

Memorandum

Date: April 15, 2022

To: Eric Oppenheimer
Chief Deputy Director
State Water Resources Control Board

From: Kristopher Tjernell
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Department of Water Resources

Subject: **Model Level 2 Water Shortage Response Actions
for Urban Water Supplier Water Shortage Contingency Planning**

On March 28, 2022, Governor Newsom issued Executive Order (EO) N-7-22 to address drought conditions after the driest first three months of a year in the state's recorded history. To comply with the order, this paper provides information on a proposed model water shortage response actions developed by Department of Water Resources (DWR) for the State Water Resources Control Board (Water Board) to consider when adopting an emergency regulation to require urban water suppliers that have not submitted a water shortage contingency plan (WSCP) to the DWR implement, at a minimum, model shortage response actions.

- For Suppliers with a WSCP (submitted to DWR): EO N-7-22 requires that each Supplier implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2). The EO states that these Level 2 actions are to be implemented by a date to be set by the Water Board.
- For Suppliers without a WSCP (submitted to DWR): EO N-7-22 requires that each Supplier implement, at a minimum, shortage response actions established by the Water Board through an emergency regulation. The Water Board shall take into consideration the Level 2 actions developed by DWR. The EO states that these Level 2 model actions are to be implemented by a date set by the Water Board.

Water Shortage Response Actions and Six Standard Water Shortage Levels

Note that California Water Code (CWC) §10632(a) requires that Suppliers include in their WSCPs locally appropriate shortage response actions which align with six specified standard levels of shortage including:

- Locally appropriate supply augmentation actions.
- Locally appropriate demand reduction actions.
- Locally appropriate operational changes.

- Additional, mandatory prohibitions against specific water use practices.

A Supplier also needs to evaluate each action and estimate how much water savings it would produce based on the Supplier's local conditions and supply and demand characteristics. This evaluation is a prerequisite for a successful selection and implementation of locally appropriate water shortage response actions.

CWC §10632(a)(3)(A) defines six standard water shortage levels that correspond to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage.

Model Level 2 Water Shortage Response Actions

The following list presents proposed model water shortage response actions developed by DWR and deemed appropriate for a Level 2 shortage, which corresponds to the range of up to 20 percent shortage. Suppliers may have the flexibility to choose locally-appropriate actions consistent with CWC §10632.2 and not have to implement each and all of the actions listed as long as they achieve a 20 percent reduction in water use.

1. Expanded information campaigns

Campaigns may include public information and outreach via email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.

2. Landscape water use restrictions

Restrictions may include reduction in permissible hours and weekly frequency for landscape irrigation.

3. Use type restrictions

Suppliers must implement and enforce ordinances banning certain water use types such as:

- Washing or hosing down of hard surfaces (driveways, sidewalks, ...)
- Filling of non-recirculating fountains
- Using potable supplies for decorative water features

4. Banning water waste and specific practices

Suppliers must implement and enforce prohibitions that target water waste and certain practices, including:

- Runoff onto non-irrigated areas, walkways, roadways, parking lots, or other hard surfaces.
- Unfixed leaks and broken or defective plumbing (including but not limited to leaking toilet flapper valves) and irrigation systems.
- Use of hoses not fitted with automatic shut-off nozzles
- Serving of water in restaurants except on request

- Laundering towels and linens daily in hotels without providing guests an opt-out option

5. Water conservation incentives

Suppliers shall consider water conservation incentives and programs to provide customer rebates such as:

- Rebates for plumbing fixtures (low flush toilets, high efficiency washers, low flow showerheads, faucet aerators, ...)
- Free conservation retrofit kits to customers
- Rebates for turf replacement
- Prioritize water for trees, including, but not limited to, through rebate, direct installation, and educational programs focused on transitioning from turf-centric to tree-centric irrigation systems that promote deep and healthy root growth.
- Offer water use surveys (especially for CII customers)

6. Water-saving operational changes

Suppliers may consider operational changes that can help save water include measures such as:

- Decreasing line flushing and fire training exercises
- Increasing water waste patrols and enforcement
- Imposing a moratorium on new services

7. Drought rate structures and surcharges (if applicable)

Suppliers may activate drought rate structure or surcharges, if applicable, to encourage conservation. This may include tiered pricing increases (disincentives) for large water users as well as rate decreases (incentives) for conserving users.

8. Use of non-potable water supplies

Suppliers shall encourage water recycling and reuse to substitute potable water supplies with non-potable supplies for uses that are approved and permitted. To free up potable supplies, suppliers may consider non-potable supplies including greywater, recirculated water, and recycled treated wastewater.

9. Backup and emergency water supply readiness

If applicable, suppliers shall take measures to be prepared to activate or deploy backup and emergency water supplies when needed.