

LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT

MEMORANDUM

DATE: April 27, 2021

TO: BOARD OF DIRECTORS
Lake Arrowhead Community Services District

FROM: MARC LIPPERT, Public Programs Supervisor
CATHERINE CERRI, General Manager

SUBJECT: Proposed 2021 Water Use Efficiency Ordinance

A. RECOMMENDATION

This is an information item only.

B. REASON FOR RECOMMENDATION

This is an information item only.

C. BACKGROUND INFORMATION

In response to the severe drought from 2011-2016, new legislation in 2018 mandated that water suppliers maintain a Water Shortage Contingency Plan (WSCP). This plan must include specific elements that are inconsistent with the District's existing ordinances. District Staff and District Counsel suggest an update and simplification of the District's existing water use efficiency ordinances.

The District has had ordinances in place to encourage the efficient use of water since 1990. Currently, there are several ordinances in effect:

- 69: 6/10/2008, Water Use Efficiency Management, Amended by Ord 76, 79 & 80.
- 76: 4/12/2011, Amending Ord 69 Regarding Water Use Efficiency Management.
- 79: 6/10/2014, Regarding Emergency Water Supply Shortage Regulations & to Amend Ordinance No 69 (creates Water Shortage Emergency levels).
- 80: 5/12/2015, Amend and Restate Ordinance No. 69 Regarding Water Use Efficiency and Water Conservation

There are some differences between the ordinances and some language that needs to be updated. Staff would like to bring the first reading of the new ordinance for public

comment and Board consideration to the May 25, 2021 Board meeting. The final adoption would occur at the June 22, 2021 Board meeting. The proposed ordinance is mostly a combination of the existing ordinances. Changes from existing ordinances are described below.

Exemptions Removed

Ordinances 69 and 80 included an exemption from the ordinance for commercial nurseries, landscape managers and professional gardeners. This exemption is unnecessary since the ordinance only applies to customers of the District and the language is confusing.

Ordinances 69 and 80 included an exemption that allowed a customer to irrigate ALA or US Forest Service property. Staff recommend removing this exemption since the District will not receive any water budget for this use. This will give the District the ability to enforce this if necessary.

Changes for Water Shortage Levels

Ordinance 79 contains three water shortage levels. The District is now required to have six standard water shortage levels to be consistent with all other agencies across the state. Each level needs actions that equate to 10% water savings.

The District already has strict permanent conservation guidelines that make it difficult to create further shortage levels. Ordinances 69 and 80 require that any existing turf grass must be reduce by 50% when being refurbished. This restriction could be relaxed in the lowest tier. The District would still not allow any new turf grass but could allow existing grass to remain when being refurbished.

Penalties and Violations

The District's different ordinances each have their own penalties which are inconsistent with each other. Staff propose to simplify the penalties from Ordinance 80. Customers may appeal to the General Manager and ultimately the Board.

D. FISCAL IMPACT

This is an information item only.

E. ENVIRONMENTAL IMPACT

This is an information item only.

F. ATTACHMENTS

- Proposed 2021 Water Use Efficiency Ordinance Summary

Summary of Proposed 2021 Water Conservation Ordinance

Permanent Water Use Restrictions

Outdoor Cleaning Practices

1. No hose washing of any hard or paved surfaces.
2. Decorative water features must have a recirculation system.
3. Vehicles may be hand washed using a bucket and leak free hose with shut off nozzle.

Hospitality Industry Standards

1. Hospitality establishments shall serve drinking water only upon request.
2. Hotels shall provide the option of not having daily laundry service.

Leak-Free Maintenance Standards

No Customer of the District shall permit water to leak from any facility on the Customer's premises. A person may not:

1. Fail to repair a leak, including a broken sprinkler head, valve, pipe or faucet;
2. Operate a permanently installed irrigation system with broken parts resulting in leakage.

Irrigation Practices Standards

1. Landscaping may not be watered beyond what is needed for natural growth and to sustain life. Water may not be permitted to pool or collect to the point of run-off.
2. The prohibited uses set forth in this subsection do not apply to Recycled or Gray Water.
3. Between October 16th and April 30th, all outdoor irrigation shall be shut off and winterized to prevent ruptured pipes and leaks.
4. Automated irrigation of all landscapes may be done only between the hours of 6:00 p.m. to midnight and midnight to 8:00 a.m., on an approved irrigation day with the exception of newly seeded plants and other new planting, which may be watered intermittently until rooting is established.
5. Outdoor irrigation shall only be allowed on Monday, Wednesday and Friday.
6. No irrigation during and up to 48 hours after measurable rainfall.

Landscaping Standards

1. No Customer shall use District water to irrigate property outside the boundaries of the parcel.
2. No new turf grass shall be installed. Existing turf may need to be reduced by 50% when refurbished depending on the declared water shortage level. These restrictions do not apply to institutional customers using recycled water.
3. New water features must have a recirculation system.
4. For customers without existing landscaping:
 - a. New landscaping shall be limited to 50% of the undeveloped area of the parcel and shall not exceed 10,000 square feet. Planting in the improved zone is limited to the District's drought tolerant plant list, except for up to one hundred fifty square feet which may include plants not on the District's drought tolerant plant list except for turf grass.
 - b. The unimproved natural zone must be at least 50% of the undeveloped area of the parcel. New trees in the natural zone may be planted to replace lost trees and are limited to the District's reforestation tree and native shrubs list. Trees must be spaced at least 20' apart and may be irrigated by bubbler until trees and shrubs are established.
5. For customers with existing landscaping:
 - c. The installation of landscaping shall only be allowed in areas where landscaping already exists and shall not increase the square footage dedicated to landscaping. Plants shall be limited to the

District's reforestation tree and native shrubs list and drought tolerant plant list. Up to one-hundred-fifty square feet may contain plants not on the District's drought tolerant plant list except for turf grass.

6. Irrigation of outdoor landscaping for any new home or building must be delivered by drip or microspray systems unless using recycled or grey water.

Levels of water shortage

The Board may declare a water shortage condition when the District determines that due to drought, state regulations or other water supply conditions, a reduction in water use is necessary to make the most efficient use of water and appropriately respond to existing water and regulatory conditions. Factors the Board will consider include but are not limited to, (1) the water level of Lake Arrowhead; (2) rainfall totals; (reliability of current and projected groundwater well production, (4) ability to meet demand; (5) State Water Project allocation; and (6) projected water allocations to the District from the Crestline-Lake Arrowhead Water Agency. The District may not necessarily move progressively through the levels and, under certain circumstances such as emergencies, may skip to higher levels as necessary. During any declared water shortage level, all other permanent water use restrictions will remain in place.

Level 1 Water Shortage

The water use reduction goal during a Level 1 Water Shortage condition is up to 10%.

- Irrigation limited to 3 days per week. This does not include a hand-held bucket or hose with shut-off nozzle.
- No new turf grass (seed or sod) is allowed. Existing turf grass may remain and may be refurbished with no reduction required provided that old nonefficient irrigation is being replaced with new efficient irrigation. Any turf grass retrofits must be preapproved by the District before the work begins.

Level 2 Water Shortage

The water use reduction goal during a Level 1 Water Shortage condition is up to 20%.

- Irrigation limited to 3 days per week. This does not include a hand-held bucket or hose with shut-off nozzle.
- No new turf grass (seed or sod) is allowed. Existing turf grass must be reduced by 50% when refurbished.

Level 3 Water Shortage Emergency

The water use reduction goal during a Level 1 Water Shortage condition is up to 30%.

- Irrigation limited to 3 days per week. This does not include a hand-held bucket or hose with shut-off nozzle.
- No new turf grass (seed or sod) is allowed. Existing turf grass must be reduced by 50% when refurbished.
- Enhanced enforcement and increased Public Information campaigns will be initiated requesting voluntary reductions from the public.

Level 4 Water Shortage Emergency

The water use reduction goal during a Level 1 Water Shortage condition is up to 40%.

- Irrigation limited to 2 days per week. This does not include a hand-held bucket or hose with shut-off nozzle. Customers cannot increase the amount of time that outdoor irrigation systems are operated.
- No new turf grass (seed or sod) is allowed. Existing turf grass must be reduced by 50% when refurbished.
- Enhanced enforcement and increased Public Information campaigns will be initiated requesting additional reductions from the public.

Level 5 Water Shortage Emergency

The water use reduction goal during a Level 1 Water Shortage condition is up to 50%.

- Irrigation limited to 1 day per week. This does not include a hand-held bucket or hose with shut-off nozzle. Customers cannot increase the amount of time that outdoor irrigation systems are operated.
- No new turf grass (seed or sod) is allowed. Existing turf grass must be reduced by 50% when refurbished.
- Strict enforcement, water audits and persistent Public Information campaigns will be initiated requesting additional reductions from the public.
- The Board will review the financial impact on the District from reductions in revenue and will determine if drought rates should be initiated.

Level 6 Water Shortage Emergency

The water use reduction goal during a Level 1 Water Shortage condition is more than 50%.

- No irrigation is allowed unless recycled water is used. Exemptions:
 - Hand-held bucket or hose with shut-off nozzle,
 - Maintenance of existing landscape for fire protection,
 - Maintenance of existing landscape for soil erosion,
 - Maintenance of plants identified to be rare or essential to protected species,
 - Maintenance of public parks, playing fields, day care centers and school grounds provided that irrigation does not exceed two days per week,
 - Actively irrigated environmental mitigation projects.
- Lawns or turf grass may not be watered by any method.
- Strict enforcement, water audits and persistent Public Information campaigns will be initiated requesting additional reductions from the public.
- The Board will review the financial impact on the District from reductions in revenue and will determine if drought rates should be initiated.
- The Board may prohibit or restrict new potable water service connections unless:
 - A valid, unexpired building permit has been issued for the project; or
 - The project is necessary to protect the public health, safety, and welfare; or
 - The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.
- The District may discontinue service to consumers who willfully violate this section.

Penalties and violations

1st violation: written notice with 10 days to correct.

2nd violation: penalty of 25% of water consumption charges with 10 days to correct.

3rd violation: penalty of 50% of water consumption charges with 10 days to correct.

4th violation: penalty of 100% of water consumption charges with 10 days to correct.

5th violation: the District may install a water restricting device with 10 days to correct.

Appeals of Penalties

Customers may appeal any penalties in writing to the General Manager. The appeal will be heard within 30 days. If dissatisfied, the customer may appeal to the Board.