems are in full compliance with this chapter. Recycled on-site water systems shall be separate and independent of any potable water systems.
4. Where the premises contain dual or multiple water systems, the exposed portions of pipelines shall be identified at sufficient intervals.
5. Areas irrigated with recycled water must be kept completely separated from domestic water wells and reservoirs. Recycled water shall not be applied or allowed to migrate to within fifty feet of any well used for domestic supply. No impoundment of recycled water shall be located within hundred feet of any domestic water well, unless it can be demonstrated that special circumstances justify lesser distances to be acceptable.
6. In areas where recycled water is not immediately available when the use area is ready for construction, and if the city has determined that recycled water will be supplied in the future, on-site facilities shall be designed to use recycled water. Provisions shall be made to allow for connection to the city off-site recycled water facilities, when available. In the interim, potable or other suitable water may be supplied to the on-site facilities through an "interim service connection."

When the switch over from potable water to recycled water is made, the potable water line will be properly physically separated and blind-flanged to protect the domestic supply and avoid any future reconnection. In such cases, besides an initial cross-connection inspection, the city shall conduct appropriate shutdown tests at both water lines prior to the use of recycled water. The report of the inspection and shutdown tests shall be maintained on file and summary of the findings shall be submitted to DHS within two weeks of the beginning of the recycled water use. Shutdown tests shall be performed and repeated as required by DHS.

Conditions of interim service are:

- a. The city anticipates recycled water will be available to the site within five years of the time interim service is initiated;
- b. The user or the owner of the property must sign a recycled water use agreement;
- c. The user or the owner of the property must agree to perform or pay for all work necessary to remove the interim connection and make connections to the permanent recycled water system at the time the recycled water system is installed;
- d. An approved backflow prevention device is required on the interim service. The backflow prevention device shall be at the point of connection with the interim supply system and a part of the on-site recycled water facilities;
- e. Future recycled water users will pay for the following:
 - i. Cost of constructing and abandoning the interim service and cost of constructing the recycled water service,
 - ii. Applicable recycled water fees at the time service becomes available,
 - iii. Applicable interim water rates for the type of water delivered through the interim service;
- f. When recycled water is available to the site, an inspection of the on-site facilities will be conducted by the administrator to verify that the facilities are still in compliance with the recycled water use agreement. Recycled water service shall be provided on verification of compliance. If the facilities are not in compliance, the administrator shall notify the user to make any necessary corrections.

C. Miscellaneous.

1. Adequate means of notification should be provided to inform the public, employees and others that recycled water is being used. Conspicuous signs with appropriate wording that can be clearly read should be placed at adequate intervals around the authorized use area.
2. Golf courses should print messages on score cards in a different color indicating recycled water is being used. Water hazards containing recycled water should be posted with appropriate signs.
3. Languages in addition to English should be used on signs where appropriate.

(Ord. 645 § 1 (part), 2007)

13.11.140 - Construction.

- A. **New Facilities.** Construction of all new recycled water facilities will follow city standards and specifications and the American Water Works Association construction guidelines for recycled water facilities.
- B. **Conversion to Recycled System.** Where it is planned that an existing nonrecycled water system shall be converted to a recycled water facility, the facilities to be converted to recycled water shall be investigated in detail at the user's expense, to determine the measures required to bring the system into full compliance with this chapter. No existing potable water facilities shall be connected to or incorporated into the recycled water system without city and DHS approvals.
- C. **Recycled System Failure.** If, due to on-site failure of the recycled water system, the administrator determines that it is necessary to convert on-site facilities from a recycled water supply to a potable water supply, it shall be the responsibility of the user to pay all costs for such conversion. Conversion costs may include, but not be limited to, the following:
 1. Isolation of the Recycled Water Supply. Service shall be removed and plugged at the city's main or abandoned in a manner approved by the administrator;
 2. Installation of approved backflow prevention devices, as determined by the administrator, on all potable, and/or other water meter connections;
 3. Removal of any/all special recycled water quick couplers. The user shall be responsible for replacement with quick couplers approved for potable water systems;
 4. Notification to all on-site personnel involved;
 5. Removal of all warning labels/signs;
 6. Installation of any/all potable water facilities and payment of any associated capacity fees, as established by resolution;
 7. System flushing, disinfecting, decontamination, and water quality analyses, as required by the city and/or other regulatory agencies.

(Ord. 645 § 1 (part), 2007)

13.11.150 - Operation and maintenance of facilities.

- A. **Off-site Facilities.** The city shall be responsible for the operation, maintenance and surveillance of all off-site recycled water systems. This includes, but is not limited to, recycled water pipelines, valves, connections, storage facilities, and other related equipment and property up to and including the meter. Only the city's personnel and their representatives shall operate, adjust, change, alter, move or relocate any portion of their respective off-site recycled water facilities.
- B. **On-site Facilities.** The operation, surveillance, repair, and maintenance of all customer recycled water facilities are the responsibility of the user or owner and his designated "on-site" recycled water supervisor. The user or owner is responsible for maintaining all on-site facilities that are under

ownership of parties other than the city and shall have the following responsibilities pertaining to operation of on-site facilities:

1. Ensure that all operations personnel are trained and familiarized with the use of recycled water;
2. Furnish their operations personnel with maintenance instructions, irrigation schedules, controller charts, and as-built drawings to ensure proper operation in accordance with the on-site facilities design and these rules and regulations;
3. Prepare and submit to the administrator one reproducible set of as-built drawings;
4. Notify the administrator of all updates or proposed changes, modifications, or additions to the on-site facilities and operations for review and approval prior to construction or implementation. All updates and proposed changes shall comply with this chapter, the recycled water use agreement and any other applicable rules and regulations;
5. Ensure that the operation and maintenance of all recycled water facilities remain in accordance with this chapter, the recycled water use agreement and any other applicable rules and regulations;
6. Operate and control the system in order to prevent direct human consumption, as defined by the California Department of Health Services, of recycled water and to control and limit runoff. The user or the owner of the property shall be responsible for any and all subsequent uses of the recycled water. Operation and control measures to be utilized in this regard shall include where appropriate, but not limited to:
 - a. Minimizing discharge onto areas not under control of the user so as to minimize public contact. Full circle sprinklers shall not be used adjacent to sidewalks, roadways, and property lines in order to confine the discharge to the use area,
 - b. Operating the on-site recycled water facilities during periods of minimal human use of the service area, and allowing a maximum dry-out time before the irrigated area will be used by the public,
 - c. Providing adequate first aid kits on the premises, and promptly treating all cuts and abrasions to prevent infection. If infection is likely, a physician should be consulted,
 - d. Taking any other precautionary measures to minimize direct contact with recycled water. User's employees, residents, and the public should not be subjected to recycled water sprays,
 - e. Applying recycled water at a rate that does not exceed the infiltration rate of the soil. Where varying soil types are present, the design and operation of the recycled water facilities shall be compatible with the lowest infiltration rate of the soils present,
 - f. Reporting to the administrator any/all failures in the recycled water system that cause an unauthorized discharge of recycled water,
 - g. Protecting all drinking fountains located within the approved use area, by location and/or a structure from contact with recycled water to the maximum extent possible. Windblown spray, direct application through irrigation or other approved uses are considered sources of recycled water. Protection shall be by design, construction practice, or system operation,
 - h. Protecting facilities that may be used by the public, including but not limited to, eating surfaces and playground equipment located within the approved use areas, by seating and/or structure from contact with recycled water to the maximum extent possible. Windblown spray, direct contact by irrigation application, or other approved uses are considered sources of recycled water. Protection shall be by design, construction practice, or system operation;
7. The user shall enforce the following prohibitions:

- a. Cross-connections, as defined by the California Code of Regulations, Title 17, resulting from the use of recycled water or from the physical presence of a recycled water service, whether by design, construction practice, or system operation, are prohibited,
- b. Discharge of recycled water for any purposes, in areas other than those specifically approved in the recycled water use agreement, and without the prior approval of the administrator, is prohibited,
- c. Use or installation of permanent hose bibs on any customer water system that presently operates or is designed to operate with recycled water is prohibited,
- d. Conditions that directly or indirectly cause recycled water to pond either within or outside of the approved use area, whether by design, construction practice, or system operation are prohibited, unless designed specifically for ponding and approved by administrator,
- e. Conditions that directly or indirectly cause runoff of recycled water onto areas outside of approved use areas, whether by design, construction practice, or system operation, are prohibited,
- f. Use of recycled water for any purposes other than those specifically approved in the recycled water use agreement, and without the prior approval of the administrator, is prohibited,
- g. Conditions that directly or indirectly permit windblown spray to pass outside of the approved use area, whether by design, construction practice, or system operation, are prohibited.

(Ord. 645 § 1 (part), 2007)

13.11.160 - Monitoring and inspection.

The administrator will monitor and inspect the entire recycled distribution facility, including both off-site and on-site facilities. The administrator will conduct monitoring programs, maintain records as deemed necessary, inspect on-site facilities to verify that the user's irrigation practices conform to this chapter and the recycled water use agreement, and provide reports as requested by DHS. For these purposes, the administrator will have the right to enter the user's premises to monitor and inspect all on-site recycled water facilities. Where necessary, keys and/or lock combinations shall be issued to the administrator to provide such access during hours of recycled water system operation.

(Ord. 645 § 1 (part), 2007)

13.11.170 - Emergency connection.

Temporary Connection. If the administrator determines an emergency exists where all or parts of the recycled water system are unable to provide recycled water, the administrator may approve an emergency temporary connection to the potable water system. Before such emergency temporary connection is made, the portion without recycled water shall be isolated by a physical or air gap separation from the remainder of the recycled water system. This isolation shall occur at either individual services or on the off-site system, as determined by the administrator. An approved backflow prevention device shall be installed on the potable water lines in accordance with this chapter. The recycled water system shall be disinfected in accordance with DHS regulations prior to any use of potable water through the system. The emergency temporary connection shall be removed before connection to the recycled water system is re-established. Re-establishment of recycled water service must be inspected and approved by the administrator prior to resuming delivery of recycled water.

(Ord. 645 § 1 (part), 2007)

13.11.180 - Violations and enforcement.

- A. Noncompliance with Chapter. The recital of specified instances in this chapter wherein the city is authorized to discontinue service to the customer is not to be construed as limiting the authority of said city to the instances specified. The city shall have the general right to discontinue service to any customer upon failure of compliance with, or violation or infraction of the chapter, or any amendments or additions thereto, or any rules and regulations adopted by the city in amplification hereof, which may then be in force, after notice has been given where the noncompliance with, or violation or infraction of this chapter by the customer results, or is likely to result, in a dangerous or unsanitary condition on the customer's premises, or in the city's water system or elsewhere, or where discontinuance of service is necessary to protect the city from fraud, imposition, loss or abuse.
- B. Penalties.
 - 1. Each violation of this chapter shall be an infraction.
 - 2. Any violation that occurs or continues from one day to the next shall be deemed a separate violation, for each day during which such violation occurs or continues to occur.
 - 3. The fine for the first violation of this chapter shall be one hundred dollars. The fine for a second violation and each subsequent violation of this chapter within a period of twelve months, regardless of the specific section or subsection violated, shall be one hundred and fifty dollars.
- C. Nuisance.
 - 1. Any violation of this chapter is declared to be a public nuisance.
 - 2. In accordance with the provisions of Chapter 9.04 of this code, the city may, upon order of the city council, abate an identified public nuisance and/or bring civil action to enjoin or abate the nuisance and make the costs of nuisance abatement a special assessment against the parcel of land on which the nuisance is located or originates.
 - 3. Nothing contained in this section limits the city to the prescribed remedy, or prevents the city from initiating and prosecuting any other remedy available to it for the abatement of a public nuisance, or for recovery of the cost of abatement, under the civil or criminal statutes of the state or under other ordinances of the city.

(Ord. 645 § 1 (part), 2007)

13.11.190 - Severability.

If any section, subsection, sentence, clause or phrase of this chapter establishing rules and regulations for the use of recycled water is for any reason found to be invalid or unconstitutional, such decision shall not affect the remaining portions of this chapter. The city council declares that it would have approved this chapter by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

(Ord. 645 § 1 (part), 2007)

**APPENDIX C: VARIANCE APPLICATION – WATER CONSERVATION
ORDINANCE CHAPTER 13.09**

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Water Conservation Ordinance - SMC Chapter 13.09

Variance Application

Appellant Name _____ Appellant Phone _____

Address _____ Billing Period _____

Soledad Water Account Number _____

10.09.080 The City Manager may grant temporary variance of up to one year to come into compliance with the terms of the Mandatory Water Conservation Regulations chapter of the Municipal Code.

Granting the variance will not cause a significant adverse effect on the water supply or on service to other water consumers. In determining whether relief shall be granted, the City Manager shall take into consideration all relevant factors including, but not limited to, the following:

Does any additional reduction result in unemployment? Y N

Explanation: _____

Have additional members been added to the household? Y N

Explanation: _____

Has any additional landscape property been added to the base property? Y N

Explanation: _____

Have there been changes in vacancy factors in multifamily housing? Y N

Explanation: _____

Are there an increased number of employees in commercial or retail business? Y N

Explanation: _____

Has there been an increase in production requiring increased water consumption? Y N

Explanation: _____

Have there been necessary water uses during construction? Y N

Explanation: _____

Necessary adjustments to water used caused by emergency health or safety hazards? Y N

Explanation: _____

City of Soledad

Was there (first) filing of a permit-constructed swimming pool? Y N

Explanation: _____

Was there additional water use necessary for reasons related to family illness or health? Y N

Explanation: _____

Additional Explanation: Y N

The following procedural requirements shall apply with regards to the City Manager conference and variance:

1. Request for an office conference must be filed in writing to the City Manager within ten (10) working days after receipt of the utility bill. The customer must state in writing the grounds for the variance.
2. The office conference shall e scheduled within ten (10) working days of receipt of request.
3. The City Manager shall render a decision within ten (10) working days of the office conference.
4. An appeal to the City Council may be filed within ten (10) working days after a final decision by the City Manager to the City Council. The appeal should state the grounds upon which is based, and what remedy.

13.09.080

(D) Any decision of the City Manager with respect to an application for a variance may be appealed in writing to the City Council. The City Council shall schedule the matter for hearing within thirty (30) days of receipt. The City Council may confirm, modify or rescind any decision the City Manager in this regard. The City Council's decision on all variance appeals shall be final.

City of Soledad

The following Agreement has been reached between the City Manager/City Council and the City of Soledad Water Customer _____ . (Name)

Terms: _____

Agreed: _____
City Manager

For: Water Appeals City Council

Date: _____

Agreed: _____
Sign: _____

Print: _____

Address: _____

Date: _____

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APPENDIX D: RESOLUTION 2021-XX – ADOPTION OF WATER SHORTAGE CONTINGENCY PLAN

To be included after adoption.

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