Yucaipa Valley Water District

12770 Second Street, Yucaipa, California 92399 Phone: (909) 797-5117

Notice and Agenda of a Regular Meeting of the Board of Directors

Wednesday, July 6, 2016 at 6:00 p.m.

I. CALL TO ORDER - Pledge of Allegiance

II. ROLL CALL

III. PUBLIC COMMENTS - At this time, members of the public may address the Board of Directors on matters within its jurisdiction. To provide comments on specific agenda items, please complete a speaker's request form and provide the completed form to the Board Secretary prior to the board meeting.

IV. CONSENT CALENDAR - All matters listed under the Consent Calendar are considered by the Board of Directors to be routine and will be enacted in one motion. There will be no discussion of these items prior to the time the board considers the motion unless members of the board, the administrative staff, or the public request specific items to be discussed and/or removed from the Consent Calendar.

A. Minutes of Meetings

1. Regular Board Meeting - June 15, 2016

V. STAFF REPORT

VI. DISCUSSION ITEMS

A. Ratification of the Yucaipa Valley Water District Self-Certification of Supply Reliability for Three Additional Years of Drought Pursuant to Section 864.5 of Title 23 of the California Code of Regulations [Director Memorandum No. 16-063 - Page 14 of 65]

RECOMMENDED ACTION: That the Board ratifies a 20% water conservation standard based on self-certification of supply reliability calculations for the Yucaipa Valley Water District.

B. Authorization to Contract with Ruth Villalobos and Associates for the Permitting of Recharge Operations at the Wilson Creek Spreading Basins [Director Memorandum No. 16-064 - Page 46 of 65]

RECOMMENDED ACTION: That the Board authorizes District staff to enter into a contract with Villalobos and Associates for a sum not to exceed $72,200.

Any person with a disability who requires accommodation in order to participate in this meeting should telephone Tysa Baeumel at (909) 797-5117 at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation.

Materials related to an item on this agenda submitted to the Board of Directors after distribution of the board meeting packet are available for public inspection during normal business hours at the District office located at 12770 Second Street, Yucaipa. Meeting material is also be available on the District's website at www.yvwd.dst.ca.us

C. Consideration to Purchase Additional Imported Water from the San Bernardino Valley Municipal Water District for Calendar Year 2016 [Director Memorandum No. 16-065 - Page 55 of 65]

RECOMMENDED ACTION: That the Board authorizes the purchase of 1,206 acre feet of imported water from the San Bernardino Valley Municipal Water District for a sum not to exceed $142,760.14.

VII. BOARD REPORTS

VIII. DIRECTOR COMMENTS

IX. ANNOUNCEMENTS

A. July 12, 2016 at 4:00 p.m. - Board Workshop

B. July 20, 2016 at 6:00 p.m. - Regular Board Meeting

C. July 26, 2016 at 4:00 p.m. - Board Workshop

D. July 27, 2016 at 5:00 p.m. - San Gorgonio Pass Regional Water Alliance at the City of Banning

E. August 3, 2016 at 6:00 p.m. - Regular Board Meeting

X. ADJOURNMENT

Consent Calendar

Yucaipa Valley Water District

MINUTES OF A REGULAR BOARD MEETING

June 15, 2016 at 6:00 P.M.

Directors Present:
- Lonni Granlund, President
- Jay Bogh, Vice President
- Ken Munoz, Director
- Tom Shalhoub, Director

Staff Present:
- Joseph Zoba, General Manager
- Jack Nelson, Assistant General Manager
- Jennifer Ares, Water Resource Manager
- Brent Anton, Engineering Manager
- John Hull, Public Works Manager
- Vicky Elisalda, Controller
- Ron McCall, Senior Plant Operator
- Mike Kostelecky, Senior Plant Operator
- John Wrobel, Regulatory & Environmental Control Manager

Directors Absent:
- Bruce Granlund, Director

Consulting Staff Present:
- David Wysocki, Legal Counsel

Registered Guests and Others Present:
- Karen Da Silva, News Mirror
- David Duron, Customer
- Cesiri Romero, Student
- Anahi Alcaraz, Student
- Steve Copelan, San Bernardino Valley Municipal Water District
- Gil Navarro, San Bernardino Valley Municipal Water District
- Leonard Stevenson, San Gorgonio Pass Water Agency
- David Fenn, San Gorgonio Pass Water Agency

CALL TO ORDER

The regular meeting of the Board of Directors of the Yucaipa Valley Water District was called to order by Director Lonni Granlund at 6:00 p.m. at the Administrative Office Building, 12770 Second Street, Yucaipa, California.

FLAG SALUTE

Director Tom Shalhoub led the pledge of allegiance.

ROLL CALL

The roll was called and Director Jay Bogh, Director Lonni Granlund, Director Ken Munoz, and Director Tom Shalhoub were present. Director Bruce Granlund was absent.

PUBLIC COMMENTS

David Duron commented on a recent article in the News-Mirror regarding a tour provided by the District staff to the Korean Water Works Association.

Anahi Alcaraz provided information to the Board of Directors about water conservation valves that can be installed on toilets.

CONSENT CALENDAR

Director Jay Bogh moved to approve the consent calendar and Director Ken Munoz seconded the motion to approve the consent calendar.

A. Minutes of Meetings
    1. Regular Board Meeting - May 18, 2016
    2. Board Workshop - May 24, 2016
    3. Regular Board Meeting - June 1, 2016
    4. Board Workshop - June 7, 2016
B. Payment of Bills
    1. Approve/Ratify Invoices for Board Awarded Contracts
    2. Ratify General Expenses for May 2016

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

STAFF REPORT

General Manager Joseph Zoba discussed the following items:

- Correspondence from the High Valleys Water District regarding their support for the current manner imported water is allocated by the San Gorgonio Pass Water Agency.

DISCUSSION ITEMS:

DM 16-052 IDENTIFICATION AND DECLARATION OF BAD DEBT FOR CALENDAR YEAR 2014

Following a staff presentation by Controller Vicky Elisalda, Director Ken Munoz moved and Director Tom Shalhoub seconded a motion to authorize the District staff to declare bad debt for Calendar Year 2014 in the amount of $26,920.77.

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

DM 16-053 ADOPTION OF RESOLUTION NO. 2016-16 ESTABLISHING THE APPROPRIATION LIMIT FOR FISCAL YEAR 2016-17

Following a staff presentation by Controller Vicky Elisalda, Director Tom Shalhoub moved and Director Ken Munoz seconded a motion to adopt Resolution No. 2016-16.

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

DM 16-054 RENEWAL OF VARIOUS INSURANCE POLICIES FOR FISCAL YEAR 2017 WITH ALTERIS INSURANCE SERVICES

Following a staff presentation by General Manager Joseph Zoba, Director Jay Bogh moved and Director Tom Shalhoub seconded a motion to authorize District staff to renew insurance coverage with Alteris for a sum not to exceed $211,193.64.

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

DM 16-055 CONSIDERATION OF THE OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2017

Following a staff presentation by General Manager Joseph Zoba, Director Ken Munoz moved and Director Tom Shalhoub seconded a motion to adopt the Fiscal Year 2017 Operating Budget and Capital Improvement Plan.

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

DM 16-056 UNAUDITED FINANCIAL REPORT FOR THE PERIOD ENDING ON MAY 31, 2016

Following a staff presentation by Controller Vicky Elisalda, Director Tom Shalhoub moved and Director Ken Munoz seconded a motion to receive and file the unaudited financial report as presented.

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

DM 16-057 PUBLIC HEARING – CONSIDERATION OF RESOLUTION NO. 2016-17 ADOPTING THE 2015 REGIONAL URBAN WATER MANAGEMENT PLAN

Following a staff presentation by Water Resource Manager Jennifer Ares and a duly conducted public hearing, Director Tom Shalhoub moved and Director Jay Bogh seconded a motion to approve the District's Urban Water Management Plan and adopt Resolution No. 2016-17.

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

DM 16-058 CALCULATION OF WATER BUDGETS FOR VALIDATION OF

Following a staff presentation by General Manager Joseph Zoba, Director Ken Munoz moved and Director Jay Bogh seconded a motion to authorize the execution of a contract with Geoscience

Support Services for a sum not to exceed $130,236 plus annual updates to maintain the model and future data analyses.

ANNUAL CHANGE IN STORAGE OF GROUNDWATER CONDITIONS IN THE YUCAIPA MANAGEMENT ZONE

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

Following a staff presentation by Engineering Manager Brent Anton, Director Tom Shalhoub moved and Director Ken Munoz seconded a motion to authorize the General Manager to execute and record a quitclaim easement deed releasing the District's interest in the portion of the property.

DM 16-059 QUITCLAIM WATERLINE EASEMENT LOCATED ON APN 303-131-77 RELATED TO THE DEVELOPMENT OF PARCEL MAP 19594, 6TH STREET RETAIL PARTNERS, LLC

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

Following a staff presentation by General Manager Joseph Zoba, Director Jay Bogh moved and Director Ken Munoz seconded a motion to table this item.

DM 16-060 APPROVAL OF A MEMORANDUM OF UNDERSTANDING FOR THE SAN GORGONIO PASS REGIONAL WATER ALLIANCE

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

Following a staff presentation by Regulatory & Environmental Control Manager John Wrobel, Director Ken Munoz moved and Director Tom Shalhoub seconded a motion to approve the Purchase of Linko Pretreatment Software for a sum not to exceed $36,105 plus future annual subscription costs.

DM 16-061 CONSIDERATION REGARDING THE PURCHASE OF LINKO PRETREATMENT SOFTWARE; FATS, OILS AND GREASE (FOG) SOFTWARE; AND REMOTE INSPECTOR SOFTWARE

The motion was approved by the following vote:
Director Jay Bogh - Yes
Director Bruce Granlund - Absent
Director Lonni Granlund - Yes
Director Ken Munoz - Yes
Director Tom Shalhoub - Yes

Following a staff presentation by Joseph Zoba, no action was taken regarding this agenda item.

DM 16-062 OVERVIEW OF THE YUCAIPA VALLEY WATER DISTRICT'S ACTION PLAN

RELATED TO THE STATE WATER RESOURCES CONTROL BOARD SELF CERTIFIED WATER CONSERVATION REGULATIONS

Reports by Board Members

BOARD REPORTS & DIRECTOR COMMENTS

- Director Tom Shalhoub reported on the meeting of the San Gorgonio Pass Regional Water Alliance held on May 25, 2016.
- Director Tom Shalhoub reported on the meeting of the San Gorgonio Pass Regional Water Alliance held on June 13, 2016.

Director Comments

- Director Tom Shalhoub recognized representatives in the audience from the San Bernardino Valley Municipal Water District and the San Gorgonio Pass Water Agency.
- Director Ken Munoz recognized the District staff for their hard work and dedication.

Director Lonni Granlund called attention to the announcements listed on the agenda.

ANNOUNCEMENTS

The meeting was adjourned at 6:50 p.m.

ADJOURNMENT

Respectfully submitted,

_____

Joseph B. Zoba, Secretary (Seal)

Staff Report

Yucaipa Valley Water District

FAST FACTS

WATER FIX WILL...

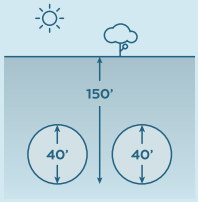
Secure clean water supplies for 25 million Californians and 3 million acres of farmland.

Improve the Sacramento-San Joaquin Delta's (Delta) ecosystem.

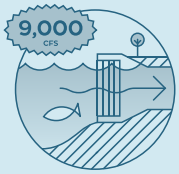
WATER FIX IS...

An update to California's aging water delivery system and part of the state's overall water management portfolio, which includes conservation, groundwater management, recycling, ecosystem protection and more.

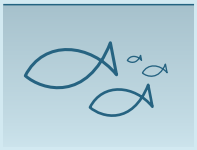
WATER DELIVERY UPGRADE



2 tunnels up to 150' below ground designed to protect California's water supplies from sea level rise, earthquakes, floods and levee failure.



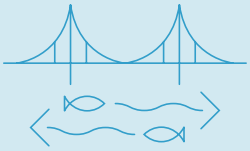
3 new northern intakes, each with 3,000 cubic-feet per second (cfs) capacity, located farther upstream closer to higher quality water and reduced impact on fish habitats.



Gravity-fed tunnels to move water naturally and more efficiently with reduced harm to fish.

IMPROVED RIVER FLOWS AND ECOSYSTEM HEALTH

Reinstate a more natural direction of river flows in the south Delta, minimalizing harmful reverse flows caused by powerful pumps.



Continue to meet San Francisco Bay outflow requirements to protect against salt water intrusion and improve the overall health of the Delta ecosystem.

New location away from habitat of endangered species with advanced fish screens that protect even the smallest species.

SECURING CLEAN WATER SUPPLIES

4.9 MILLION
ACRE-FEET ON AVERAGE ANNUALLY
Enough to supply 10 million households with water for one year

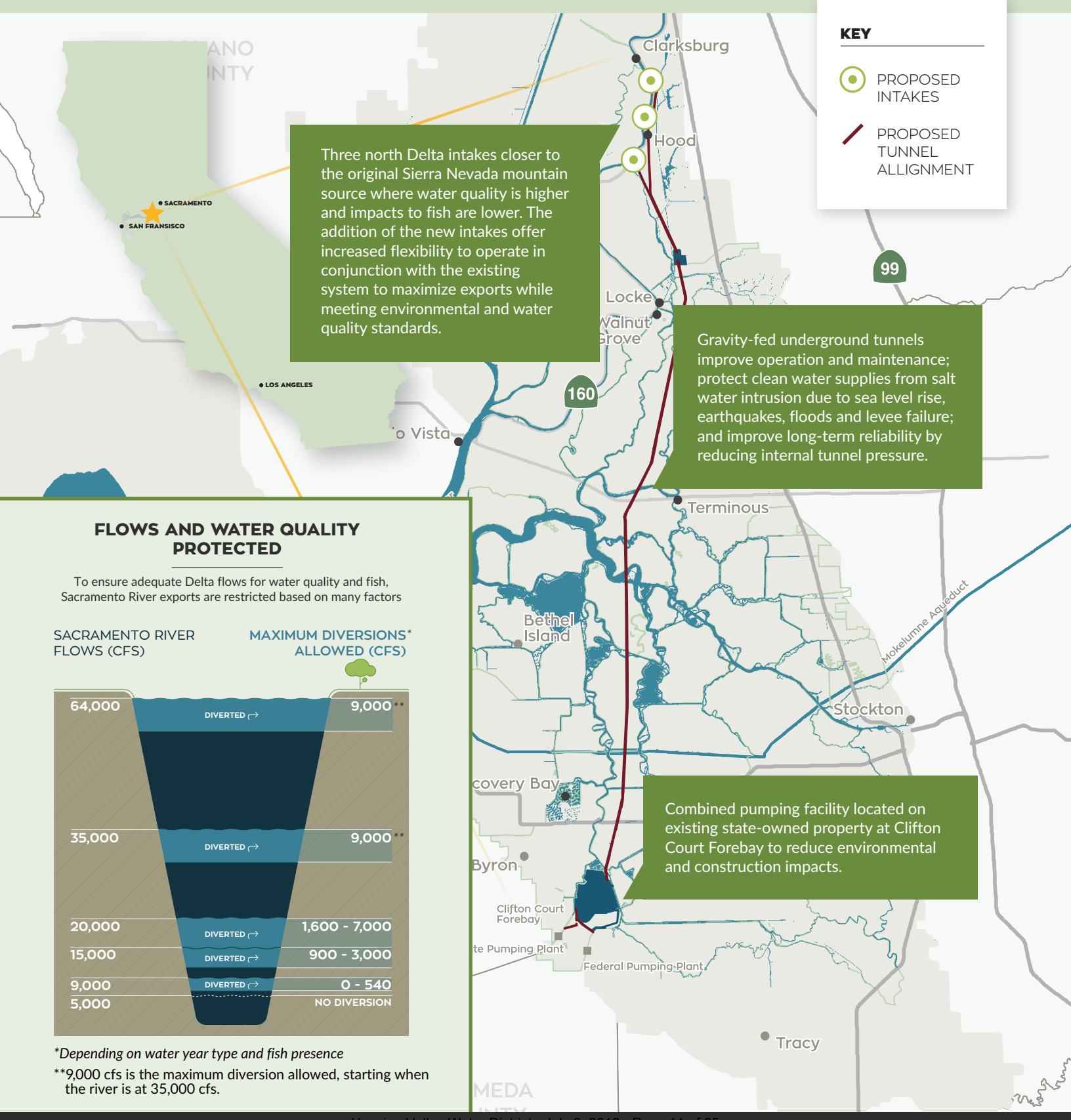
CREATING & PROTECTING JOBS

1.1 MILLION
FULL-TIME EQUIVALENT JOBS CREATED AND SAVED FOR CALIFORNIA
Based on a year-by-year estimate

BOOSTING THE ECONOMY

400 BILLION
IN CONTRIBUTIONS TO CALIFORNIA'S ECONOMY BY DELTA-CONVEYED WATER

WaterFix is an upgrade to the state's 50-year-old water infrastructure that will make it easier to move water in an environmentally friendly manner. The current system is outdated and unreliable, and dependent on levees that put our clean water supply at risk from earthquakes and sea level rise.



FLOWS AND WATER QUALITY PROTECTED

To ensure adequate Delta flows for water quality and fish, Sacramento River exports are restricted based on many factors

Depending on water year type and fish presence

**9,000 cfs is the maximum diversion allowed, starting when the river is at 35,000 cfs.

WATER FIX IS IMPORTANT TO CALIFORNIA

WATER SUPPLY RELIABILITY

25 MILLION PEOPLE and thousands of businesses from the Bay Area to San Diego rely on water from the Delta

MORE THAN 3 MILLION ACRES OF FARMLAND rely on water from the Delta

ECOSYSTEM RESTORATION

DELTA FISH AND WILDLIFE depend upon a healthy Delta ecosystem

CLIMATE RISK ADAPTATION

LEVEE FAILURES | **RISING SEA LEVELS** | **EARTHQUAKES**

NATURAL RISKS AND CLIMATE CHANGE threaten the reliability of the existing system

WATER FIX COST & FUNDING

TOTAL $17.1 BILLION

$14.9 BILLION
TUNNEL DESIGN & CONSTRUCTION
paid for by Public Water Agencies

$1.4 BILLION
OPERATIONS & MAINTENANCE
paid for by Public Water Agencies and State / Federal Funding

$796 MILLION
MITIGATION & ASSOCIATED ACTIONS
paid for by Public Water Agencies

WATER FIX IS GUIDED BY THE BEST AVAILABLE SCIENCE AND PUBLIC INPUT

ADAPTIVE MANAGEMENT & COLLABORATIVE SCIENCE
Address uncertainties and make adjustments over time

OPERATIONAL CRITERIA
New criteria, improved flexibility and protected flows

OVERSIGHT
Coordinated management with state and federal fish and wildlife agencies

PUBLIC INVOLVEMENT
Unprecedented level of public review and comment has helped refine the project

WATER FIX WILL BENEFIT THE DELTA ECOSYSTEM

The new location and technology will minimize reverse flows and reduce impacts to endangered fish. It will maintain water quality and standards needed for a healthy Delta ecosystem.

WaterFix will contribute to the restoration and protection of approximately 15,600 acres of critical Delta habitat as mitigation for ongoing construction and operational impacts, in addition to restoring more natural Delta flow patterns.

Discussion Items

Yucaipa Valley Water District

Yucaipa Valley Water District

Director Memorandum 16-063

Date: July 6, 2016

Prepared By: Joseph Zoba, General Manager

Subject: Ratification of the Yucaipa Valley Water District Self-Certification of Supply Reliability for Three Additional Years of Drought Pursuant to Section 864.5 of Title 23 of the California Code of Regulations

Recommendation: That the Board ratifies a 20% water conservation standard based on self-certification of supply reliability calculations for the Yucaipa Valley Water District.

On May 5, 2015, the State Water Resources Control Board ("SWRCB") adopted emergency regulations to achieve a 25% statewide reduction in potable urban water use effective June 1, 2015. To achieve the statewide water conservation goal, the SWRCB staff set specific water conservation targets for over 400 urban water retailers that ranged from 4% to 36%. The table below was used to segregate the urban water retail agencies into different water conservation tiers.

Conservation standard for urban water suppliers

To reach the statewide 25 percent reduction mandate, the emergency regulation assigns each urban water supplier (serving more than 3,000 connections) a conservation standard that ranges between 4 percent and 36 percent based on their residential gallons per capita per day (R-GPCD) for the months of July – September 2014, as shown in the following table:

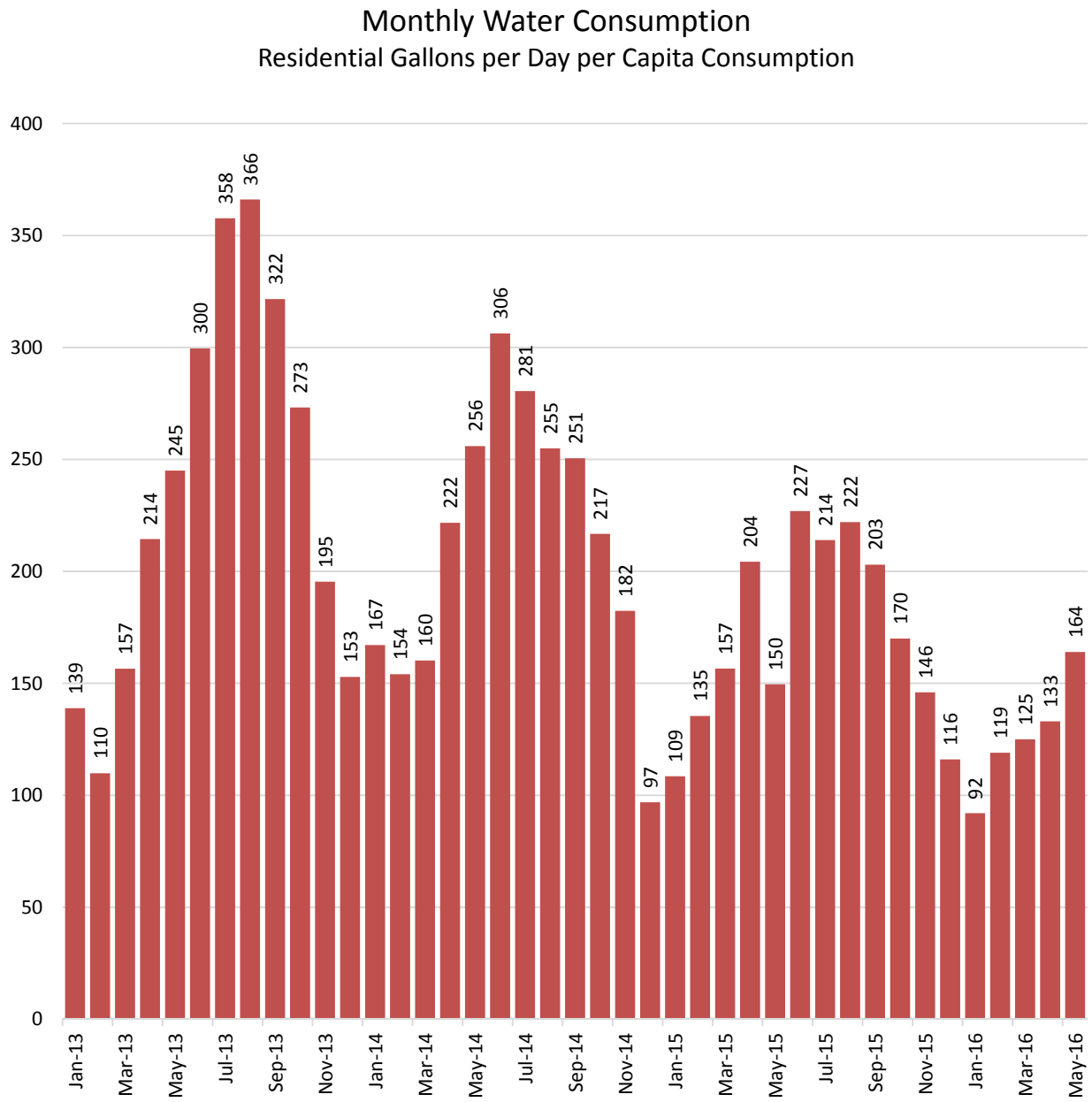
Tier	R-GPCD Range		# of Suppliers in Range	Conservation Standard
	From	To		
1	Reserve		5	4%
2	0	64.9	27	8%
3	65	79.9	23	12%
4	80	94.9	42	16%
5	95	109.9	61	20%
6	110	129.9	44	24%
7	130	169.9	81	28%
8	170	214.9	61	32%
9	215	612.0	67	36%

Based on our Residential Gallons per Capita per Day (R-GPCD) usages for July 2014 to September 2014, the Yucaipa Valley Water District was required to achieve a 36% reduction from the amount of drinking water produced in 2013. This requirement was effective until February 2016.

Effective March 1, 2016, the SWRCB modified the emergency water conservation requirements to incorporate a climate adjustment in the Emergency Regulation that reduces the conservation

requirement by up to 4 percentage points for water suppliers located in the warmest regions of the State. This change reduced the water conservation standard for the Yucaipa Valley Water District from 36% to 34% based on the amount of drinking water produced during the same month in 2013.

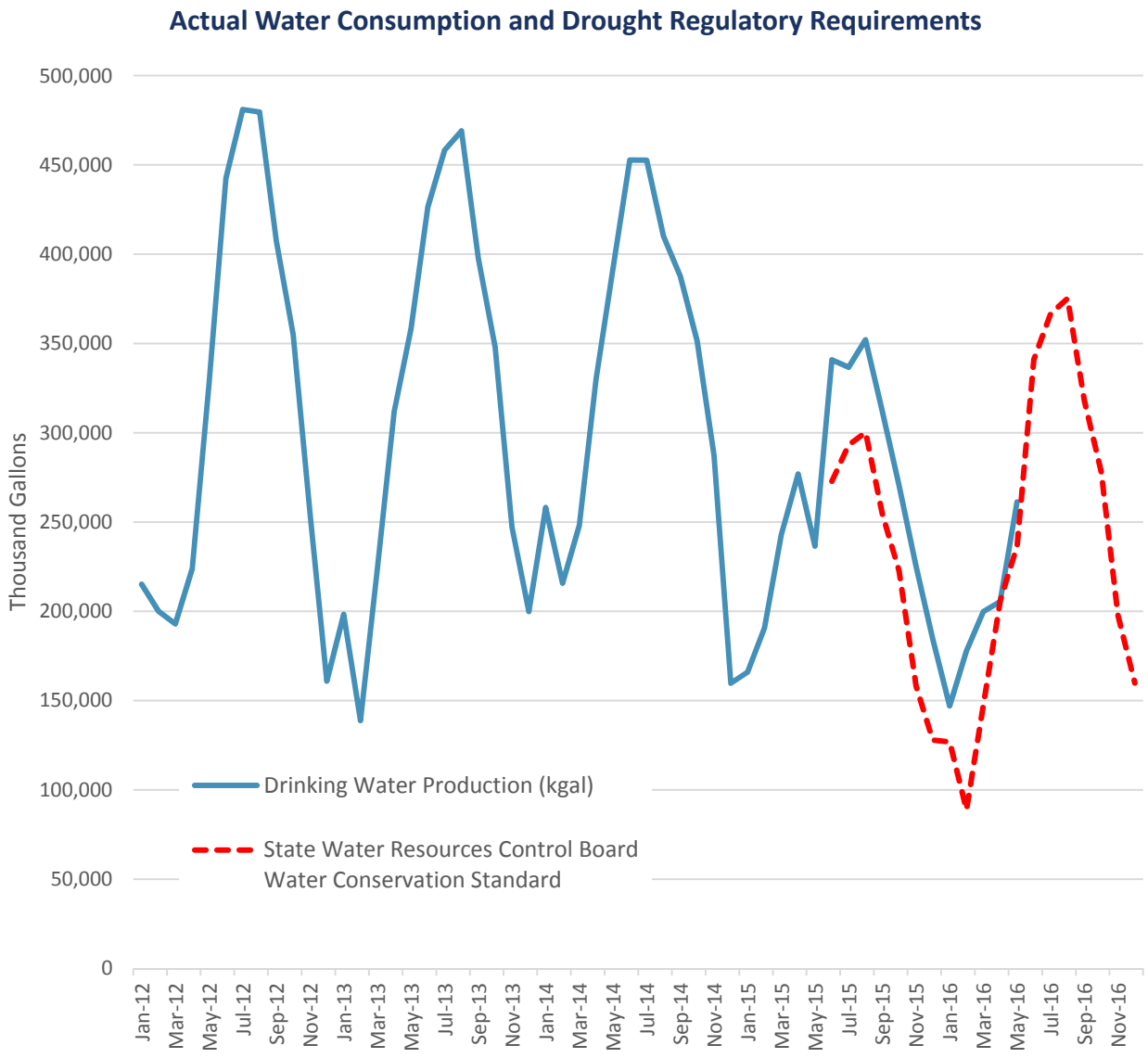
The customers of the Yucaipa Valley Water District responded accordingly and significantly reduced the amount of drinking water consumed per person. As shown below, the per capita drinking water consumption dropped significantly from 366 R-GPCD[1] in August 2013 to 222 R-GPCD in August 2015, representing a decrease of 39%.



[1] R-GPCD - Residential gallons per capita per day.

On May 18, 2016, the State Water Resources Control Board adopted a new "stress test" approach to water conservation that will be effective from June 2016 until January 2017. Based on preliminary calculations, the District staff reported an estimated self-certification requirement of 14% at the board meeting on June 15, 2016 [Director Memorandum No. 16-062]. However, using the spreadsheet calculations provided by the State Water Resources Control Board, the District staff submitted a self-certified water conservation standard of 20%.

The chart below illustrates the State Water Resources Control Board's water conservation requirements (red) since June 2015 and the corresponding amount of drinking water produced by Yucaipa Valley Water District (blue) since January 2012.



The District staff recommends that the Board of Director ratify the self-certification water conservation standard of 20% to provide clear communication to the public about the newly revised water conservation standard for the Yucaipa Valley Water District. See page 25 of 32 for specific information about the District's self-certification calculations.

Water Boards

Fact Sheet

36 Month Urban Water Supply Now Basis For Local Emergency Water Conservation Efforts

On May 18, the State Water Resources Control Board adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a localized "stress test" approach – that mandates urban water suppliers act now to ensure at least a three year supply of water to their customers under drought conditions.

The adopted emergency regulation followed improved water supply conditions around most of the state and recognition that urban water suppliers are in a better position to plan for, and accommodate, local drought impacts to their water supply, following their experiences conserving upwards of 24 percent of their water use these past 10 months.

The adopted regulation establishes standards with locally developed conservation standards based upon each agency's specific circumstances. The regulation now requires individual urban water suppliers to self-certify the level of available water supplies they have assuming three additional dry years, and the level of conservation necessary to assure adequate supply over that time.

This self-certification would include information provided by regional water distribution agencies (wholesale suppliers) about how regional supplies would fare during three additional dry years. Both urban water suppliers and wholesale suppliers are required to report the underlying basis for their assertions, and urban water suppliers are required to continue reporting their conservation levels.

Urban water suppliers are now required to reduce potable water use in a percentage equal to their projected shortfall in the event of three more dry years. In other words, if an individual water district projects it would, under the specified assumptions, have a 10 percent shortfall after the next three years at the current rate of use, their mandatory conservation standard would be 10 percent.

The regulation keeps in place the monthly reporting requirements and specific prohibitions against certain water uses. Those prohibitions include watering down a sidewalk with a hose instead of using a broom or a brush, or overwatering a landscape to where water is running off the lawn, over a sidewalk and into the gutter. Prohibitions directed to the hospitality industry also remain in place. Prohibitions against home owners associations taking action against homeowners during a declared drought remain as well. As directed by Governor Brown's Executive Order B-37-16, the Board will separately take action to make some of these requirements and prohibitions permanent.

The adopted regulation is the result of review of many meetings, written and oral comments from a public workshop on April 20 to receive input on conservation needs through the summer and fall, and lessons learned since the Water Board first adopted drought emergency water conservation regulations.

The new conservation standards will take effect in June and remain in effect until the end of January 2017.

Improved Water Supply and Conditions; and Conservation – Reason for Change

Winter 2016 saw improved hydrologic conditions in parts of California. More rain and snow fell in Northern California as compared to Central and Southern California; yet, due to California's water storage and conveyance systems, concerns over supply reliability have eased compared to last year throughout urban California. Consequently, the unprecedented mandatory state-driven conservation standards in place over the last ten months must transition to conservation standards based on supply reliability considerations at the local level. However, conservation standards are still needed in case this winter was a short reprieve in a longer drought.

The Board has been monitoring state hydrology, water supply conditions, including local supply reliability, and the conservation levels achieved by the State's 411 urban water suppliers. Hydrologic conditions in parts of California – particularly northern California – have markedly improved relative to 2014 and 2015. Many reservoirs are above historic averages for late spring, and water allocations are up in most cases for the State Water Project.

In addition, the water production reports submitted to the State Water Board have shown that the majority of urban water suppliers have successfully responded to mandatory conservation expectations over the last 20 months. Public awareness of drought conditions and the public's extraordinary response this past ten months should lead to continuing conservation.

Should severe drought conditions return, the Board stands ready to return to stronger conservation mandates to ensure urban water suppliers can meet local water needs in the long term.

The adopted drought emergency water conservation regulation allows suppliers to define an individualized conservation standard on their specific water supply and demand conditions. Each water supplier is required to evaluate its supply portfolio and self-certify the accuracy of its information while also providing the underlying information and assumptions; the State Water Board would assign each supplier a mandatory conservation standard equal to the percentage deficiency the supplier identifies in its supply under specified assumptions. Additionally, certain statewide requirements on small suppliers and businesses would be lifted.

Water Boards

Fact Sheet

Governor and Board Actions Achieved Historic Conservation Statewide

In his April 1, 2015 Executive Order, Governor Brown mandated a 25 percent water use reduction by users of urban water supplies across California.

In May 2015, the State Water Board adopted an emergency regulation requiring a cumulative 25 percent reduction in overall potable urban water use over the following 9 months. The May 2015 Emergency Regulation used a sliding scale for setting conservation standards, so that communities that have already reduced their residential gallons per capita per day (R-GPCD) through past conservation had lower mandates than those that had not made such gains since the last major drought. Conservation tiers for urban water suppliers were set between eight percent and 36 percent, based on residential per capita water use for the months of July - September 2014.

During this time, statewide water conservation was unprecedented. In the last 10 months alone, the state realized nearly a 24 percent savings in water use as compared to same period 2013, resulting in some 1.30 million acre-feet of water conserved throughout California, enough to supply 6.5 million people with water for an entire year.

On Feb. 2, 2016, based on Governor Brown's November 2015 Executive Order, the State Water Board approved an updated and extended emergency regulation that continued mandatory reductions through October.

The February 2016 Emergency Regulation responded to calls for continuing the conservation structure that has spurred savings, while providing greater consideration of some localized factors that influence water needs around the state: climate differences, population growth and significant investments in new local, drought-resilient water supplies such as potable wastewater reuse and desalination. The February Emergency Regulation is longer in effect. Under the new reporting structure adopted by the Board May 18, water districts will continue to report water use, but their conservation standard will be based on any shortfall in projected supply over three drought years.

On May 9, Governor Brown issued an Executive Order directing actions aimed at using water wisely, reducing water waste, and improving water use efficiency for the years and decades ahead. The Executive Order, in part, directed the State Water Board to extend the emergency regulations for urban water conservation through the end of January 2017. As called for in his Executive Order, it is anticipated the State Water Board will be working closely with the Department of Water Resources and other agencies to define and establish water efficiency standards for the state to ensure a more reliable water supply and to make state water users more resilient and prepared over the long-term.

(This fact sheet was last updated May 18, 2016)

Media Release

State Water Board Adopts 'Stress Test' Approach to Water Conservation Regulation

For Immediate Release
May 18, 2016

Contact: George Kostyrko
gkostyrko@waterboards.ca.gov

SACRAMENTO – The State Water Resources Control Board today adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a localized "stress test" approach that mandates urban water suppliers act now to ensure at least a three year supply of water to their customers under drought conditions.

Recognizing persistent yet less severe drought conditions throughout California, the newly adopted emergency regulation will replace the Feb. 2 emergency water conservation regulation that set specific water conservation benchmarks at the state level for each urban water supplier. Today's adopted regulation, which will be in effect through January 2017, requires locally developed conservation standards based upon each agency's specific circumstances.

These standards require local water agencies to ensure a three-year supply assuming three more dry years like the ones the state experienced from 2012 to 2015. Water agencies that would face shortages under three additional dry years will be required to meet a conservation standard equal to the amount of shortage. For example, if a water agency projects it would have a 10 percent supply shortfall, their mandatory conservation standard would be 10 percent.

"Drought conditions are far from over, but have improved enough that we can step back from our unprecedented top-down target setting," said State Water Board Chair Felicia Marcus. "We've moved to a 'show us the water" approach, that allows local agencies to demonstrate that they are prepared for three more lousy water years. This reporting will show us what agencies plan to do, and how they do, throughout the year. Trust, but verify. In the meantime, we'll be watching and prepared to come back with the 25 percent state mandate early next year if necessary, which we hope it won't be."

All of the projections and calculations used to determine the new conservation standards will be disclosed publicly. They will include information provided by regional water distribution agencies (wholesale suppliers) about how regional supplies (including imported water, recycled water, groundwater, storm water, and desalinated water) would fare during three

additional dry years. The regulation requires urban water supplier to continue their monthly conservation reporting.

The adopted regulation also keeps in place the specific prohibitions against certain water uses. Those prohibitions include watering down a sidewalk with a hose instead of using a broom or a brush, or overwatering a landscape to where water is running off the lawn, over a sidewalk and into the gutter. Prohibitions directed to the hospitality industry also remain in place. Prohibitions against home owners associations taking action against homeowners during a declared drought remain as well.

The adopted regulation is the result of feedback from urban water suppliers, a public workshop on April 20 to receive input on conservation needs through the summer and fall, and lessons learned since the Water Board first adopted drought emergency water conservation regulations.

"El Nino didn't save us, but this winter gave us some relief," said Chair Marcus. "It's a reprieve though, not a hall pass, for much if not all of California. We need to keep conserving, and work on more efficient practices, like keeping lawns on a water diet or transitioning away from them. We don't want to cry wolf, but we can't put our heads in the sand either."

As directed by Governor Edmund G. Brown Jr. in Executive Order B-37-16, the Board will separately take action to make some of the requirements of the regulation permanent. The new emergency conservation standards take effect in June and remain in effect until the end of January 2017. More information on the Board action today can be found here.

Background

In his April 1, 2015 Executive Order, Gov. Brown mandated a 25 percent water use reduction by users of urban water supplies across California. In May 2015, the State Water Board adopted an emergency regulation requiring an immediate 25 percent reduction in overall potable urban water use. The regulation used a sliding scale for setting conservation standards, so that communities that had already reduced their R-GPCD through past conservation had lower mandates than those that had not made such gains since the last major drought.

On Feb. 2, 2016, based on Gov. Brown's November 2015 Executive Order, the State Water Board approved an updated and extended emergency regulation to continue mandatory reductions through October, unless revised as they were today. The extended regulation took into account some factors that influence water use: climate, population growth and significant investments in new local, drought-resilient water supplies such as wastewater reuse and desalination. The February Board action reduced the maximum conservation standard to below 25 percent, but above 20 percent, depending on how credits were applied.

Since July 2014, the State Water Board has been tracking water conservation for each of the state's larger urban water suppliers (those with more than 3,000 connections) on a monthly basis. Compliance with individual water supplier conservation requirements is based on

cumulative savings. Cumulative tracking means that conservation savings will be added together from one month to the next and compared to the amount of water used during the same months in 2013. Under the new reporting structure, water districts will continue to report water use, but their conservation standard will be based on any shortfall in projected supply over three drought years.

With nearly 1.3 million acre-feet of water conserved from June 2015 through March 2016, the state saved an impressive amount of water during the worst of the drought months. Statewide cumulative savings from June 2015 to March 2016 totaled 23.9 percent compared with the same months in 2013. During the last month of reporting, statewide average water use was 66 residential gallons per capita per day (R-GPCD) for March 2016.

On May 9, Governor Brown issued an Executive Order directing actions aimed at using water wisely, reducing water waste, and improving water use efficiency for the years and decades ahead. The Executive Order, in part, directed the State Water Board to extend the emergency regulations for urban water conservation through the end of January 2017.

California has been dealing with the effects of an unprecedented drought. To learn about all the actions the state has taken to manage our water system and cope with the impacts of the drought, visit Drought.CA.Gov. Every Californian should take steps to conserve water. Find out how at SaveOurWater.com. While saving water, it is important to properly water trees. Find out how at www.saveourwater.com/trees. In addition to many effective local programs, state-funded turf removal and toilet replacement rebates are also available. Information and rebate applications can be found at: www.saveourwaterrebates.com/.

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Making Water Conservation a California Way of Life

On May 9, 2016, Governor Edmund G. Brown Jr. issued Executive Order B-37-16. The press release stated "Moving to bolster California's climate and drought resilience, Governor Edmund G. Brown Jr. today issued an executive order that builds on temporary statewide emergency water restrictions to establish longer-term water conservation measures, including permanent monthly water use reporting, new permanent water use standards in California communities and bans on clearly wasteful practices such as hosing off sidewalks, driveways, and other hardscapes."

This Executive Order (EO) builds on the conservation accomplished during the drought and implementation of the Governor's California Water Action Plan. The full text of the EO can be found online on the Department of Water Resources (DWR) website at http://www.water.ca.gov/wateruseefficiency/conservation/. The directives of the EO actions are summarized below.

Included with each section of this information sheet are questions to help focus and guide the discussion during the listening sessions. Please read and consider these questions as well as other input in preparation for the listening sessions.

Use Water More Wisely

DWR and the State Water Resources Control Board (Water Board) will require monthly reporting by urban water suppliers on a permanent basis. This includes information regarding water use, conservation and enforcement. Through a public process and working with partners such as urban water suppliers, local governments, and environmental groups, DWR and the Water Board will develop new water use efficiency targets as part of a long-term conservation framework for urban water agencies. These targets go beyond the 20 percent reduction in per capita urban water use by 2020 that was embodied in SB X7-7 of 2009, and will be customized to fit the unique conditions of each urban water supplier.

Deliverables: DWR and the Water Board will publicly release a draft long-term conservation framework by January 10, 2017. This framework will include new water use targets based on strengthened standards for indoor residential water use, outdoor irrigation, CII water use, and distribution system water loss. The EO requires that these new targets are customized for each urban water supplier.

Questions for Listening Sessions

1. What factors should be considered in developing the new standard based water use targets and customizing them for each urban water supplier?
2. How should the four standards listed in the EO be used to identify and determine those new water use targets and how urban water suppliers would implement them?
3. How should existing SBX 2020 targets, be considered in determining new targets?

Eliminate Water Waste

The EO directs the Water Board to prohibit a number of practices that waste potable water, and directs the Water Board and DWR to minimize system leaks, accelerate data collection, improve system management, and prioritize capital projects that reduce water waste. The California Energy Commission (CEC) and California Public Utilities Commission (CPUC) also have EO roles in eliminating water waste.

Deliverables: The Water Board and DWR will take actions to minimize water system leaks across the state that continue to waste large amounts of water. The CPUC will take actions to minimize leaks, and CEC will certify innovative water conservation and water loss detection technologies.

Questions for Listening Sessions

4. What actions should the State and/or urban water suppliers take to accelerate leak detection and repair?
5. How can the State Agencies contribute or support local efforts to identify leaks and reduce related potable water loss through leaks?
6. What key data should urban water suppliers be responsible to develop, and what data should the State provide?

Strengthen Local Drought Resilience

In consultation with urban water suppliers, local governments, environmental groups, and other partners, DWR will strengthen standards for local Water Shortage Contingency Plans, which are part of the Urban Water Management Plans that water districts must submit every five years. Under new strengthened standards, districts must plan for droughts lasting at least five years, as well as more frequent and severe periods of drought. These plans must be actionable, so that districts can turn to them to guide their drought response.

Deliverables: DWR shall publicly release the updated draft requirements by January 10, 2017. For areas not covered by the Water Shortage Contingency Plan, DWR will work with counties to improve drought planning for small water suppliers and rural communities.

Questions for Listening Sessions

7. After five years of drought conditions, how can water shortage contingency plans requirements be improved and strengthened to make the plans a more effective tool for urban water suppliers to respond to future droughts?
8. Which elements of a water shortage contingency plan requirements are conducive for developing uniform statewide standards, and which requirements should be more flexible to account for local conditions?
9. How can small supplier and rural community drought planning be improved and strengthened?

Improve Agricultural Water Use Efficiency and Drought Planning

DWR, working with the California Department of Food and Agriculture (CDFA), will update existing requirements for Agricultural Water Management Plans so that irrigation districts quantify their customers' water use efficiency and plan for water supply shortages.

Current law requires agricultural water districts serving 25,000 acres or more to file such plans. The EO increases the number of irrigation districts who must file water management plans by lowering the threshold to irrigation districts serving 10,000 acres or more. DWR will check the plans to ensure they quantify conservation efforts and adequately plan for water shortages.

Deliverables: The Water Board and DWR will work with water suppliers to accelerate data collection, improve water system management, and prioritize capital projects to reduce water waste. DWR and CDFA will seek public input on the updated standards, and release a public draft of proposed changes by January 10, 2017.

Questions for Listening Sessions

10. How could the Agricultural Water Management Planning requirements (AWMPs) better identify local measures and practices to improve water use efficiency?
11. How could the AWMP better quantify improvements in water use efficiency?
12. The Sustainable Groundwater Management Act requires local Groundwater Sustainable Agencies to complete a water balance for the groundwater basin. Should water balances be part of AWMPs?
13. Are there ways the AWMP reporting requirements can be streamlined with other reporting requirements including SGMA and the Irrigated Lands Program?

Compliance Methods

To ensure compliance with the provisions of the EO, DWR, Water Board, and CPUC will work together to develop methods which could include technical and financial assistance, regulatory oversight and enforcement mechanisms.

Stakeholder Engagement Process and Schedule

DWR, Water Board, CDFA, CPUC, and CEC as members of a State Agency Team are working together to carry out the EO and will convene venues to engage stakeholders in the process including urban water suppliers, agricultural water suppliers, environmental organizations, local governments, tribes, and other partners. The State Agency Team is convening public Listening Session on June 3, 6, and 7, 2016 to describe the Executive Order and receive initial public comments on its implementation.

The State Agency Team will engage stakeholders to inform the development of the deliverables listed above. The stakeholder engagement process and schedule are being developed and will be posted online at: http://www.water.ca.gov/wateruseefficiency/conservation/

The questions listed above focus on specific EO actions for which the State Agencies are seeking feedback; comments or input on items not specified may be discussed at the Listening Sessions or submitted to: WUE@water.ca.gov.

State of California
Office of Administrative Law

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: **863, 864, 864.5, 865, 866**
Amend sections:
Repeal sections:

NOTICE OF APPROVAL OF EMERGENCY REGULATORY ACTION

Government Code Sections 11346.1 and 11349.6; Water Code Section 1050.5

OAL Matter Number: 2016-0520-01

OAL Matter Type: Emergency Readopt (EE)

The State Water Resources Control Board (Board) submitted this emergency action to adopt section 864.5 and to readopt and further amend sections 863, 864, 865, and 866 in title 23 of the California Code of Regulations, which pertain to drought emergency water conservation. The proposed action implements Governor Brown's most recent executive order regarding water conservation (B-37-16; issued May 9, 2016) requiring continued statewide water conservation measures through the end of January 2017 due to ongoing drought conditions in California, but directing the Board to make adjustments to the water conservation regulations to reflect differing water supply conditions across the state.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code and section 1058.5 of the Water Code.

This emergency regulatory action is effective on 5/31/2016 and will expire on 2/28/2017. The Certificate of Compliance for this action is due no later than 2/27/2017.

Date: May 31, 2016

Richard L. Smith
Richard L. Smith
Senior Attorney

For: Debra M. Cornez
Director

Original: Thomas Howard
Copy: David Rose

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

EMERGENCY

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

STD. 400 (REV. 01-2013)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-		2016-0520-01EE

For use by Office of Administrative Law (OAL) only

2016 MAY 20 A 11:26

OFFICE OF ADMINISTRATIVE LAW

NOTICE | REGULATIONS

ENDORSED - FILED
in the office of the Secretary of State
of the State of California
MAY 31 2016
3:17 PM

AGENCY WITH RULEMAKING AUTHORITY: State Water Resources Control Board

AGENCY FILE NUMBER (If any): Resolution No. 2016-0029

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

per agency request

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
☐ Notice re Proposed Regulatory Action ☐ Other			

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/ Withdrawn		

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S): Drought Emergency Water Conservation

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S): OAL File Nos. 2016-0203-01EE; 2015-0506-02EE; 2015-0320-01EE; 2014-0718-01E

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)

ADOPT: 863, 864, 864.5, 865, 866

AMEND:

REPEAL:

TITLE(S): 23

3. TYPE OF FILING

- ☐ Regular Rulemaking (Gov. Code §11346)
- ☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- ☐ Emergency (Gov. Code, §11346.1(b))
- ☐ Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- ☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- ☒ Emergency Readopt (Gov. Code, §11346.1(h))
- ☐ File & Print
- ☒ Other (Specify) Emerg. Readopt (Wat. Code 1058.5(c))
- ☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- ☐ Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- ☐ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- ☒ Effective on filing with Secretary of State
- ☐ §100 Changes Without Regulatory Effect
- ☐ Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- ☐ Department of Finance (Form STD. 399) (SAM §6660)
- ☐ Fair Political Practices Commission
- ☐ State Fire Marshal
- ☐ Other (Specify)

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
David Rose	916-341-5196	916-341-5199	david.rose@waterboards.ca.gov

8. **I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.**

SIGNATURE OF AGENCY HEAD OR DESIGNEE: Thomas Howard

DATE: 5/19/16

TYPED NAME AND TITLE OF SIGNATORY: Thomas Howard, Executive Director, State Water Resources Control Board

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 31 2016

Office of Administrative Law

ADOPTED TEXT OF EMERGENCY REGULATION

Article 22.5. Drought Emergency Water Conservation.

Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) On November 13, 2015, the Governor issued an Executive Order that directs the State Board to, if drought conditions persist through January 2016, extend until October 31, 2016 restrictions to achieve a statewide reduction in potable usage;

(5) On May 9, 2016, the Governor issued an Executive Order that directs the State Board to adjust and extend its emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions for many communities;

(~~5~~6) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist; and

(~~6~~7) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.
References: Article X, Section 2, California Constitution; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks;

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(7) The irrigation with potable water of ornamental turf on public street medians; and

(8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) ~~Immediately upon~~Upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 864.5 or 865 of this article, shall either:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or

(2) Target potable water use reductions commensurate with those required of the nearest urban water supplier under section 864.5 or, if applicable, section 865. Where this option is chosen, these properties shall implement the reductions on or before July 1, 2016.

~~(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through October 2016 as compared to the amount used from those sources for the same months in 2013~~.

(d) The taking of any action prohibited in subdivision (a) or (e), or the failure to take any action required in subdivision (b) or (c), is an infraction punishable by a fine of up to five hundred dollars ($500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(e)(1) To prevent the waste and unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

(A) Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivision (a) of the Civil Code; or

(B) Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code.

(2) As used in this subdivision:

(A) "Architectural or landscaping guidelines or policies" includes any formal or informal rules other than the governing documents of a common interest development.

(B) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(C) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

(D) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.

(E) "Governing documents" has the same meaning as in section 4150 of the Civil Code.

(F) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision (e)(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

Authority: Section 1058.5, Water Code.
References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, 4150, 4185, and 4735, Civil Code; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864.5. Self-Certification of Supply Reliability for Three Additional Years of Drought.

(a) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's May 9, 2016 Executive Order, each urban water supplier shall:

(1) Identify and report no later than June 22, 2016, on a form provided by the Board, the conservation standard that the supplier will be required to meet under this section;

(2) Identify and report no later than June 22, 2016, on a form provided by the Board, the data and underlying analysis relied upon by the supplier to determine the conservation standard reported pursuant to this subdivision including, but not limited to, identification of each source of supply the supplier intends to rely on and the quantity of water available under that source of supply given the assumptions of this section;

(3) Certify, no later than June 22, 2016, that the conservation standard reported pursuant to this subdivision is based on the information and assumptions identified in this section;

(4) Post, within two weeks of submittal to the board, the data and underlying analysis relied upon by the supplier to determine the conservation standard reported pursuant to this subdivision to a publicly-accessible webpage; and

(5) Beginning June 1, 2016, reduce its total potable water production by the percentage identified as its conservation standard in this section each month, compared to the amount used in the same month in 2013.

(b) Each urban water supplier's conservation standard pursuant to this section shall be the percentage by which the supplier's total potable water supply is insufficient to meet the total potable water demand in the third year after this section takes effect under the following assumptions:

(1) The next three years' precipitation is the same as it was in water years 2013-2015;

(2) No temporary change orders that increase the availability of water to any urban water supplier are issued in the next three years;

(3) The supplier's total potable water demand for each of the next three years will be the supplier's average annual total potable water production for the years 2013 and 2014;

(4) The supplier's total potable water supply shall include only water sources of supply available to the supplier that could be used for potable drinking water purposes;

(5) Each urban water supplier's conservation standard shall be calculated as a percentage and rounded to the nearest whole percentage point.

(c) The Board will reject conservation standards that do not meet the requirements of this section.

(d) Beginning June 1, 2016, each urban water supplier shall comply with the conservation standard it identifies and reports pursuant to this section.

(e) Compliance with the conservation standard reported pursuant to this section shall be measured monthly and assessed on a cumulative basis through January 2017.

(f) If a wholesaler and all of its urban water supplier customers agree, in a legally-binding document, those suppliers and wholesaler may submit to the board, in lieu of the individualized self-certified conservation standard applicable pursuant to section 864.5 or section 865, an aggregated conservation standard, with all supporting documentation required for individualized self-certified conservation standards by section 864.5.

(g) Each urban water wholesaler shall calculate, to the best of its ability, and no later than June 15, 2016, the volume of water that it expects it would deliver to each urban water supplier in each of the next three years under the assumptions identified in subdivision (b), and post that calculation, and the underlying analysis, to a publicly-accessible webpage.

(h) Submitting any information pursuant to this section that the person who submits the information knows or should have known is materially false is a violation of this regulation, punishable by civil liability of up to five hundred dollars ($500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(i) Any urban water supplier that does not comply with this section shall comply with the applicable conservation standard identified in section 865.

Authority: Section 1058.5, Water Code.
References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this ~~section~~article:

(1) "Distributor of a public water supply" has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) "R-GPCD" means residential gallons per capita per day.

(3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outsider the supplier's service area.

(4) "Urban water supplier" means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(5) "Urban water wholesaler" means a wholesaler of water to more than one urban water supplier.

(6) "Water year" means the period from October 1 through the following September 30. Where a water year is designated by year number, the designation is by the calendar year number in which the water year ends.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's ~~November 13, 2015~~May 9, 2016 Executive Order, each urban water supplier that fails to identify a conservation standard as required under section 864.5, or that has a conservation standard rejected by the Board under section

864.5, shall reduce its total potable water production by the percentage identified as its conservation standard in this ~~subdivision~~section. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

~~(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available, may submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.~~

(~~3~~2) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(~~4~~3) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(~~5~~4) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(~~6~~5) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(~~7~~6) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(~~8~~7) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(~~9~~8) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(~~10~~9) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier that does not submit a self-certification in compliance with section 864.5 shall comply with the conservation standard specified in subdivision (c), with any modifications to the conservation standard pursuant to subdivision (f) applying beginning March 1, 2016.

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis through ~~October 2016~~January 2017.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its

potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars ($500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f) In consideration of the differences in climate affecting different parts of the state, growth experienced by urban areas and significant investments that have been made by some suppliers towards creating new, local, drought-resilient sources of potable water supply, an urban water supplier's conservation standard identified in subdivision (c) shall be reduced by an amount, not to exceed eight (8) percentage points total, as follows:

(1) For an urban water supplier whose service area evapotranspiration (ETo) for the months of July through September exceeds the statewide average evapotranspiration, as determined by the Board, for the same months by five (5) percent or more, the supplier's conservation standard identified in subdivision (c) shall be reduced:

(A) By two (2) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by five (5) percent or more but less than ten (10) percent;

(B) By three (3) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by ten (10) percent or more but less than twenty (20) percent;

(C) By four (4) percentage points if the supplier's service area evapotranspiration exceeds the statewide average by twenty (20) percent or more.

(D) Statewide average evapotranspiration is calculated as the arithmetic mean of all urban water suppliers' service area default evapotranspiration values for the months of July through September. Default service area evapotranspiration will be based on the California Irrigation Management System (CIMIS) ETo Zones Map zone for which the supplier's service area has the greatest area of overlap. In lieu of applying its default service area evapotranspiration, a supplier may use specific data from CIMIS stations within its service area that have at least a five-year period of record, or a three year continuous period of record, to identify a more specifically-applicable evapotranspiration

for its service area. If no CIMIS station exists within the supplier's service area, a weather station of comparable accuracy, meeting the preceding period of record requirements, may be used. To qualify for the in-lieu climate adjustment, the supplier shall submit the following data to the Board by March 15, 2016 for each station: station ID; station location; and monthly average evapotranspiration, in inches per month, for July, August, and September for either the five-year period of record or the three-year continuous period of record.

(2) To account for water efficient growth experienced in the state since 2013, urban water suppliers' conservation standards shall be reduced by the product of the percentage change in potable water production since 2013 and the percentage reduction in potable water use required pursuant to subdivision (c), rounded to the nearest whole percentage point. Change in potable water production since 2013 shall be calculated as the sum of the following:

(A) The number of additional permanent residents served since January 1, 2013, multiplied by the average residential water use per person for that supplier's service area during the months of February through October, 2015, in gallons; and

(B) The number of new commercial, industrial and institutional connections since January 1, 2013, multiplied by the average commercial, industrial and institutional water use per connection for that supplier's service area during the months of February through October, 2015, in gallons.

(C) To qualify for the growth credit the supplier shall submit to the Board the following data by March 15, 2016: the number of additional permanent residents served since January 1, 2013 and the number of new commercial, industrial and institutional connections since January 1, 2013.

(3) For an urban water supplier that supplies, contracts for, or otherwise financially invests in, water from a new local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, the conservation standard identified in subdivision (c) shall be reduced:

(A) By one (1) percentage point if the supplier's qualifying source of supply is one (1) percent or more but less than two (2) percent of the supplier's total potable water production;

(B) By two (2) percentage points if the supplier's qualifying source of supply is two (2) percent or more but less than three (3) percent of the supplier's total potable water production;

(C) By three (3) percentage points if the supplier's qualifying source of supply is three (3) percent or more but less than four (4) percent of the supplier's total potable water production;

(D) By four (4) percentage points if the supplier's qualifying source of supply is four (4) percent or more but less than five (5) percent of the supplier's total potable water production;

(E) By five (5) percentage points if the supplier's qualifying source of supply is five (5) percent or more but less than six (6) percent of the supplier's total potable water production;

(F) By six (6) percentage points if the supplier's qualifying source of supply is six (6) percent or more but less than seven (7) percent of the supplier's total potable water production;

(G) By seven (7) percentage points if the supplier's qualifying source of supply is seven (7) percent or more but less than eight (8) percent of the supplier's total potable water production;

(H) By eight (8) percentage points if the supplier's qualifying source of supply is eight (8) percent or more of the supplier's total potable water production.

(I) To qualify for this reduction the supplier must certify, and provide documentation to the Board upon request demonstrating, the percent of its total potable water production that comes from a local, drought-resilient source of supply developed after 2013, the supplier's investment in that local, drought-resilient source of supply, and that the use of that supply does not reduce the water available to another legal user of water or the environment. To qualify for this reduction an urban water supplier shall submit the required certification to the Board by March 15, 2016.

(J) Certifications that do not meet the requirements of subdivision (f)(3)(I), including certifications for which documentation does not support that the source of supply is a local, drought-resilient source of supply, the use of which does not reduce the water available to another legal user of water or the environment, will be rejected. Submitting a certification or supporting documentation pursuant to subdivision (f)(3)(I) that is found to be materially false by the Board is a violation of this regulation, punishable by civil liability of up to five hundred dollars ($500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(4) No urban water supplier's conservation standard pursuant to this section shall drop below eight (8) percent as a consequence of the reductions identified in this subdivision. ~~No reduction pursuant to this subdivision shall be applied to any urban water supplier whose conservation standard is four (4) percent based on subdivision (c)(2).~~

(g)~~(1)~~ To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall ~~take one or more of the following actions~~:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control; and

~~(A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or~~

~~(B) Reduce by 25 percent its total potable water production relative to the amount produced in 2013.~~

(2) ~~Each distributor of a public water supply that is not an urban water supplier shall submit~~ Submit a report by ~~September~~ December 15, 2016, on a form provided by the Board, that ~~either confirms compliance with subdivision (g)(1)(A) or~~ identifies total potable water production, by month, from December, 2015 through ~~August~~November, 2016, ~~and~~ total potable water production, by month, for the same months in 2013, and any actions taken by the supplier to encourage or require its customers to conserve water.

Authority: Section 1058.5, Water Code.
References: Article X, Section 2, California Constitution; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 864.5 or section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article by the Board or an officer or employee of the Board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 864.5 or 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to $500 per day for each day the violation continues pursuant to Water Code section 1846.

(c) Orders issued under previous versions of this ~~subdivision~~section shall remain in effect and shall be enforceable as if adopted under this version. Changes in the requirements of this article do not operate to void or excuse noncompliance with orders issued before those requirements were changed.

Authority: Section 1058.5, Water Code.
References: Article X, Section 2, California Constitution; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Yucaipa Valley Water District

Self-Certification of Supply Reliability for Three Additional Years of Drought Pursuant to Section 864.5 of Title 23 of the California Code of Regulations for the Yucaipa Valley Water District

Supporting Analysis and Calculations

June 20, 2016

Background

On April 1, 2015, Governor Brown issued Executive Order B-29-15 that directed the State Water Resources Control Board to impose water supplier restrictions to achieve a statewide 25 percent reduction in potable urban usage through February 2016. As a result of this Executive Order, the Yucaipa Valley Water District was required to achieve an emergency water conservation standard of 36% based on a reported Residential Gallons per Capita per Day (R-GPCD) of 265.0 for the period of July 2014 to September 2014. The regulations were approved by the State of California, Office of Administrative Law on May 18, 2015 and required compliance with the emergency water conservation standard through February 2016.

On November 13, 2015, Governor Brown issued Executive Order B-36-15 that directed the State Water Resources Control Board to extend water conservation restrictions until October 31, 2016 if drought conditions persist through January 2016. The State of California, Office of Administrative Law subsequently approved regulations that provided more flexibility to urban water suppliers by considering specific factors that influence water use throughout California. The regulations changed the emergency water conservation standard for the Yucaipa Valley Water District from a 36% conservation standard to a 34% conservation standard based on monthly water use during the same month in Calendar Year 2013.

On May 9, 2016, Governor Brown issued Executive Order B-37-16 that directed the State Water Resources Control Board to extend water conservation restrictions through January 2017 and make adjustments in recognition of the differing water supply conditions throughout California. This Executive Order is based on the likelihood that drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will be necessary to prevent waste and the unreasonable use of water. Based on the recently released regulations, Urban Water Retail Suppliers are required to develop a localized "stress test" approach to ensure at least a three year supply of water is available to customers under the ongoing drought conditions.

The Yucaipa Valley Water District recognizes the importance of the newly enacted regulations and has based the data sources and calculations on the following requirements and assumptions:

- The current conditions to use in the self-certification calculations are as of October 1, 2016.
- The precipitation in Water Year 2017 mirrors that of Water Year 2013, precipitation in Water Year 2018 mirrors that of Water Year 2014, precipitation in Water Year 2019 mirrors that of Water Year 2015. (Section 864.5(b)(1)). Only precipitation data from the California Data Exchange Center (e.g., http://cdec.water.ca.gov/cgi-progs/prevprecip/PRECIPOUT), or CIMIS station data or an equivalent source may be used. **Do not average precipitation**.

- There are no temporary change orders that increase the availability of water to any urban water supplier are issued by the State Water Resources Control Board in the next three years.
- Potable water supply only includes sources of supply available to the supplier that could realistically be used for potable drinking water purposes during the time period identified in the regulation.
- If a water source is not of sufficient quality to be realistically treated and use as potable water by the water retailer, it shall not be included as a water supply.
- Consider requirements and assumptions that are used that impact supply reliability, for example, in the case of groundwater, if your water agency has its own requirement not to lower the water level of an aquifer below a certain amount, provide an explanation in the "Notes and comments".
- Groundwater: use the quantity of groundwater that is accessible, **without** addition of new wells or completion of treatment projects that would fall outside the three-year projection period (2016-17 through 2018-19).
- If new diversions or treatment equipment or facilities will come on-line between now until the end of Water Year 2019, sufficient evidence must be provided to indicate is it going to be implemented (e.g., funds have been allocated, contract with a builder has been approved).
- If a water supply is dedicated for another purpose (e.g., agriculture) and is therefore committed for another use, it is not available and shall be **subtracted** for the subtotal of water supplies.
- Identify all sources of data used (e.g., "our water product information is from Supervisor Control and Data Acquisition (SCADA)" and include a link to the source and identify a pinpoint citation to the pertinent information).
- Provide supporting documentation the covers each water source. For example, when the amount of water obtained from one river is summed in one number and there are multiple diversion or treatment points, then the supporting documentation shall describe each diversion and/or treatment point and the amount of water from each that are summed together and equal the amount on the worksheet.
- Recycled water for purple pipe systems is not a potable supply and is not included as a supply on Worksheet 1. You may use the "Notes and Comments" section in this section to describe non-potable recycled water

Given the requirements and assumptions above, the Yucaipa Valley Water District decided to take a conservative approach by adding additional stress to the anticipated water sources of supply thereby implementing a proactive water conservation strategy for our community. Without the certainty of knowing what the future holds for our water resources, it is prudent and reasonable to increase the probability of severe/extreme drought conditions in California.

Determine the Annual Total Potable Water Demand

Available Water Supplies – Wholesaler Supplied

The Yucaipa Valley Water District relied upon water production data generated monthly by the Water Resources Department to tabulate the amount of potable water production in calendar year 2013 and calendar year 2014. The total amount of potable water produced by the Yucaipa Valley Water District is provided below.

	Potable Water Production for Calendar Year 2013	Potable Water Production for Calendar Year 2014	**Calculated Annual Potable Water Demand**
Potable Water Production (acre feet)	12,040	12,011	**12,026**

Estimate the Annual Total Potable Water Supply

The Yucaipa Valley Water District receives imported water from two State Water Contractors: San Bernardino Valley Municipal Water District and San Gorgonio Pass Water Agency.

www.sbvmwd.com

www.sgpwa.com

Both State Water Contractors have provided the Yucaipa Valley Water District with anticipated water deliveries for Water Years 2017, 2018, and 2019 as shown below:

	San Bernardino Valley Municipal Water District	San Gorgonio Pass Water Agency	Total Wholesale Supply by Water Year
Water Year 2017 (acre feet)	7,763	500	8,263
Water Year 2018 (acre feet)	4,324	500	4,824
Water Year 2019 (acre feet)	4,997	500	5,497
Total Anticipated Supply (acre feet)	**17,084**	**1,500**	**18,584**

Internet reference for San Bernardino Valley Municipal Water District: http://www.sbvmwd.com/home/showdocument?id=4188
Internet reference for San Gorgonio Pass Water Agency: http://www.sgpwa.com/wp-content/uploads/2016/06/SWRCB-Emergency-Conservation-Regs-Three-Year-Projection-June-2016.pdf

In order to perform the "stress test" of the water supply sources based on the SWRCB criteria outlined above, the Yucaipa Valley Water District reduced the anticipated quantity of imported supply included in SWRCB *Worksheet 1: Total Available Water Supply for Individual Water Supplier* to represent an average of the lowest two years of imported water projected to be delivered to Yucaipa Valley Water District by the San Bernardino Valley Municipal Water District [7,763 + 4,324 + 4,997 = 17,084 / 3 = 4,661 acre feet per year]. This conservative approach will directly reduce the calculated imported water supply from the San Bernardino Valley Municipal Water District by 3,101 acre feet over the next three years [17,084 – 13,983 = 3,101].

	San Bernardino Valley Municipal Water District	San Gorgonio Pass Water Agency	Total Wholesale Supply by Water Year
Water Year 2017 (acre feet)	~~7,763~~ 4,661	500	~~8,263~~ 5,161
Water Year 2018 (acre feet)	~~4,324~~ 4,661	500	~~4,824~~ 5,161
Water Year 2019 (acre feet)	~~4,997~~ 4,661	500	~~5,497~~ 5,161
Total Anticipated Supply (acre feet)	**~~17,084~~ 13,983**	**1,500**	**~~18,584~~ 15,483**

The calculated reduction in imported water does not mean the water supply will not be used by the Yucaipa Valley Water District. Rather, by de-obligating the dependency of 3,101 acre feet of imported water supply, the Yucaipa Valley Water District will purchase this water supply and recharge the local groundwater supply to hedge against unexpected water supply issues during the next three years, or to reduce the impacts of future drought conditions beyond Water Year 2019.

Available Water Supplies – Surface Water Sources

The Yucaipa Valley Water District receives potable water from the Oak Glen Surface Water Filtration Facility. Based on the SWRCB criteria outlined above, the quantity of potable water for the "Stress test" will be less than the anticipated quantity of potable water received from these surface water sources of supply.

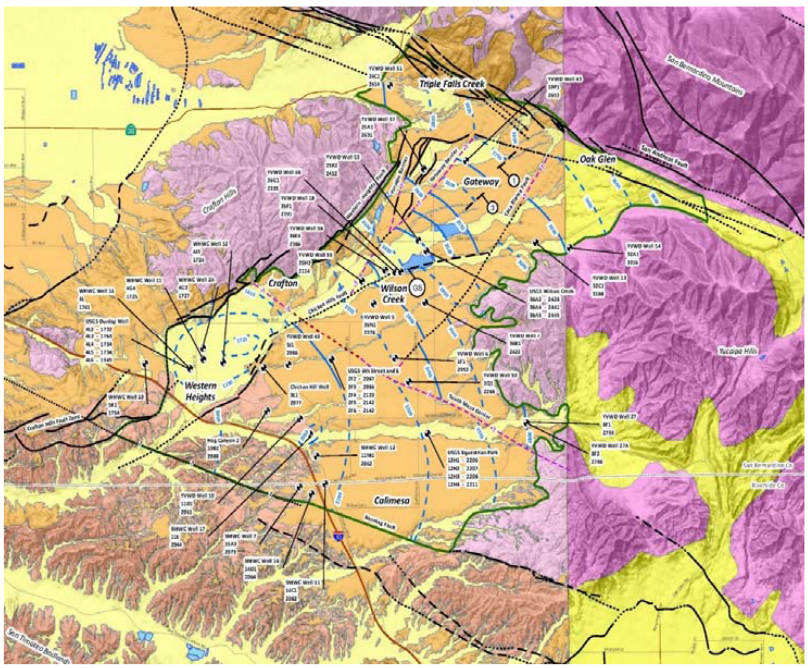
	Anticipated Quantity of Potable Water from the Oak Glen Surface Water Filtration Facility	"Stress Test" Quantity of Potable Water from the Oak Glen Surface Water Filtration Facility
Water Year 2017 (acre feet)	240	220
Water Year 2018 (acre feet)	229	220
Water Year 2019 (acre feet)	234	220
Total Anticipated Supply (acre feet)	**703**	**660**

The Yucaipa Valley Water District believes that based on the criteria required for the self-certification, the quantity of water provided by the Oak Glen Surface Water Filtration Facility will be consistent at 220 acre feet per year for the next three water years. The difference between the anticipated quantity of potable water from surface water sources of 43 acre feet [703 acre feet – 660 acre feet = 43 acre feet] will provide additional surface water supplies that can be recharged into the local groundwater supply for future use.

Available Water Supplies – Local Groundwater Water Sources

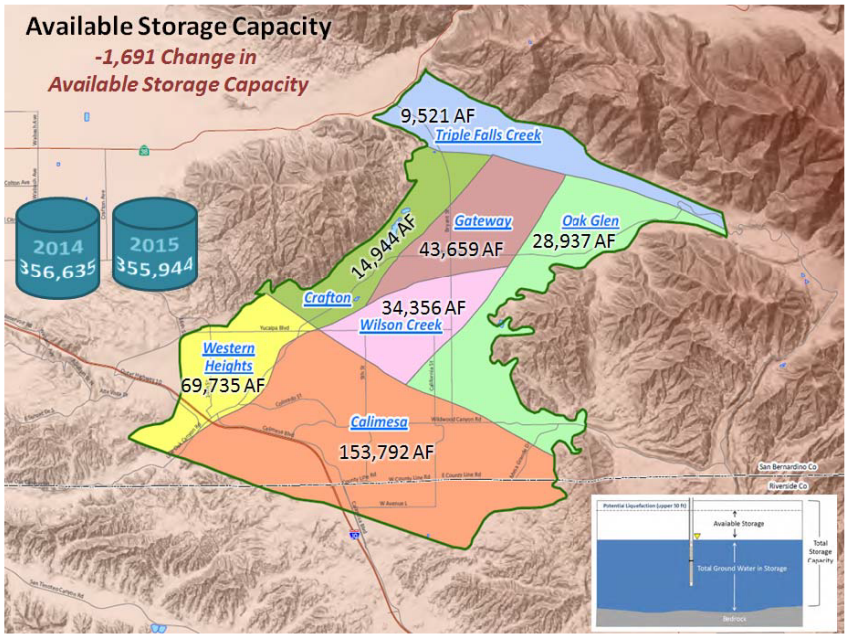
The Yucaipa Valley Water District produces groundwater from local groundwater basins. In recent years, the following quantity of local groundwater was produced by the Yucaipa Valley Water District:

- Calendar Year 2013:
  - 7,243 acre feet
- Calendar Year 2014:
  - 9,027 acre feet
- Calendar Year 2015:
  - 4,905 acre feet



Based on the SWRCB criteria outlined above, the quantity of potable water for the "Stress test" from groundwater sources will be based on the least amount of water received from groundwater sources of supply over the past three years, or 4,905 acre feet per year. By reducing the reliance on local groundwater supplies for the next three years, the Yucaipa Valley Water District estimates that approximately 1,500 acre feet to 2,000 acre feet of groundwater can be saved each year for future use. The specific quantity depends on the amount of groundwater produced by other water producers that have access to the Yucaipa Groundwater Basins.

	"Stress Test" Quantity of Treated Water from local groundwater sources
Water Year 2017 (acre feet)	4,905
Water Year 2018 (acre feet)	4,905
Water Year 2019 (acre feet)	4,905
Total Anticipated Supply (acre feet)	**14,715**



The Yucaipa Valley Water District believes that based on the criteria required for the self-certification, the 4,905 acre feet of groundwater produced per year will result in sustainable groundwater levels and a possibility that groundwater levels may increase throughout the Yucaipa basin area.

The reduction in groundwater production over the past two years has resulted in more groundwater in storage. For example, from calendar year 2014 to calendar year 2015, the change in storage space above the groundwater table decreased from 356,635 acre feet to 355,944 acre feet. This is a good indicator that an additional 1,691 acre feet of groundwater was saved in the local groundwater basin. Additional information about the Yucaipa Basin area and the reports prepared by the Yucaipa Valley Water District can be downloaded from the following link:

http://documents.yvwd.dst.ca.us/government/california/self-certification/140417_yucaipa_sy_full_report_geoscience.pdf

On June 15, 2016, the Yucaipa Valley Water District Board of Directors authorized the continuation and refinement of the original study. Information about the future anticipated scope of work can be downloaded from the following link:

http://documents.yvwd.dst.ca.us/government/california/self-certification/160615_16-058_geoscience.pdf

These reports provide important groundwater monitoring data that will be available to monitor the conditions of the groundwater basins in the future.

Certification of Self-Certified Conservation Standard

Certification of Self-Certified Conservation Standard

Recognizing persistent yet less severe drought conditions throughout California, on May 18, 2016, the State Water Board adopted an emergency water conservation regulation that replaces the February 2 emergency regulation. The May 2016 regulation requires locally developed conservation standards based upon each agency's specific circumstances. It replaces the prior percentage reduction-based water conservation standard with a localized "stress test" approach. Each water supplier is required to evaluate its supply portfolio and self-certify the accuracy of its information; the State Water Board assigns each supplier a mandatory conservation standard equal to the percentage deficiency the supplier identifies in its supply under certain specified assumptions. See this webpage Water Conservation Portal for more information on the May 2016 emergency regulation. The new conservation standards take effect in June and remain in effect until the end of January 2017.

Requirements:

The regulation requires individual urban water suppliers to conduct a stress test and self-certify the level of available water supplies they have assuming three additional dry years, as well as the level of conservation necessary to assure adequate supply over that time. Suppliers that would face a shortage after a third dry year are required to comply with a conservation standard equal to the amount of that shortage. Water supply reliability after the 2018-19 winter is calculated as follows:

- The supply projection for the next three years is based on **current supply conditions** plus an assumed three-year hydrology mirroring the 2012-13, 2013-14, and 2014-15 water years. (A water year runs from October 1 through September 30).
- No temporary change orders that increase the availability of water to any urban water supplier are issued in the next three years.
- Demand over that same period is based on each supplier's average total potable water production for calendar years 2013 and 2014.
- Suppliers factor into their calculations all of their water sources that are realistically capable of being treated to potable standard during the three-year projected period.
- Supplier's conservation standards are calculated as a percentage and rounded to the nearest whole percentage point.
- Suppliers self-certify accuracy of their conclusions and provide their analysis and supporting data to the State Water Board and at a publicly available website.
- The State Water Board posts information provided by suppliers on its website and assigns each supplier, as a mandatory conservation standard, reductions equal to the supplier's projected percentage deficiency in supply at the end of the third dry year.
- Wholesale water suppliers are required to make projections about how much water they would deliver to retail water suppliers under the three-dry-years scenario. While the wholesale suppliers may aggregate water supply production data for a region, they will need to assign how the water would be apportioned among retailer water suppliers that are its customers (e.g., using the same apportionments as in water years 2013, 2014, and 2015.)
- Additionally, if a wholesaler in a region, along with every one of its urban water supplier customers in that region all agree, in a legally binding document, those suppliers and wholesaler may submit an aggregate stress test and conservation standard. While the conservation standard would be in lieu of an individual conservation standard, the submittal shall include all the supporting documentation required of each retail supplier covered by the aggregated conservation standard for individualized self-certified conservation standards, and responsibility for compliance remains ultimately on the individual water suppliers.

Certification of Self-Certified Conservation Standard

Suppliers that do not submit a water reliability certification and supporting information retain their current conservation standard in almost all cases.

What to submit:

The online form, this certification form, and supporting data and analysis **must be submitted to the State Water Board by June 22, 2016.** Late submittals will not be reviewed. The online form is accessed at this link: http://drinc.ca.gov/dnn/applications/publicwatersystems/waterreliabilitycertification.aspx

Complete the online form, which includes a step to upload this signed certification form and supporting data and documents. The submittal includes:

1. **Worksheet:** *Worksheet 1 Total available water supply for individual water supplier* **or** *Worksheet 2 Calculation for Aggregated Self-Certification Conservation Standard*
2. **Supporting data and analysis:** Worksheet 1 will have a specific place for listing each type of supply that the supplier intends to use for each of the next three years. Suppliers will also be asked to provide an itemized list of these sources of supply, by type. For example, the form will have a place to record aggregate local surface water. This information must be itemized and show each individual local surface water source. Data can be provided in a separate document, if they do not fit on the online form and worksheet. Supporting documents that explain data and calculations, including assumptions, must be uploaded to the online form and should not exceed 10 pages.
3. **Certification Form:** the next page of this document must be signed and submitted **as part of the** online form submittal. **This form needs to be completed prior to completing and submitting the online form.**

Effective Date:

The State Water Board will review the data and supporting documentation reported by the supplier. The self-certified conservation standard becomes effective on June 1, 2016. (June potable water production reports are due by July 15, 2016 and this allows an effective date to occur prior to the submittal date.)

Certification of Self-Certified Conservation Standard

Certification of Self-Certified Conservation Standard Form

I hereby certify that: **Yucaipa Valley Water District**

1. I will oversee, review, and take full responsibility for the completeness and accuracy of all data submitted to the State Water Resources Control Board as part of the reporting required pursuant to California Code of Regulations, title 23, section 864.5, subdivisions (a)(3) and (h);
2. I have the authority to make the aforesaid certifications on behalf of

Yucaipa Valley Water District

I acknowledge that submitting any information required by California Code of Regulations, title 23, section 864.5, including this certification, that I know or should know to be materially false is a violation punishable by civil liability of up to five hundred dollars ($500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

Printed Name	Joseph B. Zoba
Title *(General Manager or equivalent)*	General Manager
Signature	*/s/ Joseph B. Zoba*
Date	June 20, 2016
Email Address	jzoba@yvwd.dst.ca.us
Phone Number	909-797-5119 x2

Please print, sign and submit completed form and upload the form to this weblink (see Step 5 of the online form): http://drinc.ca.gov/dnn/applications/publicwatersystems/waterreliabilitycertification.aspx

Yucaipa Valley Water District

Director Memorandum 16-064

Date: July 6, 2016

Prepared By: Jennifer Ares, Water Resource Manager

Subject: Authorization to Contract with Ruth Villalobos and Associates for the Permitting of Recharge Operations at the Wilson Creek Spreading Basins

Recommendation: That the Board authorizes District staff to enter into a contract with Villalobos and Associates for a sum not to exceed $72,200.

The Yucaipa Valley Water District actively recharges imported water from the State Water Project in the Wilson Creek basins which is owned by San Bernardino County Flood Control District (SBCFCD). Over the past several years, the District has relied upon existing permits issued to the SBCFCD to facilitate the recharge of imported water from the San Bernardino Valley Municipal Water District State Water Project at the Wilson Creek basins.

The District was notified that the SBCFCD permit has expired with the regulatory resource agencies and that a new permit will take a few years to complete since the new comprehensive permit will include all flood control facilities throughout the County of San Bernardino.

In order to accelerate this process to continue groundwater recharge operations, the District staff recommends obtaining our own operational permit to operate, monitor and maintain the recharge facilities. The District staff obtained the attached scope of service and proposal from Ruth Villalobos and Associates to help obtain the permit.

Ruth Villalobos & Associates, Inc.

Yucaipa Valley Water District
Groundwater Recharge at the
Wilson Creek Basins
IS/MND/Permitting Scope of Services
June 2016

Pursuant to the requirements of the California Environmental Quality Act (CEQA) Ruth Villalobos and Associates, Inc. (RVA) is pleased to submit this scope of services for the preparation and processing of an Initial Study/Mitigated Negative Declaration for the proposed maintenance and groundwater recharge at the San Bernardino County's basins located along Wilson Creek between Bryant Street and Fremont Street in Yucaipa, California. This scope of services includes the preparation of an Initial Study (IS) in accordance with Section 15063 of the CEQA Guidelines, preparation of a Mitigated Negative Declaration (MND) in accordance with Section 15070 of the CEQA Guidelines, and participation in and support of the public review process in accordance with the CEQA Guidelines. RVA will prepare and submit permit applications to the U.S. Army Corps of Engineers (Corps), the Regional Water Quality Control Board (RWQCB), Santa Ana, and the California Department of Fish and Wildlife (CDFW) for work within the basins that is needed for recharging potable groundwater.

PROJECT UNDERSTANDING

Yucaipa Valley Water District (YVWD) plans to use State Water Project for local groundwater recharge. San Bernardino County Flood Control District (SBCFCD) owns a series of basins along Wilson Creek, north of Oak Glen Road, between Bryant Street and Fremont Street. San Bernardino Valley Municipal Water District has a Use Agreement with SBCFCD to operate the basins. YVWD will apply for a separate Use Agreement to utilize three of the basins. The basins need to be scarified periodically for effective recharge.

TASK 1: PROJECT DESCRIPTION/ KICK OFF MEETING

RVA will draft a description of the proposed project, the maintenance footprint, and maintenance equipment and timing. The draft project description will be provided to the YVWD for review and comment. Once finalized and approved by the YVWD the project description will be used for the preparation of the technical studies (Task 2) and the Initial Study (Task 3). RVA will attend a kickoff meeting at the YVWD. Items to be discussed at the kickoff meeting include the project description, project schedule and public scoping/consultation process, and any other items that may be critical to the overall schedule.

3602 Inland Empire Blvd., Suite C310, Ontario, CA 91746 ◆ rvillalobos@rvacorp.com ◆ (909) 685-5942

Task 1 Deliverables

- Prepare Draft Project Description
- Attendance one (1) kickoff meeting

TASK 2: TECHNICAL REPORTS

2.1 Biological Resources Assessment/ Jurisdictional Delineation

Jericho Systems, Inc. will prepare a Biological Resources Assessment (BRA) and Jurisdictional Delineation (JD) that will include the technical information necessary to support CEQA and the regulatory permit applications for project-related impacts to "waters of the United States" and "waters of the State."

- Prior to visiting the project site, a literature review of relevant information that supports the site reconnaissance and report preparation will be conducted. Sources reviewed are anticipated to include the California Diversity Database, topographic maps, soil surveys, historic and current aerial photography, flood maps, hydrology/climate information and watershed data.
- A field and survey of the drainage feature will be conducted to: 1) photo document the up and downstream conditions at the crossing and record the habitats, sensitive resources and jurisdictional boundaries with GPS.
- The field work will provide the data necessary to visually depict the limits of "waters of the United States" and "waters of the State" relative to maintenance footprints within the basins.
- Findings in the report will document existing habitat, biological and jurisdictional resources and regulatory approvals that may be required for impacts to these resources.
- It may be necessary to show our delineation on the Engineering drawings. If desired, our specialists can either coordinate with the surveyors to survey in the limits for the upload into the Engineered Plans or we can leave stakes in the field for the surveyors to come in at a later date.

2.2 Cultural Resources Assessment

BCR Consulting, LLC will prepare a Phase I Cultural Resources Assessment to satisfy CEQA and the Corps requirements pursuant to Section 106 of the National Historic Preservation Act.

- The records search for archaeological and historical cultural resources will be performed at the South Central Coastal Information Center located at California State University of Fullerton.
- A pedestrian cultural resources survey of 100-percent of the accessible project site at 15-meter transect intervals.
- Any prehistoric and historic archaeological, and/or historic architectural resources will be identified during the field survey and the necessary site records will be produced or updated. A cultural resources report will be produced consistent with NHPA Section 106 requirements in a format acceptable to the Corps, and consistent with CEQA standards.
- The report will include a project description, cultural setting, methods, results, and recommendations. Relevant maps and photographs will be included in the report.
- BCR Consulting will provide Native American Consultation assistance, as directed by the

YVWD. The Native American Heritage Commission (NAHC) will be contacted to request a Sacred Lands File (SLF) Search, and to request a list of Native American tribes to contact. All entities listed will be contacted to discern whether any tribe or individual has knowledge of cultural resources within the project boundaries. Results of these communications and the SLF Search will be included in the appended report. It is anticipated that the YVWD will take the lead on any consultation with tribes in accordance with Assembly Bill (AB) 52. RVA and BCR will assist YVWD with AB 52 consultations.

Task 2 Deliverables

- One hardcopy and electronic copy (Adobe PDF) of Draft Technical Reports
- One hardcopy and electronic copy (Adobe PDF) of Final Technical Reports

TASK 3: PREPARE ADMINISTRATIVE DRAFT INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

RVA will prepare an Administrative Draft Initial Study (IS) to determine if the project will have a significant effect on the environment. RVA will prepare the Administrative Draft IS, using YVWD's CEQA checklist. The Administrative Draft IS will contain a description of the project, the project location, and a description of the environmental setting of the proposed project site. The document will include a brief explanation of the significance determination, based on information obtained from technical studies and preliminary investigation into local, state and federal plans, policies and regulations. This document will reflect site plans, technical studies prepared for the proposed Project, and any additional information gathered during background research. The Administrative Draft IS will be submitted to the YVWD for review.

Task 3 Deliverables

- Three (3) hard copies of the Administrative Draft IS/MND
- Three (3) CD copies of the Administrative Draft IS/MND in MS Word format with exhibits in Adobe PDF format

TASK 4: PREPARE PUBLIC REVIEW INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

After receiving YVWD's comments on the Administrative Draft Initial Study/Mitigated Negative Declaration (IS/MND), RVA will respond to one consolidated set of comments. Changes to the draft document will be completed in MS Word "track changes" to assist YVWD's review. RVA will prepare a final version of the IS/MND with all comments from YVWD incorporated into the document. The Public Review IS/MND will be a "clean" version, and all track changes from previous version will be accepted/removed. This version will be circulated to the public for review.

Task 4 Deliverables

- Three (3) hard copies of the Revised Administrative Draft IS
- Three (3) CD copies of the Revised Administrative Draft IS in MS Word format and exhibits in Adobe PDF format
- Five (5) hard copies of the Public Review IS/MND (for YVWD and up to 2 local libraries)

- Twenty (20) CDs with Public Review IS/MND, including technical studies (for agencies and interested parties)

TASK 5: CIRCULATION OF INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

RVA will consult with the YVWD to establish the public review period, public notification and agency filing requirements for the IS/MND. RVA will prepare a draft Notice of Intent for YVWD review and approval and will assist in developing a distribution list. RVA will prepare and provide one copy of the Notice of Completion (NOC) for submittal to the State Clearinghouse. RVA will provide a copy of the completed IS/MND in Adobe PDF format, for posting on YVWD's website. RVA will be responsible for all distribution/mailing of the copies to agencies and interested parties included on the distribution list and the State Clearinghouse and will deliver a hardcopy to one local library. It is assumed that the YVWD will provide any required radius mailing list. RVA will coordinate one time noticing in the local newspaper (Yucaipa-Calimesa News Mirror). Newspaper publishing fee is to be paid directly by YVWD.

Task 5 Deliverables

- One (1) electronic version of draft NOA/NOC
- One (1) electronic copy of proof of newspaper publication and posting at the San Bernardino County Clerk of the Board of Supervisors

TASK 6: PREPARE RESPONSES TO COMMENTS/ YVWD COUNCIL HEARING

Upon conclusion of the public review period, RVA will prepare written responses to comment letters or emails submitted to YVWD. RVA will prepare thorough, reasoned, and appropriate responses to relevant environmental issues. Upon completion of these Responses to Comments they will be submitted to YVWD for review. Responses to comments may require minor editorial revisions to the IS, however it is not anticipated that major revisions or new analysis would be required. It is not anticipated that excessive comment letters will be received and that responses will not require additional modeling or analysis. RVA will attend one YVWD Board Meeting/ public hearing. RVA will respond to technical questions or comments from the public or board members related to the CEQA document and analysis. RVA will prepare a draft Notice of Determination (NOD) for YVWD review. Upon YVWD Board approval of the project and certification of the IS/MND, RVA will post the NOD with State Clearinghouse and the County Clerk of the Board of Supervisors within 2 business days.

Task 6 Deliverables

- One (1) electronic version of draft Responses to Comments and Revised IS/MND (if necessary)
- One (1) electronic version of final Responses to Comments and Revised IS/MND (if necessary)
- Attend one (1) YVWD Board Meeting/hearing
- One (1) electronic version of draft and final Notice of Determination

TASK 7: PREPARE MITIGATION MONITORING AND REPORTING PROGRAM

RVA will prepare a Draft Mitigation Monitoring and Reporting Program (MMRP) that will be

submitted to YVWD for review and approval. RVA will address YVWD's comments on the Draft MMRP. The MMRP will be developed through working with the YVWD to identify appropriate monitoring steps and procedures in order to provide a basis for monitoring such measures during and upon Project implementation.

Task 7 Deliverables

- One (1) electronic version of draft and final MMRP

TASK 8: REGULATORY PERMIT PROCESSING

RVA will prepare Permit Application forms for a Section 404 Nationwide Permit from the Corps, a 401 Water Quality Certification from the Santa Ana Regional Water Quality Control Board, and a Streambed Alteration Agreement from the California Department of Fish and Wildlife for submittal to YVWD for review prior to submittal to the regulatory agencies. RVA will address any YVWD comments on the permit applications submit the application packages to each agency. RVA will work with the YVWD to develop a mitigation strategy (on-site and/or off-site) to be proposed and negotiated with the agencies. RVA will proactively coordinate with the resource agencies during the permit application processing. RVA will regularly communicate with the agency's member and the YVWD through telephone and email. RVA will request a draft of the permits prior to the final issuance to allow YVWD or RVA to make comments as necessary. If comments/revisions are required, then RVA will coordinate with YVWD and applicable agencies to resolve any issues.

Task 8 Deliverables

- One (1) electronic version of draft and final application packages

TASK 9: MANAGEMENT AND COORDINATION

Ms. Sonya Hooker will be responsible for management and supervision of the Project Team, as well as coordination with the YVWD. Ms. Hooker will undertake consultation and coordination of the Project and review the MND for compliance with CEQA requirements and YVWD procedures. As the Project Manager, Ms. Hooker will coordinate with the technical staff, consultants, support staff and word processing toward the timely completion of the IS/MND. Ms. Villalobos will serve as Principal-In-Charge, with oversight of preparation of the IS/MND and permit applications. Ms. Villalobos will coordinate with the regulatory agencies for the processing of regulatory permits. Attendance at up to three (3) meetings is included as part of this task.

Task 9 Deliverables

- Regular communication with and status updates for YVWD on preparation of the IS/MND, permit applications, and permit issuance
- Attendance at up to three (3) project meetings

TASK 10: COORDINATION WITH SBCFCD/ PROCESS USE AGREEMENT

RVA will prepare the San Bernardino County Flood Control Permit Application and coordinate with YVWD for the required documents to be included in the application submittal (i.e. insurance, plans, drawings, exhibits). As it is difficult to predict the level of coordination that will be required to process and obtain a Use Agreement with SBCFCD, 16 hours are budgeted for coordination under

this task. If additional coordination or meeting time is required a budget augmentation will be requested.

Task 10 Deliverables

- Prepare and submit San Bernardino County Flood Control Permit Application
- Regular communication with SBCFCD and YVWD on permit review, comments, and permit issuance

Several sensitive species including the federally-listed San Bernardino kangaroo rat (*Dipodomys merriami parvus*) [SBKR], coastal California gnatcatcher (*Polioptila californica californica*), Santa Ana River woolly-star (*Eriastrum densifolium* ssp. *sanctorum*), and slender-horned spineflower (*Dodecahema leptoceras*) have been documented within the general vicinity of the project. If suitable habitat for any of these sensitive species is present within the general biological resources assessment area, then focused surveys for these species will likely be required. The Biological Resources Assessment will indicate if suitable habitat for these species is present within the basins.

If Required: Focused San Bernardino Kangaroo Rat (SBKR) Survey

Focused SBKR trapping surveys can be conducted any time of year, but is contingent on good weather conditions with overnight low forecasts above 50 degrees F. The trapping survey will be conducted following survey protocol approved by the wildlife agencies.

Deliverables

- One hardcopy and electronic copy (Adobe PDF) of Draft Technical Report
- One hardcopy and electronic copy (Adobe PDF) of Final Technical Report

If Required: Focused California Gnatcatcher (CGN) Survey

Focused CAGN surveys can be conducted during or outside of nesting season and would consist of either six (6) weekly site visits during the nesting season, or nine (9) bi-weekly site visits outside of nesting season. The survey will be conducted following survey protocol approved by the wildlife agencies.

Deliverables

- One hardcopy and electronic copy (Adobe PDF) of Draft Technical Report
- One hardcopy and electronic copy (Adobe PDF) of Final Technical Report

If Required: Focused Botanical Survey

Focused botanical survey for Santa Ana River woolly-star can be conducted any time of year. Focused surveys for slender-horned spineflower must be conducted in the spring, during the blooming period. The survey will be conducted following survey protocol approved by the wildlife agencies.

Deliverables

- One hardcopy and electronic copy (Adobe PDF) of Draft Technical Report
- One hardcopy and electronic copy (Adobe PDF) of Final Technical Report

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ASSUMPTIONS:

- Any required drawings or plans (i.e. grading plan) will be prepared and provided by YVWD for submittal to San Bernardino County Flood Control District and the regulatory agencies.
- This scope of work is based upon analysis and preparation of studies for a single maintenance footprint and description. Revisions to the these may require budget and schedule adjustments.
- YVWD will obtain a Waste Discharge Identification (WDID) Number from the State Water Resources Control Board for impacting an area of 1 acre or greater.
- The equipment used for scarification and any other maintenance and duration are not expected to be extensive enough to warrant modeling of emissions/noise and technical studies for air quality, greenhouse gases, noise, and traffic. The IS/MND will include a qualitative discussion of potential impacts for these topics.
- It is not anticipated that the basins contain cultural resources that require the preparation or updating of site records, and is not included in the scope. If resources are discovered, a budget and schedule adjustment may be necessary.
- Permanent impacts to waters of the U.S., including wetlands, will not exceed 0.5 acre and the project will qualify for a nationwide permit from the Corps.
- Permit application fees will be paid directly to the appropriate regulatory agency by YVWD.
- CEQA filing fees will be paid directly by YVWD.
- Habitat Mitigation Monitoring Plans (HMMP), Long Term Management Plans (LTMP), and Conservation Easements (CE) are typically required when mitigation for project impacts includes restoration of habitat at an onsite or offsite location. It is not known at this time what mitigation will be required and if a HMMP, LTMP, or CE will be required by the regulatory agencies and preparation of these documents is not included in this scope. If they are required, a separate proposal will be provided.

FEES:

Fees for Tasks 1-10 and any required focused surveys will be billed on a lump sum basis, monthly on a percent complete basis. Reimbursable expenses include reproduction, postage, mileage, etc. will be billed on an as incurred basis and will not exceed the budget below without prior approval from YVWD.

Tasks	Total Estimated Fees
1: Project Description/ Kick-off Meeting	$ 1,200
2: Technical Reports	
2.1 Biological Resources/ Jurisdictional Delineation Report	$ 7,000
2.2 Cultural Resources Assessment	$ 3,800
3: Prepare Administrative Draft IS/MND	$ 10,000
4: Prepare Public Review IS/MND	$ 2,200
5: Circulation of IS/MND	$ 2,600
6: Prepare Responses to Comments/YVWD Board Meeting	$ 2,400
7: Prepare MMRP	$ 1,000
8: Regulatory Permit Processing	$ 20,000
9: Management and Coordination	$ 4,200
10: Coordination with SBCFCD/ Process Use Agreement	$3,500
Reimbursable Expenses	$ 2,000
Sub Total	**$59,900**
If required, Focused SBKR CAGN and Botanical Survey	$12,300
TOTAL	**$72,200.00**

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Yucaipa Valley Water District

Director Memorandum 16-065

Date: July 6, 2016

Prepared By: Joseph Zoba, General Manager

Subject: Consideration to Purchase Additional Imported Water from the San Bernardino Valley Municipal Water District for Calendar Year 2016

Recommendation: That the Board authorizes the purchase of 1,206 acre feet of imported water from the San Bernardino Valley Municipal Water District for a sum not to exceed $142,760.14.

The San Bernardino Valley Municipal Water District has 14,608 acre feet of imported water available for calendar year 2016. Working together with other retail water agencies, the San Bernardino Valley Municipal Water District has proposed to distribute the remaining unallocated imported water based on existing population. This methodology would provide an extra 1,206 acre feet that would be used by the Yucaipa Valley Water District at the Yucaipa Valley Regional Water Filtration Facility for in-lieu recharge of the local groundwater basins.

Remaining SWP Water

Proportioned by population

	Population	%	Remaining SWP	Recharge Rate	Cost
COLTON, CITY OF	47,429	8%	1,111	$118.40	$131,582.47
EAST VALLEY WATER DISTRICT	97,318	16%	2,280	$118.40	$269,989.73
LOMA LINDA	12,206	2%	286	$118.40	$33,863.16
REDLANDS, CITY OF	77,852	12%	1,824	$118.40	$215,985.13
RIALTO WATER SERVICES	48,623	8%	1,139	$118.40	$134,894.99
RIVERSIDE HIGHLAND WATER COMPANY	16,000	3%	375	$118.40	$44,388.87
SAN BERNARDINO	204,366	33%	4,789	$118.40	$566,973.44
WEST VALLEY WATER DISTRICT	68,179	11%	1,598	$118.40	$189,149.28
YUCAIPA VALLEY WATER DISTRICT	51,458	8%	1,206	$118.40	$142,760.14
	623,431		14,608		

Board Reports

Yucaipa Valley Water District

Director Comments

Yucaipa Valley Water District

Yucaipa Valley Water District

FACTS ABOUT THE YUCAIPA VALLEY WATER DISTRICT

Service Area Size: 40 square miles (sphere of influence is 68 square miles)

Elevation Change: 3,140 foot elevation change (from 2,044 to 5,184 feet)

Number of Employees:
5 elected board members
62 full time employees

Operating Budget:
Water Division - $13,397,500
Sewer Division - $11,820,000
Recycled Water Division - $537,250
Total Annual Budget - $25,754,750

Number of Services:
12,434 water connections serving 17,179 units
13,559 sewer connections serving 20,519 units
64 recycled water connections

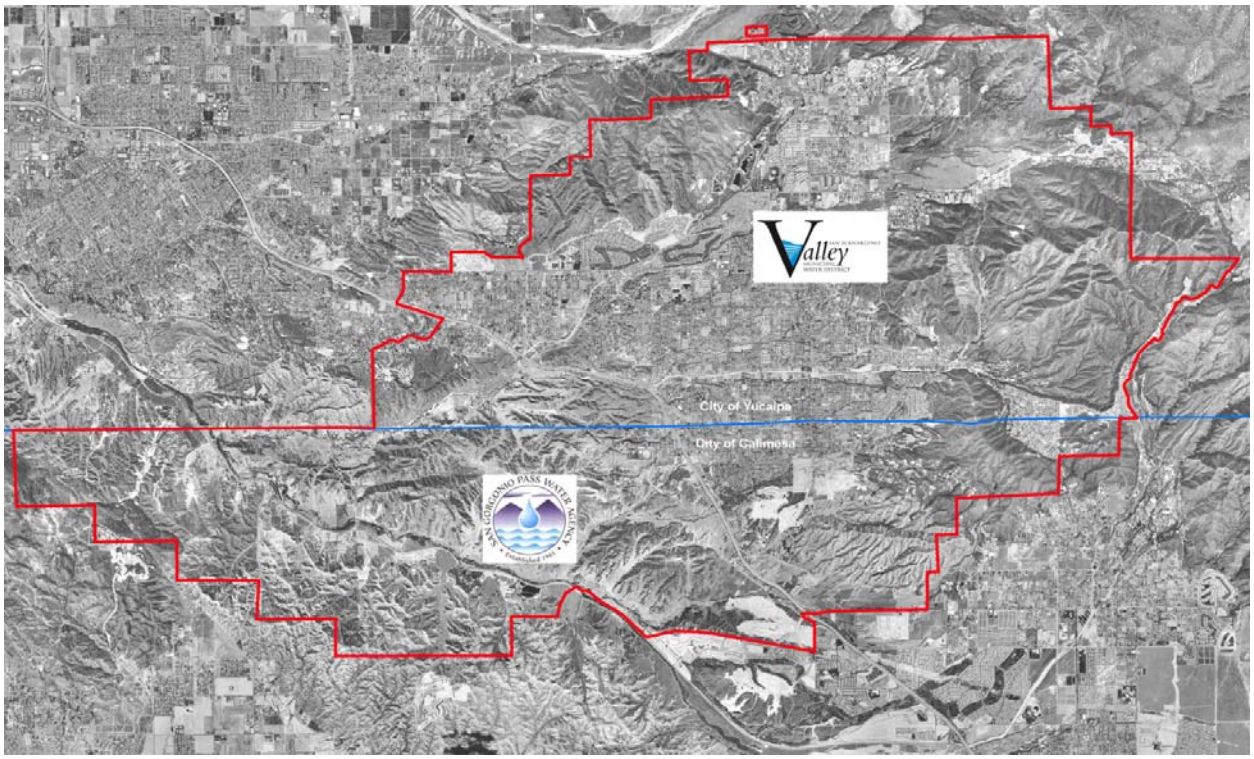
Water System:
215 miles of drinking water pipelines
27 reservoirs - 34 million gallons of storage capacity
18 pressure zones
12,000 ac-ft annual water demand (3.9 billion gallons)
Two water filtration facilities:
- 1 mgd at Oak Glen Surface Water Filtration Facility
- 12 mgd at Yucaipa Valley Regional Water Filtration Facility

Sewer System:
8.0 million gallon treatment capacity - current flow at 4.0 mgd
205 miles of sewer mainlines
5 sewer lift stations
4,500 ac-ft annual recycled water prod. (1.46 billion gallons)

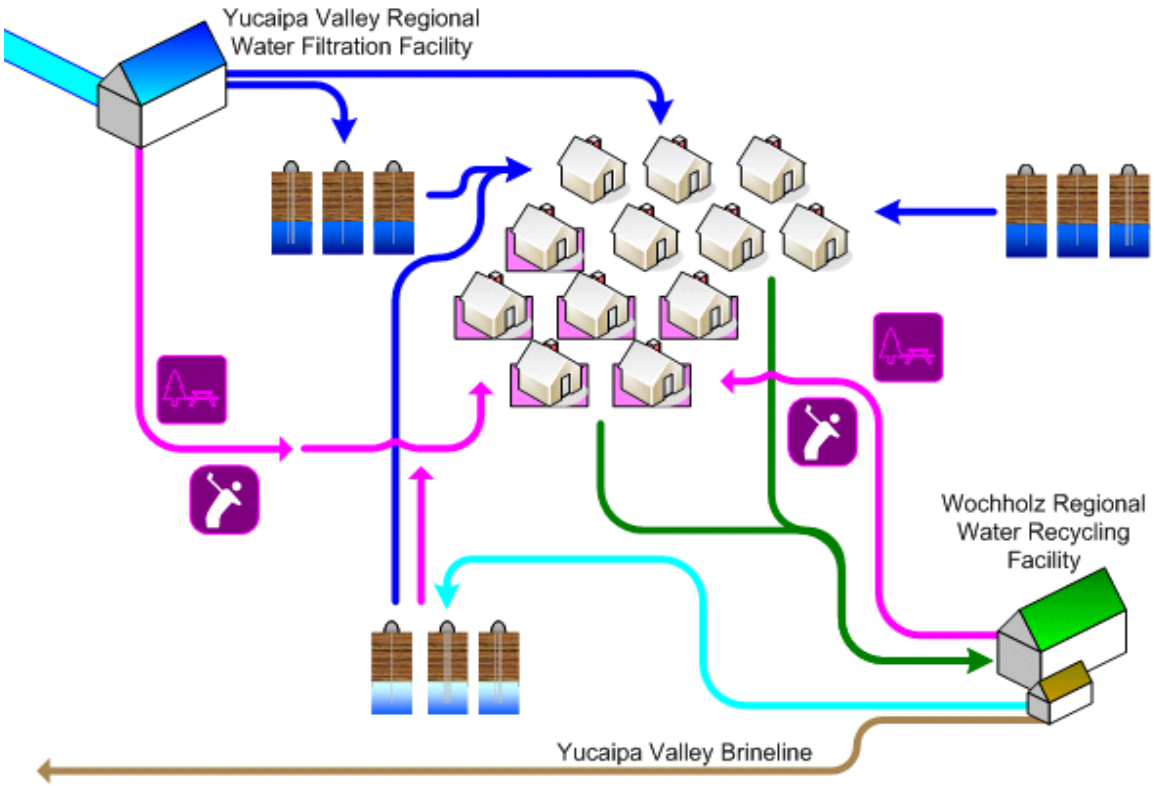
Recycled Water:
22 miles of recycled water pipelines
5 reservoirs - 12 million gallons of storage
1,200 ac-ft annual recycled demand (0.4 billion gallons)

Brine Disposal:
2.2 million gallon desalination facility at sewer treatment plant
1.108 million gallons of Inland Empire Brine Line capacity
0.295 million gallons of treatment capacity in Orange County

State Water Contractors: San Bernardino Valley Municipal Water District
San Gorgonio Pass Water Agency



Sustainability Plan: A Strategic Plan for a Sustainable Future: The Integration and Preservation of Resources, adopted on August 20, 2008.



Yucaipa Valley Water District

THE MEASUREMENT OF WATER PURITY

One part per hundred is generally represented by the percent (%).
This is equivalent to about fifteen minutes out of one day.

One part per thousand denotes one part per 1000 parts.
This is equivalent to about one and a half minutes out of one day.

One part per million (**ppm**) denotes one part per 1,000,000 parts.
This is equivalent to about 32 seconds out of a year.

One part per billion (**ppb**) denotes one part per 1,000,000,000 parts.
This is equivalent to about three seconds out of a century.

One part per trillion (**ppt**) denotes one part per 1,000,000,000,000 parts.
This is equivalent to about three seconds out of every hundred thousand years.

One part per quadrillion (**ppq**) denotes one part per 1,000,000,000,000,000 parts.
This is equivalent to about two and a half minutes out of the age of the Earth (4.5 billion years).

Yucaipa Valley Water District

GLOSSARY OF COMMONLY USED TERMS

Every profession has specialized terms which generally evolve to facilitate communication between individuals. The routine use of these terms tends to exclude those who are unfamiliar with the particular specialized language of the group. Sometimes jargon can create communication cause difficulties where professionals in related fields use different terms for the same phenomena.

Below are commonly used water terms and abbreviations with commonly used definitions. If there is any discrepancy in definitions, the District's Regulations Governing Water Service is the final and binding definition.

Acre Foot of Water - The volume of water (325,850 gallons, or 43,560 cubic feet) that would cover an area of one acre to a depth of 1 foot.

Activated Sludge Process – A secondary biological sewer treatment process where bacteria reproduce at a high rate with the introduction of excess air or oxygen, and consume dissolved nutrients in the wastewater.

Annual Water Quality Report - The document is prepared annually and provides information on water quality, constituents in the water, compliance with drinking water standards and educational material on tap water. It is also referred to as a Consumer Confidence Report (CCR).

Aquifer - The natural underground area with layers of porous, water-bearing materials (sand, gravel) capable of yielding a supply of water; see Groundwater basin.

Backflow - The reversal of water's normal direction of flow. When water passes through a water meter into a home or business it should not reverse flow back into the water mainline.

Best Management Practices (BMPs) - Methods or techniques found to be the most effective and practical means in achieving an objective. Often used in the context of water conservation.

Biochemical Oxygen Demand (BOD) – The amount of oxygen used when organic matter undergoes decomposition by microorganisms. Testing for BOD is done to assess the amount of organic matter in water.

Biosolids – Biosolids are nutrient rich organic and highly treated solid materials produced by the sewer treatment process. This high-quality product can be used as a soil amendment on farm land or further processed as an earth-like product for commercial and home gardens to improve and maintain fertile soil and stimulate plant growth.

Catch Basin – A chamber usually built at the curb line of a street, which conveys surface water for discharge into a storm sewer.

Capital Improvement Program (CIP) – Projects for repair, rehabilitation, and replacement of assets. Also includes treatment improvements, additional capacity, and projects for the support facilities.

Collector Sewer – The first element of a wastewater collection system used to collect and carry wastewater from one or more building sewer laterals to a main sewer.

Coliform Bacteria – A group of bacteria found in the intestines of humans and other animals, but also occasionally found elsewhere and is generally used as an indicator of sewage pollution.

Combined Sewer Overflow – The portion of flow from a combined sewer system, which discharges into a water body from an outfall located upstream of a wastewater treatment plant, usually during wet weather conditions.

Combined Sewer System– Generally older sewer systems designed to convey both sewage and storm water into one pipe to a wastewater treatment plant.

Conjunctive Use - The coordinated management of surface water and groundwater supplies to maximize the yield of the overall water resource. Active conjunctive use uses artificial recharge, where surface water is intentionally percolated or injected into aquifers for later use. Passive conjunctive use is to simply rely on surface water in wet years and use groundwater in dry years.

Consumer Confidence Report (CCR) - see Annual Water Quality Report.

Cross-Connection - The actual or potential connection between a potable water supply and a non-potable source, where it is possible for a contaminant to enter the drinking water supply.

Disinfection By-Products (DBPs) - The category of compounds formed when disinfectants in water systems react with natural organic matter present in the source water supplies. Different disinfectants produce different types or amounts of disinfection byproducts. Disinfection byproducts for which regulations have been established have been identified in drinking water, including trihalomethanes, haloacetic acids, bromate, and chlorite

Drought - a period of below average rainfall causing water supply shortages.

Dry Weather Flow – Flow in a sanitary sewer during periods of dry weather in which the sanitary sewer is under minimum influence of inflow and infiltration.

Fire Flow - The ability to have a sufficient quantity of water available to the distribution system to be delivered through fire hydrants or private fire sprinkler systems.

Gallons per Capita per Day (GPCD) - A measurement of the average number of gallons of water use by the number of people served each day in a water system. The calculation is made by dividing the total gallons of water used each day by the total number of people using the water system.

Groundwater Basin - An underground body of water or aquifer defined by physical boundaries.

Groundwater Recharge - The process of placing water in an aquifer. Can be a naturally occurring process or artificially enhanced.

Hard Water - Water having a high concentration of minerals, typically calcium and magnesium ions.

Hydrologic Cycle - The process of evaporation of water into the air and its return to earth in the form of precipitation (rain or snow). This process also includes transpiration from plants, percolation into the ground, groundwater movement, and runoff into rivers, streams and the ocean; see Water cycle.

Infiltration – Water other than sewage that enters a sewer system and/or building laterals from the ground through defective pipes, pipe joints, connections, or manholes. Infiltration does not include inflow. See *Inflow.*

Inflow - Water other than sewage that enters a sewer system and building sewer from sources such as roof vents, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm drains and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include infiltration. See *Infiltration*.

Inflow / Infiltration (I/I) – The total quantity of water from both inflow and infiltration.

Mains, Distribution - A network of pipelines that delivers water (drinking water or recycled water) from transmission mains to residential and commercial properties, usually pipe diameters of 4" to 16".

Mains, Transmission - A system of pipelines that deliver water (drinking water or recycled water) from a source of supply the distribution mains, usually pipe diameters of greater than 16".

Meter - A device capable of measuring, in either gallons or cubic feet, a quantity of water delivered by the District to a service connection.

Overdraft - The pumping of water from a groundwater basin or aquifer in excess of the supply flowing into the basin. This pumping results in a depletion of the groundwater in the basin which has a net effect of lowering the levels of water in the aquifer.

Peak Flow – The maximum flow that occurs over a specific length of time (e.g., daily, hourly, instantaneously).

Pipeline - Connected piping that carries water, oil or other liquids. See Mains, Distribution and Mains, Transmission.

Point of Responsibility, Metered Service - The connection point at the outlet side of a water meter where a landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.

Potable Water - Water that is used for human consumption and regulated by the California Department of Public Health.

Pressure Reducing Valve - A device used to reduce the pressure in a domestic water system when the water pressure exceeds desirable levels.

Pump Station - A drinking water or recycled water facility where pumps are used to push water up to a higher elevation or different location.

Reservoir - A water storage facility where water is stored to be used at a later time for peak demands or emergencies such as fire suppression. Drinking water and recycled water systems will typically use concrete or steel reservoirs. The State Water Project system considers lakes, such as Shasta Lake and Folsom Lake to be water storage reservoirs.

Runoff - Water that travels downward over the earth's surface due to the force of gravity. It includes water running in streams as well as over land.

Sanitary Sewer System - Sewer collection system designed to carry sewage, consisting of domestic, commercial, and industrial wastewater. This type of system is not designed nor intended to carry water from rainfall, snowmelt, or groundwater sources. See *Combined Sewer System*.

Sanitary Sewer Overflow – Overflow from a sanitary sewer system caused when total wastewater flow exceeds the capacity of the system. See *Combined Sewer Overflow*.

Santa Ana River Interceptor (SARI) Line – A regional brine line designed to convey 30 million gallons per day of non-reclaimable wastewater from the upper Santa Ana River basin to the sewer treatment plant operated by Orange County Sanitation District.

Secondary Treatment – Biological sewer treatment, particularly the activated-sludge process, where bacteria and other microorganisms consume dissolved nutrients in wastewater.

Supervisory Control and Data Acquisition (SCADA) - A computerized system which provides the ability to remotely monitor and control water system facilities such as reservoirs, pumps and other elements of water delivery.

Service Connection - The water piping system connecting a customer's system with a District water main beginning at the outlet side of the point of responsibility, including all plumbing and equipment located on a parcel required for the District's provision of water service to that parcel.

Sludge – Untreated solid material created by the treatment of sewage.

Smart Irrigation Controller - A device that automatically adjusts the time and frequency which water is applied to landscaping based on real-time weather such as rainfall, wind, temperature and humidity.

Special District - A political subdivision of a state established to provide a public services, such as water supply or sanitation, within a specific geographic area.

Surface Water - Water found in lakes, streams, rivers, oceans or reservoirs behind dams.

Total Suspended Solids (TSS) – The amount of solids floating and in suspension in water or sewage.

Transpiration - The process by which water vapor is released into the atmosphere by living plants.

Trickling Filter – A biological secondary treatment process in which bacteria and other microorganisms, growing as slime on the surface of rocks or plastic media, consume nutrients in primary treated sewage as it trickles over them.

Underground Service Alert (USA) - A free service that notifies utilities such as water, telephone, cable and sewer companies of pending excavations within the area (dial 8-1-1 at least 2 working days before you dig).

Urban Runoff - Water from city streets and domestic properties that typically carries pollutants into the storm drains, rivers, lakes, and oceans.

Valve - A device that regulates, directs or controls the flow of water by opening, closing or partially obstructing various passageways.

Wastewater – Any water that enters the sanitary sewer.

Water Banking - The practice of actively storing or exchanging in-lieu surface water supplies in available groundwater basin storage space for later extraction and use by the storing party or for sale or exchange to a third party. Water may be banked as an independent operation or as part of a conjunctive use program.

Water cycle - The continuous movement water from the earth's surface to the atmosphere and back again; see Hydrologic cycle.

Water Pressure - Pressure created by the weight and elevation of water and/or generated by pumps that deliver water to the tap.

Water Service Line - The pipeline that delivers potable water to a residence or business from the District's water system. Typically the water service line is a 1" to 1½" diameter pipe for residential properties.

Watershed - A region or land area that contributes to the drainage or catchment area above a specific point on a stream or river.

Water Table - The upper surface of the zone of saturation of groundwater in an unconfined aquifer.

Water Transfer - A transaction, in which a holder of a water right or entitlement voluntarily sells/exchanges to a willing buyer the right to use all or a portion of the water under that water right or entitlement.

Water Well - A hole drilled into the ground to tap an underground water aquifer.

Wetlands - Lands which are fully saturated or under water at least part of the year, like seasonal vernal pools or swamps.

Wet Weather Flow – Dry weather flow combined with stormwater introduced into a combined sewer system, and dry weather flow combined with infiltration/inflow into a separate sewer system.

Yucaipa Valley Water District

COMMONLY USED ABBREVIATIONS

AQMD	Air Quality Management District
BOD	Biochemical Oxygen Demand
CARB	California Air Resources Board
CCTV	Closed Circuit Television
CWA	Clean Water Act
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
FOG	Fats, Oils, and Grease
GPD	Gallons per day
MGD	Million gallons per day
O & M	Operations and Maintenance
OSHA	Occupational Safety and Health Administration
POTW	Publicly Owned Treatment Works
PPM	Parts per million
RWQCB	Regional Water Quality Control Board
SARI	Santa Ana River Inceptor
SAWPA	Santa Ana Watershed Project Authority
SBVMWD	San Bernardino Valley Municipal Water District
SCADA	Supervisory Control and Data Acquisition system
SSMP	Sanitary Sewer Management Plan
SSO	Sanitary Sewer Overflow
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
WDR	Waste Discharge Requirements
YVWD	Yucaipa Valley Water District