El Toro Water District Water Shortage Contingency Plan

March 2022

2022 Water Shortage Contingency Plan

March 2022

Prepared in Partnership With:
Arcadis U.S., Inc.
320 Commerce, Suite 200
Irvine
California 92602
Phone: 714 730 9052
https://www.arcadis.com

Prepared For:
El Toro Water District
24251 Aliso Boulevard
Lake Forest
California 92630
Phone: 949 837 0660
https://etwd.com/

Maddaus Water Management Inc.
Danville, California 94526
Sacramento, California 95816
www.maddauswater.com

Our Ref:
30055240

Lisa Maddaus, PE
Technical Lead
Maddaus Water Management, Inc.

Sarina Sriboonlue, PE
Project Manager
Arcadis U.S., Inc.

Contents

Tables3-3

Figures

Appendices

Acronyms and Abbreviations

%	Percent
AF	Acre-Feet
Annual Assessment	Annual Water Supply and Demand Assessment
CRA	Colorado River Aqueduct
District	El Toro Water District
DRA	Drought Risk Assessment
DVL	Diamond Valley Lake
DWR	California Department of Water Resources
EAP	Emergency Operations Center Actions Plan
EOC	Emergency Operation Center
EOP	Emergency Operations Plan
ERP	Emergency Response Plan
FY	Fiscal Year
HMP	Hazard Mitigation Plan
IRP	Integrated Water Resource Plan
M&I	Municipal and Industrial
MCL	Maximum Contaminant Level
MET	Metropolitan Water District of Southern California
Metropolitan Act	Metropolitan Water District Act
MWDOC	Municipal Water District of Orange County
NIMS	National Incident Management System
OCWD	Orange County Water District
SEMS	California Standardized Emergency Management System
Supplier	Urban Water Supplier
SOCWA	South Orange County Wastewater Authority
SWP	State Water Project
UWMP	Urban Water Management Plan
Water Code	California Water Code
WEROC	Water Emergency Response Organization of Orange County
WSAP	Water Supply Allocation Plan
WSCP	Water Shortage Contingency Plan
WSDM	Water Surplus and Drought Management Plan

1 INTRODUCTION AND WSCP OVERVIEW

The Water Shortage Contingency Plan (WSCP) is a strategic planning document designed to prepare for and respond to water shortages. This WSCP complies with California Water Code (Water Code) Section 10632, which requires that every urban water supplier (Supplier) shall prepare and adopt a WSCP as part of its Urban Water Management Plan (UWMP). This level of detailed planning and preparation is intended to help maintain reliable supplies and reduce the impacts of supply interruptions.

The WSCP is El Toro Water District (District)'s operating manual that is used to prevent catastrophic service disruptions through proactive, rather than reactive, management. A water shortage, when water supply available is insufficient to meet the normally expected customer water use at a given point in time, may occur due to a number of reasons, such as drought, climate change, and catastrophic events. This WSCP provides a structured guide for the District to deal with water shortages, incorporating prescriptive information and standardized action levels, along with implementation actions in the event of a catastrophic supply interruption. This way, if and when shortage conditions arise, the District's governing body, its staff, and the public can easily identify and efficiently implement pre-determined steps to manage a water shortage. A well-structured WSCP allows real-time water supply availability assessment and structured steps designed to respond to actual conditions, to allow for efficient management of any shortage with predictability and accountability.

The WSCP also describes the District's procedures for conducting an Annual Water Supply and Demand Assessment (Annual Assessment) that is required by Water Code Section 10632.1 and is to be submitted to the California Department of Water Resources (DWR) on or before July 1 of each year, or within 14 days of receiving final allocations from the State Water Project (SWP), whichever is later. The District's 2020 WSCP is included as an appendix to its 2020 UWMP which will be submitted to DWR by July 1, 2021. However, this WSCP is created separately from the District's 2020 UWMP and can be amended, as needed, without amending the UWMP. Furthermore, the Water Code does not prohibit a Supplier from taking actions not specified in its WSCP, if needed, without having to formally amend its UWMP or WSCP.

1.1 Water Shortage Contingency Plan Requirements and Organization

The WSCP provides the steps and water shortage response actions to be taken in times of water shortage conditions. The WSCP has prescriptive elements, such as an analysis of water supply reliability; the water shortage response actions for each of the six standard water shortage levels that correspond to water shortage percentages ranging from 10% to greater than 50%; an estimate of potential to close supply gap for each measure; protocols and procedures to communicate identified actions for any current or predicted water shortage conditions; procedures for an Annual Assessment; monitoring and reporting requirements to determine customer compliance; and reevaluation and improvement procedures for evaluating the WSCP.

This WSCP is organized into three main sections, with Section 3 aligned with Water Code Section 16032 requirements.

Section 1 Introduction and WSCP Overview gives an overview of the WSCP fundamentals.

Section 2 Background provides a background on the District's water service area.

Section 3 Water Shortage Contingency Preparedness and Response Planning

Section 3.1 Water Supply Reliability Analysis provides a summary of the water supply analysis and water reliability findings from the 2020 UWMP.

Section 3.2 Annual Water Supply and Demand Assessment Procedures provide a description of procedures to conduct and approve the Annual Assessment.

Section 3.3 Six Standard Water Shortage Stages explains the WSCP's six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, 50, and more than 50% shortages.

Section 3.4 Shortage Response Actions describes the WSCP's shortage response actions that align with the defined shortage levels.

Section 3.5 Communication Protocols addresses communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding any current or predicted shortages and any resulting shortage response actions.

Section 3.6 Compliance and Enforcement describes customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions.

Section 3.7 Legal Authorities is a description of the legal authorities that enable the District to implement and enforce its shortage response actions.

Section 3.8 Financial Consequences of the WSCP provides a description of the financial consequences of and responses for drought conditions.

Section 3.9 Monitoring and Reporting describes monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements**.**

Section 3.10 WSCP Refinement Procedures addresses reevaluation and improvement procedures for monitoring and evaluating the functionality of the WSCP.

Section 3.11 Special Water Feature Distinction is a required definition for inclusion in a WSCP per the Water Code.

Section 3.12 Plan Adoption, Submittal, and Implementation provides a record of the process the District followed to adopt and implement its WSCP.

1.2 Integration with Other Planning Efforts

As a retail water supplier in Orange County, the District considered other key entities in the development of this WSCP, including the Municipal Water District of Orange County ([MWDOC] (regional wholesale supplier)), the Metropolitan Water District of Southern California ([MET] (regional wholesaler for Southern California and the direct supplier of imported water to MWDOC)), and the Baker Water Treatment Plant. As a MWDOC member agency, the District also developed this WSCP with input from several coordination efforts led by MWDOC.

Some of the key planning and reporting documents that were used to develop this WSCP are:

- **MWDOC's 2020 UWMP** provides the basis for the projections of the imported supply availability over the next 25 years for the District's service area.
- **MWDOC's 2020 WSCP** provides a water supply availability assessment and structured steps designed to respond to actual conditions that will help maintain reliable supplies and reduce the impacts of supply interruptions.
- **2021 Orange County Water Demand Forecast for MWDOC and Orange County Water District (OCWD) Technical Memorandum (Demand Forecast TM)** provides the basis for water demand projections for MWDOC's member agencies as well as Anaheim, Fullerton, and Santa Ana.
- **MET's 2020 Integrated Water Resources Plan (IRP)** is a long-term planning document to ensure water supply availability in Southern California and provides a basis for water supply reliability in Orange County.

- **MET's 2020 UWMP** was developed as a part of the 2020 IRP planning process and was used by MWDOC as another basis for the projections of supply capability of the imported water received from MET.
- **MET's 2020 WSCP** provides a water supply assessment and guide for MET's intended actions during water shortage conditions.
- **2020 Local Hazard Mitigation Plan (HMP)** provides the basis for the seismic risk analysis of the water system facilities.
- **Orange County Local Agency Formation Commission's 2020 Municipal Service Review for MWDOC Report** provides a comprehensive service review of the municipal services provided by MWDOC.
- **Water Master Plan and Sewer Master Plan** of the District provide information on water infrastructure planning projects and plans to address any required water system improvements.

2 BACKGROUND INFORMATION

Currently governed by a five-member Board of Directors, the District was formed in 1960 under provisions of California Water District Law, Division 13 of the Water Code of the State of California, commencing with Section 34000 for the purpose of providing water supply for the service area.

2.1 District Service Area

The District encompasses approximately 5,430 acres and is almost entirely developed and encompasses all of the City of Laguna Woods and portions of four other cities: Lake Forest, Aliso Viejo, Laguna Hills, and Mission Viejo.

The District service area ranges in elevation between 230 feet above sea level at its lowest point to 904 feet at its highest. In general, elevations increase from west to east. Interstate 5 bisects the District from north to south, with the higher elevations located on the east side. The District is bordered by the Irvine Ranch Water District to the north, the Laguna Beach County Water District to the west, the Moulton Niguel Water District to the west and south, and the Santa Margarita Water District to the south and east. The District also shares a small border with the Trabuco Canyon Water District in the north.

The District operates and maintains a system that has approximately 9,500 service connections, 12 different pressure zones, 6 reservoirs, 8 pump stations, 19 pressure reducing stations and approximately 180 miles of transmission and distribution pipelines of varying diameters between four inches and 24 inches.

A map of the District's water service area is shown in Figure 2-1.

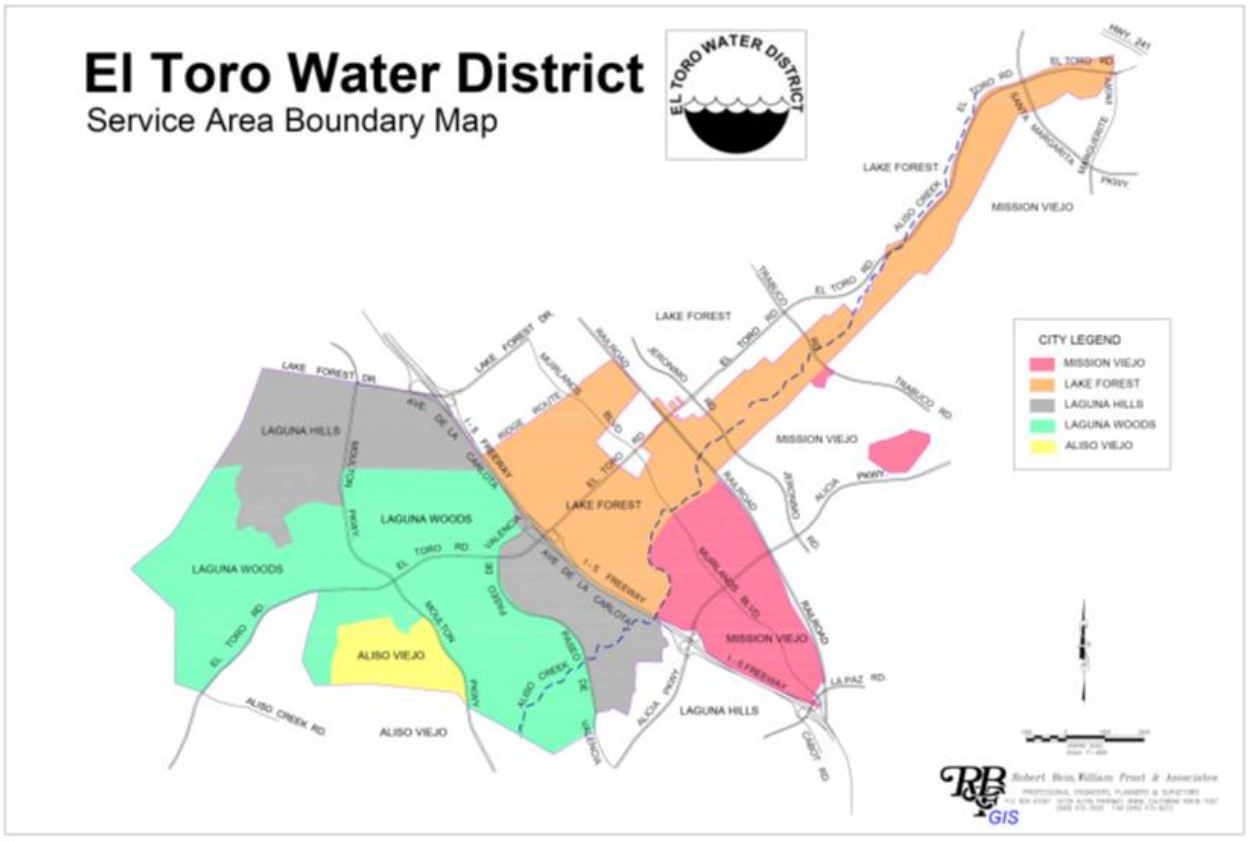

Figure 2-1: District Service Area

Although the District supplements it water supply portfolio with recycled water, the WSCP only applies to its potable water supply. The District is directly involved in wastewater services through its ownership and operation of the wastewater treatment facilities and collection system in its service area. The District operates wastewater treatment facilities and is part of the regional South Orange County Wastewater Authority (SOCWA). Almost all of the wastewater generated within the District's service area is conveyed to its Water Recycling Plant, where it is treated and either used for irrigation or disposed of through SOCWA's effluent transmission main and ocean outfall (ETWD, 2021). The District will determine the recycled water demand reduction actions for recycled water based on the availability of supply and to meet necessary wastewater discharge permit requirements.

2.2 Relationship to Wholesalers

MET: MET is the largest water wholesaler for domestic and municipal uses in California, serving approximately 19 million customers. MET wholesales imported water supplies to 26 member cities and water districts in six Southern California counties. Its service area covers the Southern California coastal plain, extending approximately 200 miles along the Pacific Ocean from the City of Oxnard in the north to the international boundary with Mexico in the south. This encompasses 5,200 square miles and includes portions of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties. Approximately 85% of the population from the aforementioned counties reside within MET's boundaries.

MET is governed by a Board of Directors comprised of 38 appointed individuals with a minimum of one representative from each of MET's 26 member agencies. The allocation of directors and voting rights are determined by each agency's assessed valuation. Each member of the Board shall be entitled to cast one vote for each ten million dollars ($10,000,000) of assessed valuation of property taxable for district purposes, in accordance with Section 55 of the Metropolitan Water District Act (Metropolitan Act). Directors can be appointed through the chief executive officer of the member agency or by a majority vote of the governing board of the agency. Directors are not compensated by MET for their service.

MET is responsible for importing water into the region through its operation of the Colorado River Aqueduct (CRA) and its contract with the State of California for SWP supplies. Member agencies receive water from MET through various delivery points and pay for service through a rate structure made up of volumetric rates, capacity charges and readiness to serve charges. Member agencies provide estimates of imported water demand to MET annually in April regarding the amount of water they anticipate they will need to meet their demands for the next five years.

MWDOC: In Orange County, MWDOC and the cities of Anaheim, Fullerton, and Santa Ana are MET member agencies that purchase imported water directly from MET. Furthermore, MWDOC purchases both treated potable and untreated water from MET to supplement its retail agencies' local supplies.

The District is one of MWDOC's 28 member agencies receiving imported water from MWDOC. The District's location within MWDOC's service area is shown on Figure 2-2.

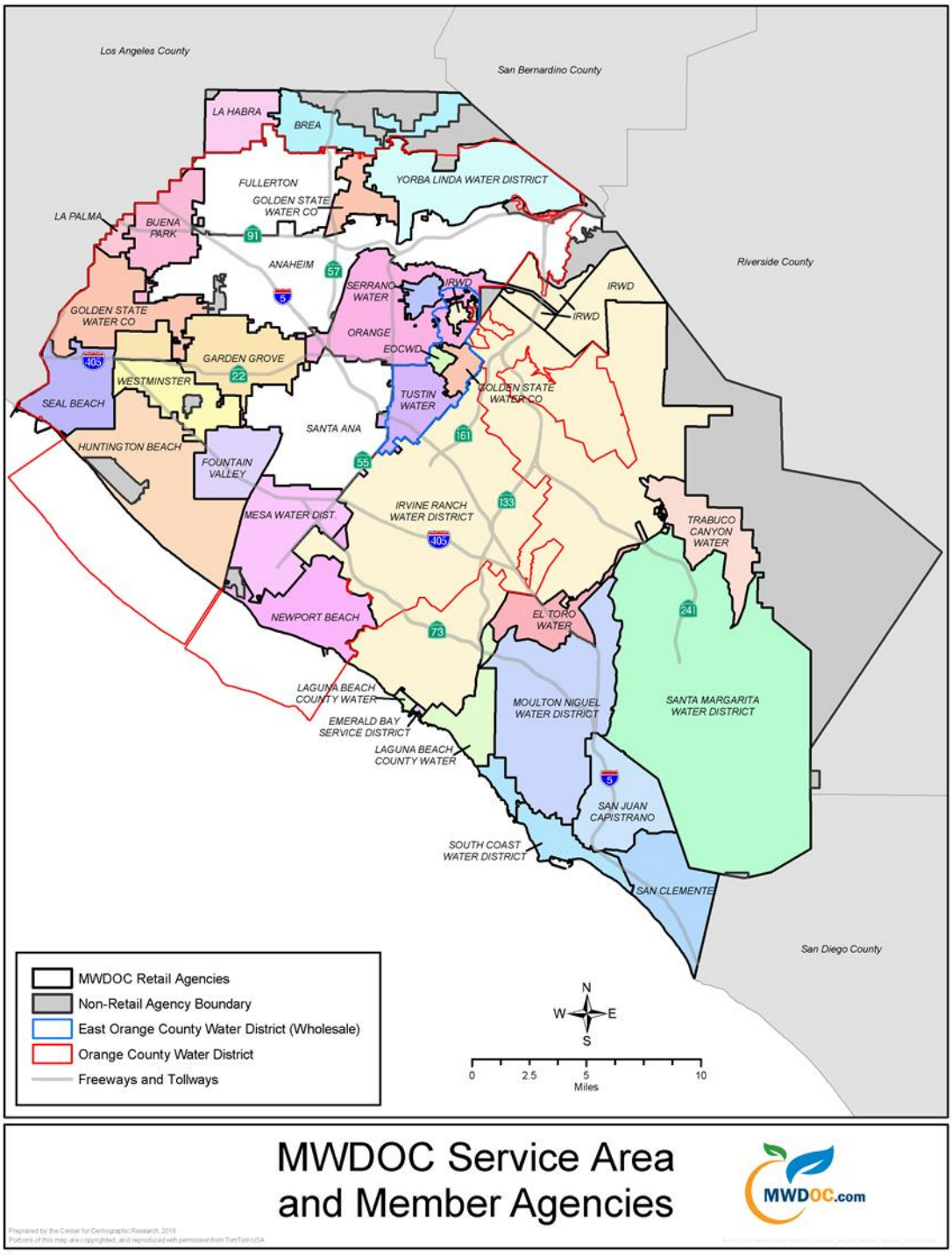

Figure 2-2: Regional Location of the District and Other MWDOC Member Agencies

2.3 Relationship with Wholesaler Water Shortage Planning

The WSCP is designed to be consistent with MET's Water Shortage and Demand Management (WSDM) Plan, MWDOC's Water Supply Allocation Plan (WSAP), and other emergency planning efforts as described below. MWDOC's WSAP is integral to the WSCP's shortage response strategy in the event that MET or MWDOC determines that supply augmentation (including storage) and lesser demand reduction measures would not be sufficient to meet a projected shortage levels needed to meet demands.

2.3.1 MET Water Surplus and Drought Management Plan

MET evaluates the level of supplies available and existing levels of water in storage to determine the appropriate management stage annually. Each stage is associated with specific resource management actions to avoid extreme shortages to the extent possible and minimize adverse impacts to retail customers should an extreme shortage occur. The sequencing outlined in the WSDM Plan reflects anticipated responses towards MET's existing and expected resource mix.

Surplus stages occur when net annual deliveries can be made to water storage programs. Under the WSDM Plan, there are four surplus management stages that provides a framework for actions to take for surplus supplies. Deliveries in Diamond Valley Lake (DVL) and in SWP terminal reservoirs continue through each surplus stage provided there is available storage capacity. Withdrawals from DVL for regulatory purposes or to meet seasonal demands may occur in any stage.

The WSDM Plan distinguishes between shortages, severe shortages, and extreme shortages. The differences between each term are listed below.

- Shortage: MET can meet full-service demands and partially meet or fully meet interruptible demands using stored water or water transfers as necessary.
- Severe Shortage: MET can meet full-service demands only by using stored water, transfers, and possibly calling for extraordinary conservation.
- Extreme Shortage: MET must allocate available supply to full-service customers.

There are six shortage management stages to guide resource management activities. These stages are defined by shortfalls in imported supply and water balances in MET's storage programs. When MET must make net withdrawals from storage to meet demands, it is considered to be in a shortage condition. Figure 2-3 gives a summary of actions under each surplus and shortage stages when an allocation plan is necessary to enforce mandatory cutbacks. The goal of the WSDM plan is to avoid Stage 6, an extreme shortage (MET, 1999).

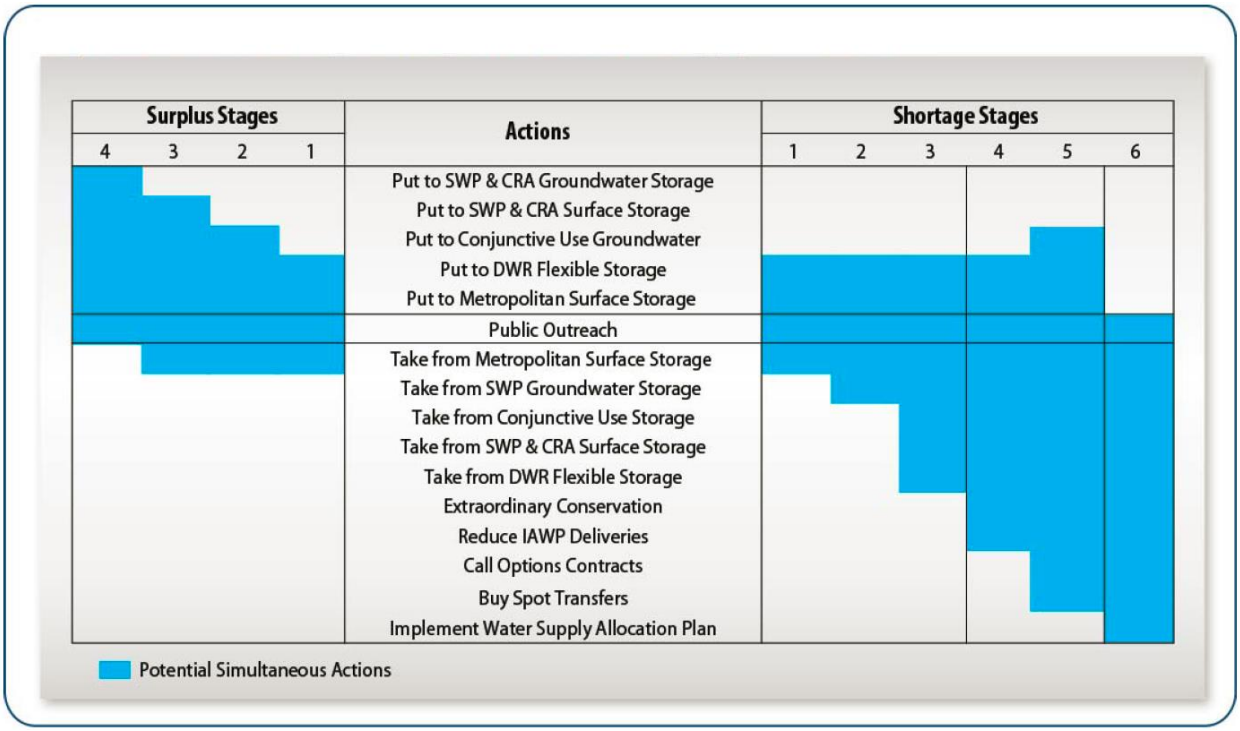

Figure 2-3: Resource Stages, Anticipated Actions, and Supply Declarations

MET's Board of Directors adopted a Water Supply Condition Framework in June 2008 in order to communicate the urgency of the region's water supply situation and the need for further water conservation practices. The framework has four conditions, each calling increasing levels of conservation. Descriptions for each of the four conditions are listed below:

- Baseline Water Use Efficiency: Ongoing conservation, outreach, and recycling programs to achieve permanent reductions in water use and build storage reserves.
- Condition 1 Water Supply Watch: Local agency voluntary dry-year conservation measures and use of regional storage reserves.
- Condition 2 Water Supply Alert: Regional call for cities, counties, member agencies, and retail water agencies to implement extraordinary conservation through drought ordinances and other measures to mitigate use of storage reserves.
- Condition 3 Water Supply Allocation: Implement MET's WSAP.

As noted in Condition 3, should supplies become limited to the point where imported water demands cannot be met, MET will allocate water through the WSAP (MET, 2021a).

2.3.2 MET Water Supply Allocation Plan

MET's imported supplies have been impacted by a number of water supply challenges as noted earlier. In case of extreme water shortage within the MET service area is the implementation of its WSAP.

MET's Board of Directors originally adopted the WSAP in February 2008 to fairly distribute a limited amount of water supply and applies it through a detailed methodology to reflect a range of local conditions and needs of the region's retail water consumers (MET, 2021a).

The WSAP includes the specific formula for calculating member agency supply allocations and the key implementation elements needed for administering an allocation. MET's WSAP is the foundation for the urban water shortage contingency analysis required under Water Code Section 10632 and is part of MET's 2020 UWMP.

MET's WSAP was developed in consideration of the principles and guidelines in MET's 1999 WSDM Plan with the core objective of creating an equitable "needs-based allocation." The WSAP's formula seeks to balance the impacts of a shortage at the retail level while maintaining equity on the wholesale level for shortages of MET supplies of up to greater than 50%. The formula takes into account a number of factors, such as the impact on retail customers, growth in population, changes in supply conditions, investments in local resources, demand hardening aspects of water conservation savings, recycled water, extraordinary storage and transfer actions, and groundwater imported water needs.

The formula is calculated in three steps: 1) based period calculations, 2) allocation year calculations, and 3) supply allocation calculations. The first two steps involve standard computations, while the third step contains specific methodology developed for the WSAP.

Step 1: Base Period Calculations – The first step in calculating a member agency's water supply allocation is to estimate their water supply and demand using a historical based period with established water supply and delivery data. The base period for each of the different categories of supply and demand is calculated using data from the two most recent non-shortage years.

Step 2: Allocation Year Calculations – The next step in calculating the member agency's water supply allocation is estimating water needs in the allocation year. This is done by adjusting the base period estimates of retail demand for population growth and changes in local supplies.

Step 3: Supply Allocation Calculations – The final step is calculating the water supply allocation for each member agency based on the allocation year water needs identified in Step 2.

In order to implement the WSAP, MET's Board of Directors makes a determination on the level of the regional shortage, based on specific criteria, typically in April. The criteria used by MET includes current levels of storage, estimated water supplies conditions, and projected imported water demands. The allocations, if deemed necessary, go into effect in July of the same year and remain in effect for a 12-month period. The schedule is made at the discretion of the Board of Directors (MET, 2021b).

As demonstrated by the findings in MET's 2020 UWMP both the Water Reliability Assessment and the Drought Risk Assessment (DRA) demonstrate that MET is able to mitigate the challenges posed by hydrologic variability, potential climate change, and regulatory risk on its imported supply sources through the significant storage capabilities it has developed over the last two decades, both dry-year and emergency storage (MET, 2021a).

Although MET's 2020 UWMP forecasts that MET will be able to meet projected imported demands throughout the projected period from 2025 to 2045, uncertainty in supply conditions can result in MET needing to implement its WSAP to preserve dry-year storage and curtail demands (MET, 2021b).

2.3.3 MWDOC Water Supply Allocation Plan

To prepare for the potential allocation of imported water supplies from MET, MWDOC worked collaboratively with its 28 retail agencies to develop its own WSAP that was adopted in January 2009 and amended in 2016. The MWDOC WSAP outlines how MWDOC will determine and implement each of its retail agency's allocation during a time of shortage.

The MWDOC WSAP uses a similar method and approach, when reasonable, as that of the MET's WSAP. However, MWDOC's plan remains flexible to use an alternative approach when MET's method produces a

significant unintended result for the member agencies. The MWDOC WSAP model follows five basic steps to determine a retail agency's imported supply allocation.

Step 1: Determine Baseline Information – The first step in calculating a water supply allocation is to estimate water supply and demand using a historical based period with established water supply and delivery data. The base period for each of the different categories of demand and supply is calculated using data from the last two non-shortage years.

Step 2: Establish Allocation Year Information – In this step, the model adjusts for each retail agency's water need in the allocation year. This is done by adjusting the base period estimates for increased retail water demand based on population growth and changes in local supplies.

Step 3: Calculate Initial Minimum Allocation Based on MET's Declared Shortage Level – This step sets the initial water supply allocation for each retail agency. After a regional shortage level is established, MWDOC will calculate the initial allocation as a percentage of adjusted Base Period Imported water needs within the model for each retail agency.

Step 4: Apply Allocation Adjustments and Credits in the Areas of Retail Impacts and Conservation– In this step, the model assigns additional water to address disparate impacts at the retail level caused by an across-the-board cut of imported supplies. It also applies a conservation credit given to those agencies that have achieved additional water savings at the retail level as a result of successful implementation of water conservation devices, programs and rate structures.

Step 5: Sum Total Allocations and Determine Retail Reliability – This is the final step in calculating a retail agency's total allocation for imported supplies. The model sums an agency's total imported allocation with all of the adjustments and credits and then calculates each agency's retail reliability compared to its Allocation Year Retail Demand.

The MWDOC WSAP includes additional measures for plan implementation, including the following (MWDOC, 2016):

- **Appeal Process –** An appeals process to provide retail agencies the opportunity to request a change to their allocation based on new or corrected information. MWDOC anticipates that under most circumstances, a retail agency's appeal will be the basis for an appeal to MET by MWDOC.
- **Melded Allocation Surcharge Structure –** At the end of the allocation year, MWDOC would only charge an allocation surcharge to each retail agency that exceeded their allocation if MWDOC exceeds its total allocation and is required to pay a surcharge to MET. MET enforces allocations to retail agencies through an allocation surcharge to a retail agency that exceeds its total annual allocation at the end of the 12-month allocation period. MWDOC's surcharge would be assessed according to the retail agency's prorated share (acre-feet over usage) of MWDOC amount with MET. Surcharge funds collected by MET will be invested in its Water Management Fund, which is used to in part to fund expenditures in dry-year conservation and local resource development.
- **Tracking and Reporting Water Usage –** MWDOC will provide each retail agency with water use monthly reports that will compare each retail agency's current cumulative retail usage to their allocation baseline. MWDOC will also provide quarterly reports on its cumulative retail usage versus its allocation baseline.
- **Timeline and Option to Revisit the Plan –** The allocation period will cover 12 consecutive months and the Regional Shortage Level will be set for the entire allocation period. MWDOC only anticipates calling for allocation when MET declares a shortage; and no later than 30 days from MET's declaration will MWDOC announce allocation to its retail agencies.

3 WATER SHORTAGE CONTINGENCY PREPAREDNESS AND RESPONSE PLANNING

The District's WSCP is a detailed guide of how the District intends to act in the case of an actual water shortage condition. The WSCP anticipates a water supply shortage and provides pre-planned guidance for managing and mitigating a shortage. Regardless of the reason for the shortage, the WSCP is based on adequate details of demand reduction and supply augmentation measures that are structured to match varying degrees of shortage will ensure the relevant stakeholders understand what to expect during a water shortage situation.

3.1 Water Supply Reliability Analysis

Per Water Code Section 10632 (a)(1), the WSCP shall provide an analysis of water supply reliability conducted pursuant to Water Code Section 10635, and the key issues that may create a shortage condition when looking at the District's water asset portfolio.

Understanding water supply reliability, factors that could contribute to water supply constraints, availability of alternative supplies, and what effect these have on meeting customer demands provides the District with a solid basis on which to develop appropriate and feasible response actions in the event of a water shortage. In the 2020 UWMP, the District conducted a Water Reliability Assessment to compare the total water supply sources available to the water supplier with long-term projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and a drought lasting five consecutive water years (ETWD, 2021).

The District also conducted a DRA to evaluate a drought period that lasts five consecutive water years starting from the year following when the assessment is conducted. An analysis of both assessments determined that the District is capable of meeting all customers' demands from 2021 through 2045 for a normal year, a single dry year, and a drought lasting five consecutive years with significant imported water supplemental drought supplies from MWDOC/MET and ongoing conservation program efforts. The District receives the majority of its water supply from imported water from MWDOC, as well as supplemental supplies from local recycled water from the District's Water Recycling Plant that add reliability for non-potable demand.

As a result, there is no projected shortage condition due to drought that will trigger customer demand reduction actions until MWDOC notifies the District of insufficient imported supplies. More information is available in the District's 2020 UWMP Sections 6 and 7 (ETWD, 2021).

3.2 Annual Water Supply and Demand Assessment Procedures

Per Water Code Section 10632.1, the District will conduct an Annual Assessment pursuant to subdivision (a) of Section 10632 and by July 1st of each year, beginning in 2022, submit an annual water shortage assessment with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the Supplier's WSCP.

The District must include in its WSCP the procedures used for conducting an Annual Assessment. The Annual Assessment is a determination of the near-term outlook for supplies and demands and how a perceived shortage may relate to WSCP shortage stage response actions in the current calendar year. This determination is based on information available to the District at the time of the analysis. Starting in 2022, the Annual Assessment will be due by July 1 of every year.

This section documents the decision-making process required for formal approval of the District's Annual Assessment determination of water supply reliability each year and the key data inputs and the methodologies

used to evaluate the water system reliability for the coming year, while considering that the year to follow would be considered dry.

3.2.1 Decision-Making Process

The following decision-making process describes the functional steps that the District will take to formally approve the Annual Assessment determination of water supply reliability each year.

3.2.1.1 District Steps to Approve the Annual Assessment Determination

The Annual Assessment will be predicated on the MWDOC Annual Assessment outcomes.

MWDOC surveys its member agencies annually for anticipated water demands and supplies for the upcoming year. MWDOC utilizes this information to plan for the anticipated imported water supplies for the MWDOC service area. This information is then shared and coordinated with MET and is incorporated into their analysis of their service area's annual imported water needs. Based on the year's supply conditions and WSDM actions, MET will present a completed Annual Assessment for its member agencies' review from which they will then seek Board approval in April of each year. Additionally, MET expects that any triggers or specific shortage response actions that result from the Annual Assessment would be approved by their Board at that time. Based upon MET's Assessment and taking into consideration information provided to MWDOC through the annual survey, MWDOC will provide an anticipated estimate of imported supplies for ETWD to incorporate into the annual supply and demand assessment.

The Annual Assessment findings will determine the approval process. If a shortage is identified, the Annual Assessment will be taken to the ETWD Board of Directors for approval and formally submitted to DWR prior to the July 1 deadline. If no shortage is identified, the Annual Assessment will be approved by the General Manager, or designee, and submitted to DWR prior to the July 1 deadline.

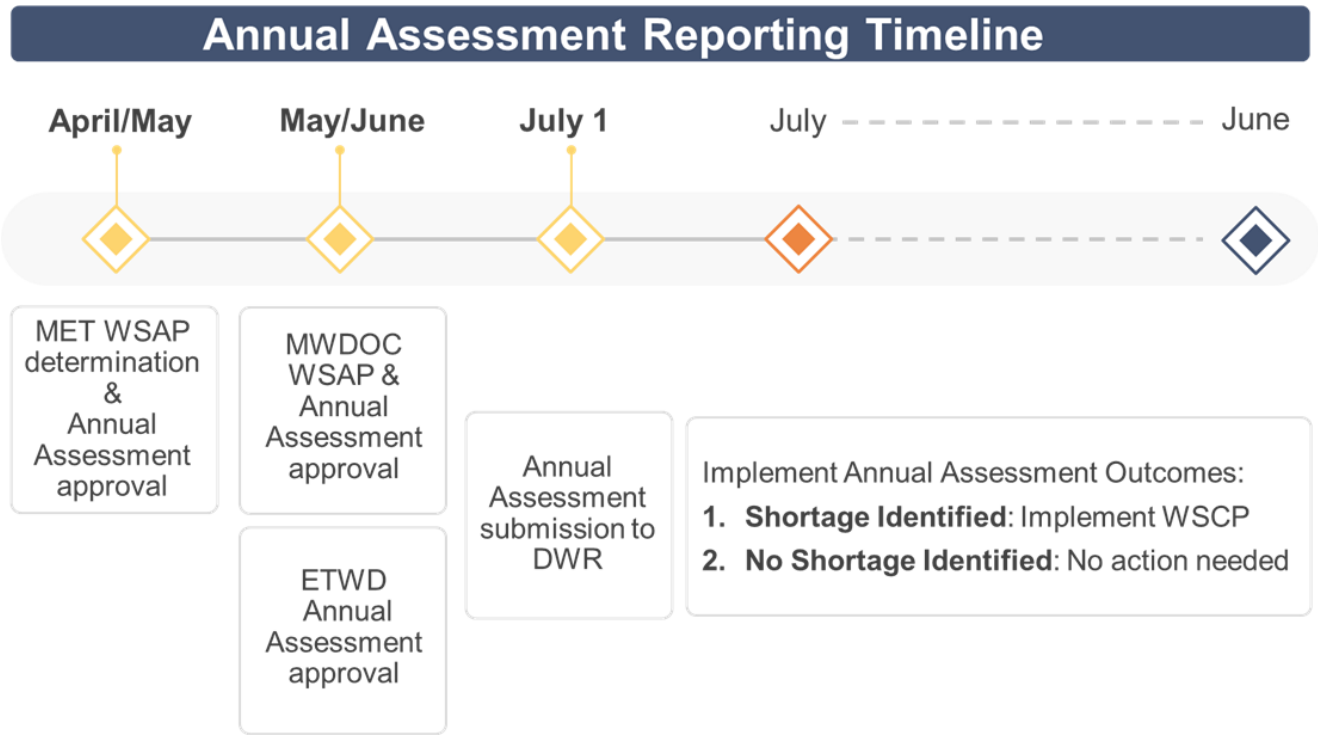

Figure 3-1: Annual Assessment Reporting Timeline

3.2.2 Data and Methodologies

The following paragraphs document the key data inputs and methodologies that are used to evaluate the water system reliability for the coming year, while considering that the year to follow would be considered dry.

3.2.2.1 Assessment Methodology

The District will evaluate water supply reliability for the current year and one dry year for the purpose of the Annual Assessment. The Annual Assessment determination will be based on considerations of unconstrained water demand, local water supplies, MWDOC/MET imported water supplies, planned water use, and infrastructure considerations. The balance between projected local supplies coupled with MET imported supplies and anticipated unconstrained demand will be used to determine what, if any, shortage stage is expected under the WSCP framework as presented in Figure 3-2. The WSCP's standard shortage stages are defined in terms of shortage percentages. Shortage percentages will be calculated by dividing the difference between water supplies and unconstrained demand by total unconstrained demand. This calculation will be performed separately for anticipated current year conditions and for assumed dry year conditions.

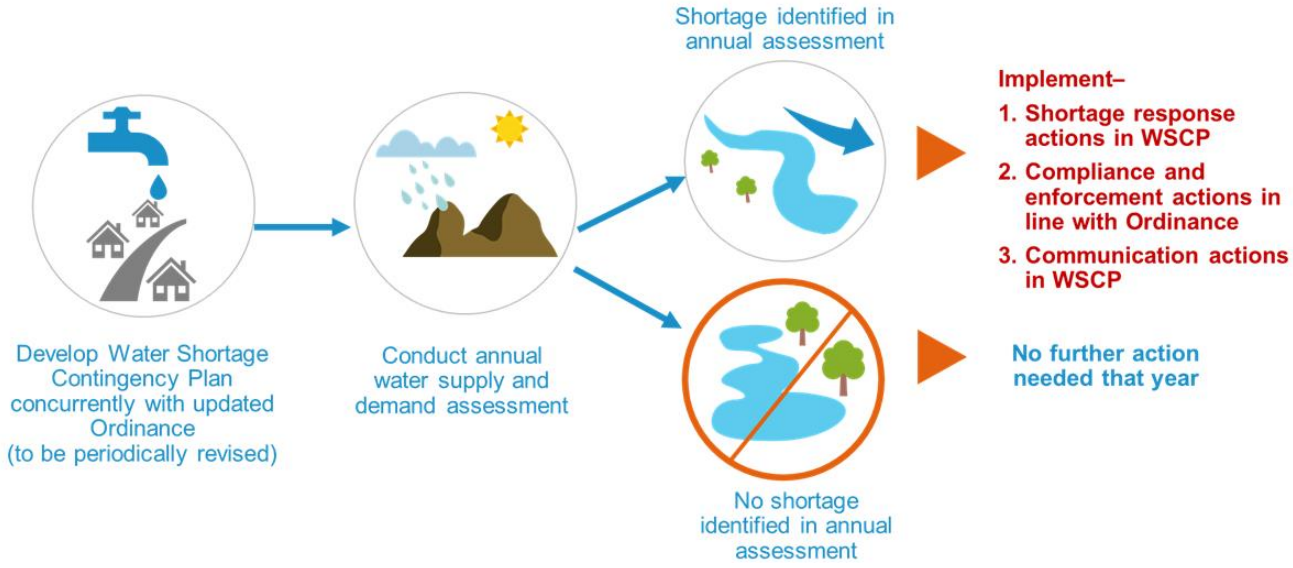

Figure 3-2: Water Shortage Contingency Plan Annual Assessment Framework

3.2.2.2 Locally Applicable Evaluation Criteria

Within Orange County, there are no significant local applicable criteria that directly affect reliability. Through the years, the water agencies in Orange County have made tremendous efforts to integrate their systems to provide flexibility to interchange with different sources of supplies. There are emergency agreements in place to ensure all parts of the County have an adequate supply of water. For the agencies in southern Orange County, most of their demands are met with imported water where their limitation is based on the capacity of their system, which is considered sufficient to meet anticipated demands.

The District will also continue to monitor emerging supply and demand conditions related to supplemental imported water from MWDOC/MET and take appropriate actions consistent with the flexibility and adaptiveness inherent to the WSCP. The District's Annual Assessment was based on the District's service area, water sources, water supply reliability, and water use as described in Water Code Section 10631, including available data from state, regional, or local agency population, land use development, and climate change projections within the service area of the

District. Some conditions that affect MWDOC's wholesale supply and demand, such as groundwater replenishment, surface water and local supply production, can differ significantly from earlier projections throughout the year.

However, if a major earthquake on the San Andreas Fault occurs, it will damage all three key regional water aqueducts and disrupt imported supplies for up to six months. The region would likely impose a water use reduction ranging from 10-25% until the system is repaired. However, MET and MWDOC have taken proactive steps to handle such disruption, such as constructing DVL, which mitigates potential impacts. DVL, along with other local reservoirs, can store a six to twelve-month supply of emergency water (MET, 2021b).

3.2.2.3 Water Supply

As detailed in the Districts 2020 UWMP, the District meets all of its customers' demands with a combination of treated and untreated imported water from MWDOC/MET, local recycled water, and local surface water from Irvine Lake. The District's main source of water supply is imported water, with recycled water and surface water making up the rest of the District's water supply portfolio. In fiscal year (FY) 2019-20, the District relied on 50% treated imported water, 32% untreated imported water, 14% recycled water, and 4% surface water. It is projected that by 2045, the District's water supply portfolio will change to approximately 45% treated imported water, 39% untreated imported water, and 16% recycled water (ETWD, 2021).

3.2.2.4 Unconstrained Customer Demand

The WSCP and Annual Assessment define unconstrained demand as expected water use prior to any projected shortage response actions that may be taken under the WSCP. Unconstrained demand is distinguished from observed demand, which may be constrained by preceding, ongoing, or future actions, such as emergency supply allocations during a multi-year drought. WSCP shortage response actions to constrain demand are inherently extraordinary; routine activities such as ongoing conservation programs and regular operational adjustments are not considered as constraints on demands.

The District's DRA reveals that its supply capabilities are expected to balance anticipated total water use and supply, assuming a five-year consecutive drought from FY 2020-21 through FY 2024-25 (ETWD, 2021). Water demands in a five-year consecutive drought are calculated as a six percent increase in water demand above a normal year for each year of the drought (CDM Smith, 2021).

3.2.2.5 Planned Water Use for Current Year Considering Dry Subsequent Year

Water Code Section 10632(a)(2)(B)(ii) requires the Annual Assessment to determine "current year available supply, considering hydrological and regulatory conditions in the current year and one dry year."

The Annual Assessment will include two separate estimates of the District's annual water supply and unconstrained demand using: 1) current year conditions, and 2) assumed dry year conditions. Accordingly, the Annual Assessment's shortage analysis will present separate sets of findings for the current year and dry year scenarios. The Water Code does not specify the characteristics of a dry year, allowing discretion to the Supplier. The District will use its discretion to refine and update its assumptions for a dry year scenario in each Annual Assessment as information becomes available and in accordance with best management practices.

Supply and demand analyses for the single-dry year case was based on conditions affecting the SWP as this supply availability fluctuates the most among MET's, and therefore MWDOC and the District's, sources of supply. FY 2013-14 was the single driest year for SWP supplies with an allocation of 5% to Municipal and Industrial (M&I) uses. Unique to this year, the 5% SWP allocation was later reduced to 0%, before ending up at its final allocation of 5%, highlighting the stressed water supplies for the year. Furthermore, on January 17, 2014 Governor Brown declared the drought State of Emergency citing 2014 as the driest year in California history. Additionally, within

MWDOC's service area, precipitation for FY 2013-14 was the second lowest on record, with 4.37 inches of rain, significantly impacting water demands.

The water demand forecasting model developed for the Demand Forecast TM isolated the impacts that weather and future climate can have on water demand through the use of a statistical model. The impacts of hot/dry weather conditions are reflected as a percentage increase in water demands from the normal year condition (average of FY 2017-18 and FY 2018-19). For a single dry year condition (FY 2013-14), the model projects a 6% increase in demand for the Orange County Groundwater Basin area where the District's service area is located (CDM Smith, 2021). Detailed information of the model is included in the District's 2020 UWMP.

The District has documented that it is 100% reliable for single dry year demands from 2025 through 2045 with a demand increase of 6% from normal demand with significant reserves held by MET, local groundwater supplies, and water use efficiency (ETWD, 2021).

3.2.2.6 Infrastructure Considerations

The Annual Assessment will include consideration of any infrastructure issues that may pertain to near-term water supply reliability, including repairs, construction, and environmental mitigation measures that may temporarily constrain capabilities, as well as any new projects that may add to system capacity. MWDOC closely coordinates with MET and its member agencies, including the District, on any planned infrastructure work that may impact water supply availability. Throughout each year, MET regularly carries out preventive and corrective maintenance of its facilities within the MWDOC service area that may require shutdowns to inspect and repair pipelines and facilities and support capital improvement projects. These shutdowns involve a high level of planning and coordination between MWDOC, MWDOC's member agencies, and MET to ensure that major portions of the distribution system are not out of service at the same time. Operational flexibility within MET's system and the cooperation of member agencies allow shutdowns to be successfully completed while continuing to meet all system demands.

Specifically for the District, the Capital Improvement Program is updated annually to maintain existing infrastructure rather than expand to new water supply sources.

3.2.2.7 Other Factors

For the Annual Assessment, any known issues related to water quality would be considered for their potential effects on water supply reliability.

3.3 Six Standard Water Shortage Levels

Per Water Code Section 10632 (a)(3)(A), the District must include the six standard water shortage levels that represent shortages from the normal reliability as determined in the Annual Assessment. The shortage levels have been standardized to provide a consistent regional and statewide approach to conveying the relative severity of water supply shortage conditions. This is an outgrowth of the severe statewide drought of 2013-2016, and the widely recognized public communication and state policy uncertainty associated with the many different local definitions of water shortage levels.

The six standard water shortage levels correspond to progressively increasing estimated shortage conditions (up to 10, 20, 30, 40, 50, and greater than 50% shortage compared to the normal reliability condition) and align with the response actions the Supplier would implement to meet the severity of the impending shortages (Table 3-1).

Table 3-1: Water Shortage Contingency Plan Levels

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	**Percent Shortage Range**	**Shortage Response Actions**
0	0% (Normal)	A Level 0 Water Supply Shortage – Condition exists when no current supply reductions are anticipated. The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water conservation requirements are in place as stipulated in the District's Water Shortage Contingency Response Ordinance No. 2022-1.
1	Up to 10%	A Level 1 Water Supply Shortage – Condition exists when the District Board of Directors, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in its Water Shortage Contingency Response Ordinance No. 2022-1. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
2	11% to 20%	A Level 2 Water Supply Shortage – Condition exists when the District Board of Directors, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in its Water Shortage Contingency Response Ordinance No. 2022-1.
3	21% to 30%	A Level 3 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
4	31% to 40%	A Level 4 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	**Percent Shortage Range**	**Shortage Response Actions**
5	41% to 50%	A Level 5 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
NOTES: The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.		

3.4 Shortage Response Actions

Water Code Section 10632 (a)(4) requires the WSCP to specify shortage response actions that align with the defined shortage levels. The District has defined specific shortage response actions that align with the defined shortage levels in DWR Tables 8-2 and 8-3 (Appendix A). These shortage response actions were developed with consideration to the system infrastructure and operations changes, supply augmentation responses, customer-class or water use-specific demand reduction initiatives, and increasingly stringent water use prohibitions.

3.4.1 Demand Reduction

The demand reduction measures that would be implemented to address shortage levels are described in DWR Table 8-2 (Appendix A). This table indicates which actions align with specific defined shortage levels and estimates the extent to which that action will reduce the gap between supplies and demands. DWR Table 8-2 (Appendix A) demonstrates that the chosen suite of shortage response actions can be expected to deliver the expected outcomes necessary to meet the requirements of a given shortage level (e.g., target of an additional 10% water savings). This table also identifies the enforcement action, if any, associated with each demand reduction measure.

3.4.2 Supply Augmentation

The supply augmentation actions are described in DWR Table 8-3 (Appendix A). These augmentations represent short-term management objectives triggered by the MET's WSDM Plan and do not overlap with the long-term new water supply development or supply reliability enhancement projects. Supply Augmentation is made available to

the District through MWDOC and MET. The District relies on MET's reliability portfolio of water supply programs including existing water transfers, storage and exchange agreements to supplement gaps in the District's supply/demand balance. MET has developed significant storage capacity (over 5 million AF) in reservoirs and groundwater banking programs both within and outside of the Southern California region. Additionally, MET can pursue additional water transfer and exchange programs with other water agencies to help mitigate supply/demand imbalances and provide additional dry-year supply sources.

MWDOC, and in turn its retail agencies, including the District, has access to supply augmentation actions through MET. MET may exercise these actions based on regional need, and in accordance with their WSCP, and may include the use of supplies and storage programs within the Colorado River, SWP, and in-region storage. The District has the ability to augment its supply to reduce the shortage gap by up to 100% by purchasing additional imported water through MWDOC; however, this is subject to rate penalties from MWDOC.

3.4.3 Operational Changes

During shortage conditions, operations may be affected by supply augmentation or demand reduction responses. The District will consider their operational procedures when it completes its Annual Assessment or as needed to identify changes that can be implemented to address water shortage on a short-term basis, such as suspending normal system flushing procedures or other minor changes to increase efficiency and to more effectively distribute available supply across the service area.

3.4.4 Additional Mandatory Restrictions

California Water Code Section 10632(a)(4)(D) calls for "additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions" to be included among the WSCP's shortage response actions. The District has identified additional mandatory restrictions in the Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

3.4.5 Emergency Response Plan (Hazard Mitigation Plan)

A catastrophic water shortage would be addressed according to the appropriate water shortage level and response actions. It is likely that a catastrophic shortage would immediately trigger Shortage Level 6 and response actions have been put in place to mitigate a catastrophic shortage. In addition, there are several plans that address catastrophic failures and align with the WSCP, including MET's WSDM and WSAP and the Water Emergency Response Organization of Orange County (WEROC)'s Emergency Operations Plan (EOP).

3.4.5.1 MET's WSDM and WSAP

MET has comprehensive plans for stages of actions it would undertake to address a catastrophic interruption in water supplies through its WSDM and WSAP. MET also developed an Emergency Storage Requirement to mitigate against potential interruption in water supplies resulting from catastrophic occurrences within the Southern California region, including seismic events along the San Andreas Fault. In addition, MET is working with the state to implement a comprehensive improvement plan to address catastrophic occurrences outside of the Southern California region, such as a maximum probable seismic event in the Sacramento-San Joaquin River Delta that would cause levee failure and disruption of SWP deliveries.

3.4.5.2 Water Emergency Response Organization of Orange County Emergency Operations Plan

In 1983, the Orange County water community identified a need to develop a plan on how agencies would respond effectively to disasters impacting the regional water distribution system. The collective efforts of these agencies resulted in the formation of the Water Emergency Response Organization of Orange County (WEROC) to coordinate emergency response on behalf of all Orange County water and wastewater agencies, develop an emergency plan to respond to disasters, and conduct disaster training exercises for the Orange County water community. WEROC was established with the creation of an indemnification agreement between its member agencies to protect each other against civil liabilities and to facilitate the exchange of resources. WEROC is unique in its ability to provide a single point of contact for representation of all water and wastewater utilities in Orange County during a disaster. This representation is to the county, state, and federal disaster coordination agencies. Within the Orange County Operational Area, WEROC is the recognized contact for emergency response for the water community.

3.4.5.3 El Toro Water District Emergency Storage and Emergency Response Plan

The District maintains several emergency interconnections with neighboring water agencies, to provide mutual aid during times of catastrophic supply interruptions. These agencies include Irvine Ranch Water District, Moulton Niguel Water District, Santa Margarita Water District and Trabuco Canyon Water District. The District also maintains as much as 124 million gallons of storage in the El Toro Reservoir which provides emergency storage within the District. In addition the District owns 11.5 percent of the capacity in the Baker Water Treatment Plant. The District is planning capital projects to increase water supply resiliency should disasters occur and interrupt imported water supplies. The District maintains a set of preparation actions to respond to various sorts of catastrophes. These actions items are listed below.

• Regional Power Outage: The District will coordinate with Southern California Edison for schedule of restoration of service. At sites with back-up power generators District staff will check that the generators are functioning and assess their fuel requirements. The District will assess its reservoir levels and coordinate reduction of demand by providing back-up emergency pumps if necessary.

• Earthquake: The District will activate its emergency response plan and contact customers directly or through media as needed to curtail demand. The District will initiate mutual aid with WEROC and its neighboring districts, coordinate with the Department of Drinking Water (DDW), and issue health directives if necessary.

• Facility Failure: The District will isolate the facility and coordinate water shortage response actions as required. The District will issue appropriate health directives as needed and provide alternative service and initiate repairs or replacement of the facility.

• Water Supply Interruption: The District will implement water shortage response actions as appropriate to ensure fire safety and health concerns and use its interconnections and storage if necessary.

• Water Supply Contamination: The District will notify the DDW, isolate systems that are contaminated, and issue health directives, as necessary.

3.4.6 Seismic Risk Assessment and Mitigation Plan

California Water Code Section 10632.5(a) requires a WSCP to include a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities. In August of 2019, the District's Board adopted the Orange County Regional Water and Wastewater Hazard Mitigation Plan, per the requirements of the Federal Disaster Mitigation Act of 2000. The District and eighteen (18) other participating Orange County water and wastewater utilities jointly developed and

adopted the Orange County Regional Water and Wastewater Hazard Mitigation Plan. The Hazard Mitigation Plan evaluates hazards applicable to all water agencies in the Orange County planning area, prioritized based on probability, location, maximum probable extent, and secondary impacts, including seismic vulnerabilities. The Hazard Mitigation Plan is structured to have a base plan and appendices that reflect information that is generic to all participating agencies, such as the planning process, risk assessment, mitigation strategy and plan maintenance. In addition, there are annexes that are specific to each agency, including a description of physical infrastructure assets, potential disaster impacts, and the mitigation goals and actions for each participating agency. The District worked in coordination with the WEROC to develop the regional plan and address the District-specific Annex assessment and mitigation plan. The Hazard Mitigation Plan concludes that earthquake fault rupture and seismic hazards, including ground shaking and liquefaction, are among the highest ranked hazards to the region as a whole because of its long history of earthquakes, with some resulting in considerable damage. A significant earthquake along one of the major faults could cause substantial casualties, extensive damage to infrastructure, fires, damages and outages of water and wastewater facilities, and other threats to life and property. It was determined that the overarching mitigation goals were the same for all Orange County water agencies, and thus, a common set of goals were identified in the regional Hazard Mitigation Plan, which include:

• Goal 1: Minimize vulnerabilities of critical infrastructure to minimize damages and loss of life and injury to human life caused by hazards.

• Goal 2: Minimize security risks to water and wastewater infrastructure.

• Goal 3: Minimize interruption to water and wastewater utilities.

• Goal 4: Improve public outreach, awareness, education, and preparedness for hazards in order to increase community resilience.

• Goal 5: Eliminate or minimize wastewater spills and overflows.

• Goal 6: Protect water quality and supply, critical aquatic resources, and habitat to ensure a safe water supply.

• Goal 7: Strengthen Emergency Response Services to ensure preparedness, response, and recovery during any major or multi-hazard event.

For detailed hazard identification, prioritization, and mitigation strategies, in particular seismic risks and mitigation, refer to the Orange County Regional Water and Wastewater Hazard Mitigation Plan and the ETWD-specific Annex.

3.4.7 Shortage Response Action Effectiveness

For each specific Shortage Response Action identified in the plan, the WSCP also estimates the extent to which that action will reduce the gap between supplies and demands identified in DWR Table 8-2 (Appendix A). To the extent feasible, the District has estimated percentage savings for the chosen suite of shortage response actions, which can be anticipated to deliver the expected outcomes necessary to meet the requirements of a given shortage level.

3.5 Communication Protocols

Timely and effective communication is a key element of the WSCP implementation. In the context of water shortage response, the purpose may be an immediate emergency water shortage situation, such as may result from an earthquake, or a longer-term shortage condition, such as may result from a drought. In an immediate emergency, the District will activate the communication protocols detailed in the Emergency Response Plan. In a longer-term water shortage situation, the District will implement follow the communication protocols described below.

Per the Water Code Section 10632 (a)(5), the District has established communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments regarding any current or predicted shortages as determined by the Annual Assessment described pursuant to Section 10632.1; any shortage response actions triggered or anticipated to be triggered by the Annual Assessment described pursuant to Section 10632.1; and any other relevant communications.

Longer-term water shortage communication protocols are focused on communicating the water shortage contingency planning actions that can be derived from the results of the Annual Assessment, and it would likely trigger based upon the decision-making process in Section 3.2. Following a water shortage level declaration, the District will pursue outreach to inform customers of water shortage levels and definitions, targeted water savings for each drought stage, guidelines that customers are to follow during each stage, and sources of current information on the District's supply and demand response status.

Table 3.2 provides the recommended communication guidelines to help guide customer campaigns during implementation of a water shortage level. It is meant to primarily help inform the public and decision makers about the types of measures the District would take under various water shortage levels and to aid in communications with customers and is not limited to other possible options. Specific circumstances will vary with each shortage and decisions about the most appropriate response should be based on the water supply and demand conditions at the time. These following actions are intended as a list of probable measures for advance preparation purposes rather than set protocols, recognizing that as supply and demand change over time, or as the shortage evolves, the ultimate choice of options and actions to best address the shortage may change.

The District's Public Relations department will lead public information and outreach efforts in close coordination with other MWDOC and MET. The District will share information and provide guidance to its customers as well as monitor the customer response and attitude toward both voluntary and mandatory customer response guidelines. The District's customer outreach is required to successfully achieve targeted water savings during each drought stage.

Table 3-2: Communication Protocols

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
1	• Initiate public information campaign; produce and distribute fact-based informational materials • Announce water supply conditions and emphasize ways to conserve immediately • Include increased conservation messages on website and in standard outreach efforts • Enhance promotion of ongoing water efficiency programs	• Voluntary water conservation requested of all customers • Adhere to Permanent Water Conservation Requirements • Promote water efficiency programs	• District Website • Direct Mail (Water Bill Message/inserts) • Bill Pay Portal • Social Media • ETWD Community Advisory Group Meetings • Regional School Program • Community Events • Laguna Woods Village (Television Interviews/Direct Email) • Communication with HOAs

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
2	• Intensify public information campaign conveying mandatory water-use restrictions, supply conditions and ways to save water • Provide regular supply condition updates to customers • Continue promotion of ongoing water efficiency programs/tools	• Encourage customers to stay within their water budget • Require leaks to be fixed in 4 days. • Intensify promotion of water efficiency programs	• Continue use of all tools in prior level • Direct communication and educational outreach with customers not in compliance with the Permanent Water Conservation Requirements (Educational door hangers/verbal)
3	• Expand campaign and messages to raise awareness for more severe water-saving actions/behaviors by customers • Conduct specialized outreach to reduce discretionary outdoor water use • Conduct outreach to high volume customers • Establish targeted and focused social media advertising strategies	• Promote water savings programs to help customers identify water savings opportunities • Possible implementation or modification of the Drought Factor and/or Water Shortage Rate Surcharge • Prohibit car washing except using permitted commercial carwashes • Limit outdoor watering to 3 days a week per Table 8.2/Appendix C • Require leaks be fixed within 3 days • Promote pool and spa requirements	• Continue use of all tools in prior levels • Direct communication with residential and commercial high-water users • Direct mail to customers (postcards/letters) • Paid media coverage (print and electronic) • Public Service Announcements
4	• Conduct issue briefings with elected officials and other key civic and business leaders • Scale up campaign and frequency of messages to reflect water shortage condition • Increase outreach efforts for high volume customers	• Limit outdoor watering to 2 days a week per Table 8.2 and Appendix C • Require leaks be fixed within 2 days • Implement or further reduce Drought Factor and/or Water Shortage Rate Surcharge	• Continue use of all tools in prior levels • Water waste patrols

Level	Communication Protocols	Customer Demand Reduction Action Examples	Communication Tools
5	• Partner with other agencies to expand public information campaign, as available • Suspend promotion of long-term water use efficiency programs/tools to focus on imminent needs • Emphasize work being done by ETWD to alleviate the impacts of such a severe shortage	• Limit outdoor watering to 1 day a week per Table 8.2/Appendix C • Require leaks be fixed within 1 day • Further reduce Drought Factor and/or increase Water Shortage Rate Surcharge • Discourage various water use deemed non-essential	• Continue use of all tools in prior levels • Neighborhood canvasing • Partnerships/ Regional incentives
6	• Update campaign and messages to reflect likely need to focus water use on health/safety needs	• Continue all measures initiated in prior stages as appropriate • Further reduce Drought Factor and/or increase Water Shortage Rate Surcharge • Prohibit outdoor irrigation per Table 8.2/Appendix C • Water use for public health and safety purposes only • District may shut off all non-essential water services • Customer rationing may be implemented	• Continue use of all tools in prior levels

3.6 Compliance and Enforcement

Per the Water Code Section 10632 (a)(6), the District has defined customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions. Communication procedures to ensure customer compliance are described in Section 3.5 and customer enforcement, appeal, and exemption procedures are defined in the District's existing Water Shortage Contingency Response Ordinance 2022-1 (Appendix B). The District intends to update any enforcement procedures in a subsequently adopted ordinance which will supersede the existing ordinance.

3.7 Legal Authorities

Per Water Code Section 10632 (a)(7)(A), the District has provided a description of the legal authorities that empower the District to implement and enforce its shortage response in its Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

Per Water Code Section 10632 (a)(7) (B), the District shall declare a water shortage emergency condition to prevail within the area served by such wholesaler whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

Per Water Code Section 10632 (a)(7)(C), the District shall coordinate with any agency or county within which it provides water supply services for the possible proclamation of a local emergency under California Government Code, California Emergency Services Act (Article 2, Section 8558). Table 3-3 identifies the contacts for all cities or counties for which the Supplier provides service in the WSCP, along with developed coordination protocols, can facilitate compliance with this section of the Water Code in the event of a local emergency as defined in subpart (c) of Government Code Section 8558.

Table 3-3: Agency Contacts and Coordination Protocols

Contact	Agency	Coordination Protocols
Dennis Wilberg	City of Mission Viejo	call/email
Chris Macon	City of Laguna Woods	call/email
Debra Rose	City of Lake Forest	call/email
Donald White	City of Laguna Hills	call/email
David Doyle	City of Aliso Viejo	call/email

3.8 Financial Consequences of WSCP

Per Water Code Section 10632(a)(8), Suppliers must include a description of the overall anticipated financial consequences to the Supplier of implementing the WSCP. This description must include potential reductions in revenue and increased expenses associated with implementation of the shortage response actions. This should be coupled with an identification of the anticipated mitigation actions needed to address these financial impacts.

During a catastrophic interruption of water supplies, prolonged drought, or water shortage of any kind, the District will experience a reduction in revenue due to reduced water sales. Throughout this period of time, expenditures may increase or decrease with varying circumstances. Expenditures may increase in the event of significant damage to the water system, resulting in emergency repairs. Expenditures may also decrease as less water is pumped through the system, resulting in lower power costs. Water shortage mitigation actions will also impact revenues and require additional costs for drought response activities such as increased staff costs for tracking, reporting, and communications.

The District receives water revenue from a service charge and a commodity charge based on consumption. The service charge recovers costs associated with providing water to the serviced property. The service charge does not vary with consumption and the commodity charge is based on water usage. Rates have been designed to recover the full cost of water service in the charges. Therefore, the total cost of purchasing water would decrease as the usage or sale of water decreases. In the event of a drought emergency, the Water Budget will be raised to a higher tier and the District will impose excessive water use penalties on its customers, which may include an additional administrative penalty or additional costs associated with reduced water revenue, staff time taken for penalty enforcement, and advertising the excessive use penalties. The excessive water use penalties are further described in the District's Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

However, there are significant fixed costs associated with maintaining a minimal level of service. The District will monitor projected revenues and expenditures should an extreme shortage and a large reduction in water sales occur for an extended period of time. To overcome these potential revenue losses and/or expenditure impacts, the District may use reserves. If necessary, the District may reduce expenditures by delaying implementation of its Capital Improvement Program and equipment purchases to reallocate funds to cover the cost of operations and critical maintenance, adjust the work force, implement a drought surcharge, and/or make adjustments to its water rate structure.

Based on current water rates, a volumetric cutback of 50% and above of water sales may lead to a range of reduction in revenues. The impacts to revenues will depend on a proportionate reduction in variable costs related to supply, pumping, and treatment for the specific shortage event. The District could mitigate these impacts by increasing water rate revenues and/or increasing fixed charges.

3.9 Monitoring and Reporting

Per Water Code Section 10632(a)(9), the District is required to provide a description of the monitoring and reporting requirements and procedures that have been implemented to ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

Monitoring and reporting key water use metrics is fundamental to water supply planning and management. Monitoring is also essential in times of water shortage to ensure that the response actions are achieving their intended water use reduction purposes, or if improvements or new actions need to be considered (see Section 3.10). Monitoring for customer compliance tracking is also useful in enforcement actions.

Under normal water supply conditions, potable water import data is reviewed daily. Weekly and monthly reports are prepared and monitored. This data will be used to measure the effectiveness of any water shortage contingency level that may be implemented. As levels of water shortage are declared by MET and MWDOC, the District will follow implementation of those levels as appropriate based on the District's risk profile provided in UWMP Chapter 6 and continue to monitor water demand levels. When MET calls for extraordinary conservation, MET's Drought Program Officer will coordinate public information activities with MWDOC and monitor the effectiveness of ongoing conservation programs.

The District will participate in monthly member agency manager meetings with MWDOC to monitor and discuss monthly water allocation charts. This will enable the District to be aware of import use on a timely basis as a result of specific actions taken responding to the District's WSCP.

3.10 WSCP Refinement Procedures

Per Water Code Section 10632 (a)(10), the District must provide reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed.

The District's WSCP is prepared and implemented as an adaptive management plan. The District will use the monitoring and reporting process defined in Section 3.9 to refine the WSCP. In addition, if certain procedural refinements or new actions are identified by District staff, or suggested by customers or other interested parties, the District will evaluate their effectiveness, incorporate them into the WSCP, and implement them quickly at the appropriate water shortage level.

It is envisioned that the WSCP will be periodically re-evaluated to ensure that its shortage risk tolerance is adequate and the shortage response actions are effective and up to date based on lessons learned from implementing the WSCP. The WSCP will be reviewed during the UWMP update cycle to incorporate any updated and potential new information. For example, new supply augmentation actions may be added, and actions that are no longer applicable for reasons such as program expiration will be removed. If revisions to the WSCP are warranted before the UWMP is updated, the WSCP will be updated outside of the UWMP update cycle. In the course of preparing the Annual Assessment each year, District staff may consider the functionality of the overall WSCP and may prepare recommendations for the District General Manager, or designee, if changes are found to be needed.

3.11 Special Water Feature Distinction

Per Water Code Section 10632 (b), the District has defined water features in that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code, in the Water Shortage Contingency Response Ordinance 2022-1 (Appendix B).

3.12 Plan Adoption, Submittal, and Availability

Per Water Code Section 10632 (a)(c), the District provided notice of the availability of the draft 2020 UWMP and draft 2020 WSCP and notice of the public hearing to consider adoption of the amended WSCP. The public review drafts of the 2020 UWMP and amended 2022 WSCP were posted prominently on the District's website in advance of their public hearings on May 27, 2021 and March 24, 2022, respectively. Copies of the draft WSCP amendment were also made available for public inspection at the District offices and public hearing notifications were published in local newspapers. A copy of the published Notice of Public Hearing is included in Appendix E.

The District held the public hearing for the amended WSCP on March 24, 2022 at the District Board meeting. The District Board reviewed and approved the 2020 UWMP at its May 27, 2021 meeting and the amended WSCP at its March 24, 2022 meeting after the public hearings. See Appendix F for the resolution approving the amended WSCP.

By July 1, 2021, the District's adopted 2020 UWMP was filed with DWR, California State Library, and the County of Orange. An electronic copy of the revised WSCP will be submitted to DWR within 30 days of its adoption. The District will make the amended WSCP available for public review on its website no later than 30 days after filing with DWR.

Based on DWR's review of the WSCP, the District will make any amendments in its adopted WSCP, as required and directed by DWR.

4 REFERENCES

CDM Smith. (2021, March 30). *Orange County Water Demand Forecast for MWDOC and OCWD Technical Memorandum.*

El Toro Water District (ETWD). (2021, July). *2020 Urban Water Management Plan*.

Metropolitan Water District of Southern California (MET). (2021a, March). *Water Shortage Contingency Plan*. http://www.mwdh2o.com/PDF_About_Your_Water/Draft_Metropolitan_WSCP_March_2021.pdf

Metropolitan Water District of Southern California (MET). (2021b, June). *2020 Urban Water Management Plan.*

Metropolitan Water District of Southern California (MET). (1999, August). *Water Surplus and Drought Management Plan*. http://www.mwdh2o.com/PDF_About_Your_Water/2.4_Water_Supply_Drought_Management_Plan.pdf

Municipal Water District of Orange County (MWDOC). (2016). *Water Supply Allocation Plan*.

Municipal Water District of Orange County (MWDOC). (2019, August). *Orange County Regional Water and Wastewater Hazard Mitigation Plan*.

Water Emergency Response Organization of Orange County (WEROC). (2018, March). *WEROC Emergency Operations Plan (EOP).*

Appendix A

DWR Submittal Tables

Table 8-1: Water Shortage Contingency Plan Levels

Table 8-2: Demand Reduction Actions

Table 8-3: Supply Augmentation and Other Actions

Submittal Table 8-1
Water Shortage Contingency Plan Levels

Shortage Level	Percent Shortage Range	Shortage Response Actions (*Narrative description*)
0	0% (Normal)	A Level 0 Water Supply Shortage – Condition exists when no current supply reductions are anticipated. The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water waste prohibitions are in place as stipulated in the District's Water Shortage Contigency Response Ordinance.
1	Up to 10%	A Level 1 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in this ordinance. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
2	11% to 20%	A Level 2 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in this ordinance.
3	21% to 30%	A Level 3 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
4	31% to 40%	A Level 4 Water Supply Shortage - Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
5	41% to 50%	A Level 5 Water Supply Shortage - Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the District Board of Directors holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

NOTES:
The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
0	Other - Require recycled water or non-potable water use for soil compaction or dust control at recycled water construction sites	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Recycled water construction sites must use recycled water or non-potable water for soil compaction or dust control at construction sites where there is reasonably available source of recycled or non-potable water approved by the Department of Public Health and appropriate for such use.	No
0	Other - Require automatic shut off hoses at recycled water construction sites	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Water hoses shall be equipped with automatic shut-off nozzles, given such devices are available for the size and type of hoses in use.	No
0	Landscape - Other landscape restriction or prohibition	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Commercial and multifamily and community development or redevelopment are required to install a sensor-based or weather-based irrigation controller.	No
0	Landscape - Limit landscape irrigation to specific times	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Watering or irrigating of lawns, landscaping, and other vegetated areas are prohibited any day of the week between 9:00 a.m. and 6:00 p.m. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or adjusting or repairing an irrigation system for very short periods of time. This does not apply to irrigation systems that use very low-flow drip-type systems. Watering to establish new landscaping within 30 days of completion of installation is exempt.	No
0	Landscape - Restrict or prohibit runoff from landscape irrigation	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	It is prohibited to water lawns, landscaping and vegetated areas that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter, ditch, partking lots, structures, non-irrigated areas or off the property.	No
0	Landscape - Limit landscape irrigation to specific times	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Watering or irrigating of lawns, landscaping, and other vegetated areas is prohibited during rain events and following 48 hours of significant precipitation.	No

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
0	Landscape - Other landscape restriction or prohibition	Statewide Prohibition is Required	Irrigating ornamental turf on public street medians is prohibited. This does not apply to irrigation with non-potable water.	No
0	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Leaks, breaks, and other malfunctions must be corrected in no more than five (5) days of District notification.	No
0	Other - Prohibit use of potable water for washing hard surfaces	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	This restriction does not apply to situations where it is necessary to hose or wash down hard or paved surfaces to alleviate safety or sanitary hazards. Only then may the surface be washed with a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing shut off hose nozzle, or a low-volume high-pressure cleaning machine equipped to recycle used water.	No
0	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	Other water feature or swimming pool restriction	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	All decorative water fountains and features must recirculate water or users must secure a waiver from the District.	No
0	CII - Restaurants may only serve water upon request	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	CII - Lodging establishment must offer opt out of linen service	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	CII - Commercial kitchens required to use pre-rinse spray valves	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	-	No
0	Other	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	All new commercial car-wash and laundry facilities and systems must recirculate the wash water or secure a waiver of this requirement from the District.	No

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
0	CII - Other CII restriction or prohibition	On-going Long Term-Conservation Savings Measure. Not applicable to Water Shortage Contingency Plan quantifiable savings.	Buildings requesting new water service or that are being remodeled are prohibited from installing single-pass systems.	No
1	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 1 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
2	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 2 demand reduction actions, increase messaging frequency, increase public outreach. Direct communication and educational outreach with customers not in compliance with the Permanent Water Conservation Requirements.	Yes
2	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than four (4) days of District notification.	Yes
3	Landscape - Limit landscape irrigation to specific days	5%	Watering or irrigating of lawns, landscaping, and other vegetated areas may only take place no more than three (3) days per week from May to September and no more than two (2) days per week from October to April. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or irrigation systems that exclusively use very-low flow drip type systems.	Yes
3	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than four (3) days of District notification.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
3	Water Features - Restrict water use for decorative water features, such as fountains	1%	Filling or refilling of ornamental lakes and ponds is prohibited except for those that sustain aquatic life provided that such life is of significant value and was actively managed in the water feature prior to declaring the shortage.	Yes
3	Other water feature or swimming pool restriction	0-2%	Filling residential swimming pools or outdoor spas is prohibited; refilling more than one (1) foot of water is prohibited. This does not apply to individuals who, due to health reasons or medical conditions, find it necessary to fill or refill their pools or spas or individuals who have not filled their pool in the last 24 months and who adhere to Best Practices for the construction and operation of pools and spas.	Yes
3	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
3	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
3	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 3 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
3	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	1%	-	Yes
3	Other	0-1%	The District may reduce non-potable water allocations in all categories to meet the available water supply.	Yes
4	Landscape - Limit landscape irrigation to specific days	5-10%	Watering or irrigating of lawns, landscaping, and other vegetated areas may only take place no more than two (2) days per week from May to September and no more than two (1) day per week from October to April. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or irrigation systems that exclusively use very-low flow drip type systems.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
4	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than three (2) days of District notification.	Yes
4	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
4	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
4	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 4 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
4	Other	0-5%	The District may reduce non-potable water allocations in all categories to meet the available water supply.	Yes
5	Landscape - Prohibit all landscape irrigation	5%	Watering or irrigating of lawns, landscaping, and other vegetated areas may only take place no more than one (1) day per week from May to September and no more than one (1) day per week from October to April. This does not apply to watering with a hand-held bucket or similar container, watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle, or irrigation systems that exclusively use very-low flow drip type systems.	Yes
5	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than two (1) days of District notification.	Yes
5	Other water feature or swimming pool restriction	0-1%	Filling residential swimming pools or outdoor spas is prohibited; refilling more than one (1) foot of water is prohibited. This does not apply to individuals who, due to health reasons or medical conditions, find it necessary to fill or refill their pools or spas.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
5	Landscape - Other landscape restriction or prohibition	0-2%	No new potable water service, new temporary meters, and statement of immediate ability to serve or provide water service will be issued except under the following circumstances: 1) a valid, unexpired building permit has been issued for the project, 2) 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.	Yes
5	Other	0-5%	Customers using over 10,000 units per year are required to submit a Water Conservation Plan and report quarterly progress.	Yes
5	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 5 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
5	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
5	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
6	Landscape - Prohibit all landscape irrigation	5-10%	This does not apply towards the following circumstances: 1) maintenance of vegetation that are watered using a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, 2) maintenance of existing landscape necessary for fire protection, 3) maintenance of existing landscape for soil erosion, and 4) public works projects and actively-irrigated environmental mitigation projects. Agency may shut off all non-essential water service.	Yes
6	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Leaks, breaks, and other malfunctions must be corrected in no more than one (1) days of District notification.	Yes

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*	Penalty, Charge, or Other Enforcement? ***For Retail Suppliers Only*** *Drop Down List*
6	Expand Public Information Campaign	3%	Community Outreach and Messaging. Expand Public Information Campaign to include Level 6 demand reduction actions, increase messaging frequency, increase public outreach.	Yes
6	Implement or Modify Drought Factor per the Water Budget Based Tiered Conservation Rate Structure	5%	Impose 'drought factor' on existing tiered rate structure per Board approval. See Appendix E.	Yes
6	Implement or Modify Water Shortage Rate Surcharge	0 - 10%	Implement or modify Water Shortage Rate Surcharge per Board approval. See Appendix B.	Yes
6	Other	0-70%	Water use for public health and safety purposes only. Customer rationing may be implemented.	Yes
NOTES: The District's Water Shortage Contingency Plan and Table 8-2 only apply to the District's potable water supply.				

Submittal Table 8-3: Supply Augmentation and Other Actions			
Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier ***Drop down list*** *These are the only categories that will be accepted by the WUEdata online submittal tool*	How much is this going to reduce the shortage gap? *Include units used (volume type or percentage)*	Additional Explanation or Reference *(optional)*
1 through 6	Other Purchases	0 - 100%	Additional imported water purchases through MWDOC
1 through 6	Other Purchases	0 - 100%	Additional groundwater pumping in the Orange County Groundwater Basin
NOTES:			

Appendix B

Water Shortage Contingency Response Ordinance 2022-1

EL TORO WATER DISTRICT

WATER SHORTAGE CONTINGENGY RESPONSE ORDINANCE 2022 – 1

(effective March 24, 2022)

Table of Contents

ORDINANCE NO. 2022-1

AN ORDINANCE OF THE BOARD OF DIRECTORS

OF EL TORO WATER DISTRICT ESTABLISHING A

WATER CONSERVATION & WATER SUPPLY SHORTAGE PROGRAM

FOR USERS OF POTABLE WATER PROVIDED BY THE DISTRICT

Section I. Title

El Toro Water District Water Shortage Contingency Response Ordinance ("Ordinance No. 2022-1")

Section II. Findings, Determinations and Authority

1. **Resolution No. 22-2-2 -** The recitals, finding and determinations set forth in Resolution No. 22-2-2 are fully incorporated herein as though set forth in full.

2. **A reliable minimum supply of potable water is essential** to the public health, safety and welfare of the people and economy of Southern California.

3. **Southern California is a semi-arid region, largely dependent on imported water** supplies from Northern California and the Colorado River along with a limited amount of local water supplies. Population growth, drought, climate change, environmental concerns, government policy changes, restrictions on pumping and other factors in our region, in other parts of the State and in the western U.S. make Southern California highly susceptible to water supply reliability issues. Southern California experienced significant dry year conditions in 2013-2017, which lead local water agencies, including El Toro Water District (District) to declare water shortage conditions that triggered demand reduction actions.

4. **Careful water management requires active permanent water conservation requirements** not only in times of drought but at all times. It is essential to ensure a reliable minimum supply of water to meet current and future water supply needs.

5. **California Constitution Article X, Section 2 and California Water Code Section 100** provide that because of conditions prevailing in the state of California, it is the declared policy of the State that the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable and that the waste and unreasonable use or methods of water use be prevented, and that the conservation of such water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.

6. **California Water Code Section 10632** had significant updates related to water shortage contingency planning following the modification of the Urban Water Management Planning Act in 2018 that mandate new elements to Urban Water Management Plans and Water Shortage Contingency Plans. These elements include an annual drought risk assessment, State Water Shortage Levels, and statewide water use prohibitions.

7. **The Municipal Water District of Orange County (MWDOC) has adopted a 2020 Urban Water Management Plan and Water Shortage Contingency Plan documents that include water conservation** and additional demand reduction actions in times of shortage as a necessary and effective component of MWDOC's programs to provide a reliable supply of water to meet the needs of MWDOC's 28 member agencies, including the District, with which this Ordinance is consistent.

8. **The imported water supplies in the District and MWDOC are subject to the Water Shortage Allocations** determined by the Metropolitan Water District of Southern California, and subsequently MWDOC will be required to curtail deliveries of imported water based on the Metropolitan Water District of Southern California's Water Shortage Allocation Plan, which will be triggered in a state of shortage.

9. **As of July 2021, both MWDOC and the District are required to prepare an Annual Water Supply and Demand Assessment and Drought Risk Assessment** as part of their Urban Water Management Plan for submission to the California Department of Water Resources (DWR). Annually, by July 1st of each year, beginning the year following the adoption of the 2020 Urban Water Management Plan, MWDOC and the District are required to monitor, report, and if declared a drought emergency according to their adopted Water Shortage Contingency Plans, then notify the Department of Water Resources, in order to comply with the California Water Code 10632.1 reporting requirements.

10. **California Water Code Sections 350, et. seq.,** sets forth the determination and notification procedures for water suppliers seeking to declare a water shortage or a water emergency.

11. **California Water Code Section 353** specifies that a governing body must adopt regulations or restrictions on the delivery and consumption of water within its service area when it declares the existence of an emergency condition.

12. **California Water Code Section 356** allows for the adoption of regulations and restrictions that include discontinuance of service as an enforcement option where a water shortage emergency condition has been declared.

13. **California Water Code Section 370, et. seq.,** authorizes water suppliers to adopt water allocation programs for water users and allocation-based water conservation pricing.

14. **California Water Code Section 375** authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.

15. **California Water Code Section 375 et seq.,** authorizes public water suppliers to establish by Ordinance, the maximum levels of water to be used by customers under emergency supply conditions (which give rise to the utilization of the Drought Factor), and declaring that the customer's excess usage, to be a violation of this Ordinance.

16. **California Water Code Sections 13550 and 13551** declare a statewide policy that the use of potable domestic water for irrigation purposes when reclaimed (recycled) water is available constitutes a waste or unreasonable use of water within the meaning of the State Constitution.

17. **The District's Rules and Regulations** require that future developments utilize reclaimed (recycled) water wherever economically and technically feasible within the boundaries of the District in order to conserve potable water for the purposes of human consumption and fire protection.

18. **The adoption and enforcement of a Water Shortage Contingency Response Ordinance is necessary to manage the District's potable water supply** short- and long-term and to minimize and/or avoid the effects of drought and water shortage within the District. Such a program is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare.

19. **California Government Code Section 53069.4** authorizes a local public agency to make a violation of an Ordinance, subject to an "administrative fine or penalty". "Penalty", as used throughout this Ordinance is an "Administrative Penalty", authorized pursuant to this section.

Section III. Declaration of Purpose and Intent

1. To minimize or avoid the effect and hardship of potential shortages of **potable water** to the greatest extent possible, this Ordinance establishes means to implement the District's Water Shortage Contingency Plan designed to:

    a. Reduce water consumption (demand) in the long-term through permanent conservation measures and short-term through demand reduction actions in times of drought.

    b. Enable effective potable water supply planning.

    c. Assure reasonable and beneficial use of potable water.

    d. Prevent waste of potable water and maximize efficient use in the District.

2. This Ordinance, in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure (which is subject to the provisions of Proposition 218 and is incorporated into the Cost of Service Rate Study), establishes:

    a. **Permanent Water Conservation Requirements** are designed to alter behaviors related to potable water-use efficiency during non-shortage conditions

    b. **Six levels of potential response to escalating water supply shortages** which the El Toro Water District Board (Board) may implement during times of declared water shortage or water emergency. The six levels of response consist of increasing water use restrictions, demand reduction actions, and the possible imposition of water supply shortage allocations through the use of a "drought factor" in conjunction with the District's Water Budget Based Tiered Conservation Rate Structure. This is a component of the water budget calculation that is an integral part of the District's Water Budget Based Tiered Conservation Rate Structure, which modifies (reduces) the indoor and/or outdoor budget to further encourage conservation in times of water supply shortage emergencies and Administrative Penalties imposed on designated customer categories who exceed their revised water budget.

Section IV. Definitions

1. General

a. **"The District'** means El Toro Water District.

b. **"The Board"** means the El Toro Water District Board of Directors.

c. **"Person"** means any person or persons, corporation, public or private entity, governmental agency or institution, or any other user of water provided by the District.

d. **"Potable Water"** means water that is suitable for drinking.

e. **"Recycled Water"** means the reclamation and reuse of non-potable water and/or wastewater for beneficial use, such as irrigation. Also known as "Reclaimed Water."

f. **"Water Waste"** refers to uses of water that are limited or prohibited under the Ordinance because they exceed necessary or intended use and could reasonably be prevented, such as runoff from outdoor watering.

g. **"Billing Unit"** is equal to 100 cubic feet (1 CCF) of water, which is 748 gallons. Water use is measured in units of 100-cubic-feet and multiplied by applicable water usage rates for billing. Also known as a "Unit of Water."

h. **"Undue Hardship"** is a unique circumstance in which a requirement of the Ordinance would result in a disproportionate impact on a water user or property upon which water is used compared to the impact on water users generally or similar properties or classes of water use.

i. **"Safety and Sanitary Hazard"** is one which presents an immediate and imminent threat to human health (injury).

j. **"Water Budget Based Tiered Conservation Rate Structure"** ("Tiered Conservation Rate Structure") is a rate structure which provides "water budgets" to each customer based on efficient indoor and outdoor need. Water used in excess of the combined indoor and outdoor budget is billed at a progressively higher rate which is designed to recover the increased cost associated with providing such water and provides a clear indicator regarding inefficient use of potable water. The increased rates and potential Administrative Penalties for utilization of water in excess of budgeted amounts provide financial incentive to stay within assigned budgets and to comply with Permanent Mandatory Water Conservation Measures.

k. **"Water Supply Shortage Emergency"** means a condition existing within the State, Region and/or the District in which the ordinary water demands and requirements of persons within the District cannot be satisfied without depleting the water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection. A water shortage emergency includes both an immediate emergency, in which the District is unable to meet current water needs of persons within the District, as well as a threatened water shortage, in which the District determines that its future supply of water may not meet an anticipated future demand.

l. **"Administrative Penalty"** means a financial penalty as authorized by Government Code Section 53069.4 as a result of any person or entity violating the provisions of this Ordinance.

m. **"MWDOC"** means the Municipal Water District of Orange County.

n. **"DWR"** means the California Department of Water Resources.

o. **"UWMP"** means Urban Water Management Plan as required by DWR to satisfy the UWMP Act and subsequent California Water Code Sections 10610 through 10656.

p. **"WSCP"** means Water Shortage Contingency Plan as required by California Water Code Section 10632.

q. **"Demand Reduction Actions"** refers to education, incentive or regulatory actions taken by the District to reduce water demand in its service area during times of shortage. Demand reduction actions are pre-planned to prepare for a water shortage were presented in Table 8-2 of the District's WSCP.

r. **"Annual Water Supply and Demand Assessment"** refers to a determination of the near-term outlook for supplies and demands and how a perceived shortage may relate to the Shortage Level response actions as defined in the WSCP in the current calendar year.

s. **"Drought Factor"** refers to a variable used in the calculation of both the indoor and outdoor District potable water budget allocations. Normally set at 100%, during emergencies/water supply shortage conditions, the District may use the Drought Factor to reduce water budgets and further encourage conservation.

2. Irrigation

a. **"Irrigation Controller"** is the part of an automated irrigation system that instructs the valves to open and close to start or stop the flow of water.

1. **"Sensor-based irrigation controller"** operates based on input from a combination of sensors (rain, solar, soil moisture) installed in or around the landscaped area.

2. **"Weather-based irrigation controller"** operates automatically based on evapo-transpiration rates and historic or real-time weather data.

b. **"Irrigation System"** refers to a manual or automated watering system consisting of pipes, hoses, spray heads and/or sprinkler devices or valves. Also known as a "Landscape Irrigation System."

c. **"Positive Self-Closing Shut-Off Hose Nozzle"** refers to a water-efficient hose nozzle for residential or commercial hoses that users must press or release to start or stop the flow of water. Also known as an "Automatic Shut-Off Nozzle."

d. **"Valves"** refer to the part of an irrigation system that opens and closes manually or electronically to start or stop the flow of water.

3. Other

a. "Pre-Rinse Kitchen Spray Valves" refer to highly water-efficient sprayers that commercial kitchens use to rinse dishes in the sink before washing and for other preliminary cleaning purposes.

b. "Single-Pass Cooling System" refers to an air conditioning, refrigeration or other cooling system that removes heat by transferring it to a supply of clean water and dumping the water down the drain after a single use. This type of cooling system is prohibited given it is extremely water-inefficient compared to systems that re-circulate the water.

Section V. Application of Ordinance

1. The provisions of this Ordinance apply to any person or entity using potable water provided by the District. This includes individuals, persons, corporations, public or private entities, governmental agencies or institutions, or any other users of District water.

2. In addition, the provisions of this Ordinance do not apply to the following:

a. Water use which is immediately necessary to protect public health and safety or for essential government services, such as police, fire and similar services.

b. Recycled water use for irrigation. Use of recycled water requires a permit that has specific use restrictions, many of which focus on water efficiency. Given such permits and the interest in promoting the use of recycled water as a means to preserve potable, recycled water is exempt from all requirements of this Ordinance.

c. Water used by nurseries and growers to sustain plants, trees, shrubs, crops, compost or other landscape vegetation material intended for distribution or commercial sale.

3. This Ordinance is intended solely to further the beneficial use and conservation of potable water. It is not intended to implement any provision of federal, state or local statutes, ordinances or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on storm water ordinances or management plans.

Section VI. Permanent Water Conservation Requirements

The District has adopted a Water Shortage Contingency Plan (WSCP) which details demand reduction actions that the District may take to restrict or shall prohibit its customers' consumption of water, including baseline conservation measures to be taken in times of normal water supply. The following Permanent Water Conservation Requirements for potable water, in support of demand reduction actions as called for in the Water Code and WSCP, are permanent and in effect at all times. Violations of this Section constitute waste and an unreasonable use of water.

1. General Restrictions — Residential, Irrigation, Commercial and Public Customers

a. Limits on Outside Watering Hours

1. **Watering or irrigating is prohibited any day of the week between 9:00 a.m. and 6:00 p.m.**

2. The week includes weekdays and weekends, seven (7) days.

3. This applies to lawns, landscaping and all other vegetated areas.

4. The following are **exempt** from this restriction:

    a. Watering with a hand-held bucket or similar container.

    b. Watering with a hand-held hose equipped with a positive self-closing shut off hose nozzle.

    c. Adjusting or repairing an irrigation system for very short periods of time.

    d. Watering with a drip irrigation system.

    e. Watering to establish new landscaping within 30 days of completion of installation.

b. No Excessive Water Flow or Runoff: It is prohibited to water lawns, landscaping and vegetated areas in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch, parking lots, structures, non-irrigated areas, or off the property.

c. No Irrigation of Turf on Public Medians: Watering or irrigating of any lawn or turf on street medians with potable water is prohibited.

d. No Irrigation During or After Rainfall: Watering or irrigating any outdoor landscapes with potable water during and within forty-eight (48) hours following at least one quarter inch (1/4") of rainfall within a twenty-four (24) hour period is prohibited.

e. Obligation to Fix Leaks, Breaks or Malfunctions in lines, fixtures or facilities

1. Excessive use, loss or escape of water through breaks, leaks or malfunctions in the water user's plumbing or distribution system:

    a. Is prohibited for any period of time after such water waste should have reasonably been discovered and corrected.

    b. Must be corrected in **no more than five (5) days of District notification.**

f. No Hosing or Washing Down Hard or Paved Surfaces

1. Washing or hosing down hard or paved surfaces with potable water, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys is prohibited.

2. When it is necessary to hose or wash down hard or paved surfaces to alleviate safety or sanitary hazards, the following may be used:

    a. Hand-held bucket or similar container.

    b. Hand-held hose equipped with a positive self-closing shut off hose nozzle.

    c. Low-volume high-pressure cleaning machine equipped to recycle used water.

g. No Hosing or Washing Down Vehicles

1. Using potable water to hose or wash down a motorized or non- motorized vehicle, including but not limited to automobiles, trucks, vans, buses, motorcycles, boats or trailers is prohibited.

2. The following are exempt from this restriction:

    a. Use of a hand-held bucket or similar container.

    b. Use of a hand-held hose equipped with a positive self-closing shut off hose nozzle.

    c. Commercial car washing at facilities using recycled or recirculating water.

h. Re-Circulating Water Required for Decorative Water Fountains and Decorative Water Features Operating a decorative water fountain or other decorative water feature that does not use re-circulated water is prohibited.

i. Swimming Pools and Spa Covers: Property owners who have a swimming pool or spa are encouraged to cover the facilities to minimize water loss due to evaporation.

2. Commercial Food-Serving & Lodging Requirements

a. Drinking Water Served Only Upon Request. Eating or drinking establishments, including but not limited to restaurants, hotels, cafes, bars or other public places where food or drinks are sold, or served or offered for sale, are prohibited from providing drinking water to any person unless requested.

b. Commercial Lodging Establishments Must Provide Option Not Launder Towels/Linens Daily. Hotels, motels and other commercial lodging establishments must provide guests the option of not having their used towels and linens laundered. Lodging establishments must prominently display notice of this option in each room and/or bathroom, using clear and easily understood language.

3. Commercial Kitchen Requirements

a. Water-Efficient Pre-Rinse Kitchen Spray Valves. Food preparation establishments, such as restaurants, cafes and hotels, are prohibited from using non-water efficient pre-rinse commercial dishwashing kitchen spray valves.

4. Commercial Water Recirculation Requirements

a. Car Wash System Requirements: All **new** commercial car-wash systems must install re-circulating water systems.

b. No Single-Pass Cooling Systems: Buildings requesting **new** water service or being **remodeled** are prohibited from installing single-pass systems.

5. Recycled Water Construction Site Requirements

a. Recycled or non-potable water must be used, when available.

b. No potable water may be used for soil compaction or dust control where there is a reasonably-available source of recycled or non-potable water approved by the Department of Public Health and appropriate for such use.

c. Water hoses shall be equipped with automatic shut-off nozzles, given such devices are available for the size and type of hoses in use.

6. Automated Irrigation Control System Requirements for Commercial, Multi-Family and Community Development/Redevelopment Projects

New Commercial, Multi-Family and Community development and/or redevelopment projects that include landscaped open space, park and recreation areas will be required to install a sensor-based or weather-based irrigation controller.

7. Water Waste and Unreasonable Water Use Prohibited. The waste or unreasonable use or unreasonable method of use of water by any person shall be prohibited at all times.

8. Public Health and Safety. These regulations shall not be construed to limit water use which is immediately necessary to protect public health and safety for essential government services, such as police, fire and similar services.

Section VII. Standard Water Shortage Levels

The District's Water Shortage Levels are aligned with the six standard State Water Shortage Levels and as defined in MWDOC's and the District's Water Shortage Contingency Plans to comply with California Water Code Section 10632 (a)(3). The shortage levels represent shortages from normal reliability as determined in the Annual Water Supply and Demand Assessment, corresponding to progressive ranges of up to 10, 20, 30, 40,50, and greater than 50 percent shortages. DWR Table 8-1 from the District's Water Shortage Contingency Plan defines the conditions that trigger each Shortage Level and the shortage response actions the District can take. WSCP has more specific demand reduction actions defined by Shortage Level.

DWR Submittal Table 8-1
Water Shortage Contingency Plan Levels

Shortage Level	Percent Shortage Range	Shortage Response Actions
0	0% (Normal)	A Level 0 Water Supply Shortage – Condition exists when the no current supply reductions are anticipated. The District proceeds with planned water efficiency best practices to support consumer demand reduction in line with state mandated requirements and local District goals for water supply reliability. Permanent water conservation requirements are in place as stipulated in the District's Water Shortage Contingency Response Ordinance.
1	Up to 10%	A Level 1 Water Supply Shortage – Condition exists when the Board, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 10% is necessary to make more efficient use of water and respond to existing water conditions. Upon the declaration of a Water Aware condition, the District shall implement the mandatory Level 1 conservation measures identified in this ordinance. The type of event that may prompt the District to declare a Level 1 Water Supply Shortage may include, among other factors, a finding that its wholesale water provider calls for extraordinary water conservation.
2	11% to 20%	A Level 2 Water Supply Shortage – Condition exists when the Board, at its sole discretion, determines and declares that due to drought or other supply reductions, a consumer demand reduction of up to 20% is necessary to make more efficient use of water and respond to existing water conditions. Upon declaration of a Level 2 Water Supply Shortage condition, the District shall implement the mandatory Level 2 conservation measures identified in this Ordinance.
3	21% to 30%	A Level 3 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 30% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.

DWR Submittal Table 8-1 **Water Shortage Contingency Plan Levels**		
Shortage Level	**Percent Shortage Range**	**Shortage Response Actions**
4	31% to 40%	A Level 4 Water Supply Shortage - Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 40% consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
5	41% to 50%	A Level 5 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that up to 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
6	>50%	A Level 6 Water Supply Shortage – Condition exists when the Board holds a Public Hearing, during which, at its sole discretion, determines and declares a water shortage emergency condition pursuant to California Water Code Section 350 and notifies its residents and businesses that greater than 50% or more consumer demand reduction is required to ensure sufficient supplies for human consumption, sanitation and fire protection. The District must declare a Water Supply Shortage Emergency in the manner and on the grounds provided in California Water Code Section 350.
NOTES: The District's Water Shortage Contingency Plan and Table 8-1 only apply to the District's potable water supply.		

The District's Water Shortage Contingency Plan defines the shortage response actions that align with each Level of Water Supply Shortage, along with an estimate of the extent to which the gap between supplies and demand will be reduced.

a. Locally appropriate supply augmentation actions.

b. Locally appropriate demand reduction actions to respond to shortages.

c. Locally appropriate operational changes.

d. Additional mandatory prohibitions against specific water use practices, in addition to state-mandated prohibitions, as deemed necessary by the District.

Each elevated shortage level will include the elements of the previous shortage level(s) and permanent mandatory water conservation measures as defined in this Ordinance and the District's Water Shortage Contingency Plan. When conditions dictate necessary, an allocation of water supply under a water supply emergency condition that requires actions beyond those defined in the District's Water Shortage Contingency Plan may be required to be implemented.

Section VIII. Other Provisions

1. Customer Water Conservation Plans:

a. **Customers with high annual water usage.** During Level 1 through Level 6 Water Shortages or Emergencies, the District Board of Directors, at its sole discretion and by written request, may require residential, irrigation, commercial and/or public customers using **ten thousand (10,000) or more billing units per year** to submit a Water Conservation Plan to the District and to submit quarterly progress reports on such plan. The conservation plan must make recommendations for increased water savings through on-site demand reduction actions, including increased use of recycled water or other sources of supply based on feasibility. Quarterly progress reports must include status on implementation of recommendations.

2. Recycled Water To Replace Potable Water

a. Future Developments. When available, the District requires the use of recycled water in future developments.

b. New Water Service: Prior to the connection of any new water service, the District will determine whether recycled water is appropriate and available to meet the requirements of the new service request. Recycled water must be utilized to the extent feasible, as determined by the District.

c. Transition from Potable Water: The District may prohibit the use of potable water in certain instances if the District determines that a specified use for potable water could be achieved with recycled water as a cost-effective alternative and the customer is given a reasonable time to make the conversion, as determined by the District's General Manager.

Section IX. Declaration & Notification of Water Supply Shortages or Emergencies

1. **Declaration of a Level 1 through Level 6 Water Supply Shortage or Emergency:** The District Board of Directors may declare a Level 1 through Level 6 Water Supply Shortage Level or Emergency in accordance with the procedures specified in Water Code Sections 351 and 352 (Public Hearing, Notice and Publication). Thereafter, penalties and violations under Section XI apply.

2. Notification of Declared Water Supply Shortages Emergency

The District must publish a copy of the water shortage/emergency resolution in a newspaper used for the publication of official notices within the jurisdiction of the District within fifteen (15) days of the date that a Water Supply Shortage or Emergency is declared.

3. Authorization of Adjusting the Drought Factor

During a Level 3, 4, 5 or 6 Water Shortage Emergency, the Board may authorize the adjustment of an indoor and/or outdoor drought factor that will reduce the indoor and/or outdoor water budget. This adjustment may impact the customer where water use is above the water budget allocation, which leads to entering into higher tiers on an accelerated basis. The additional amount paid in higher tiers, as a result of a reduction in indoor and/or outdoor budgets, is deemed an Administrative Penalty, authorized pursuant to California Government Code Section 53069.4. Refer to the WSCP, Appendix E.

4. Authorization of a Water Shortage Rate Surcharge

During a Level 3, 4, 5 or 6 Water Shortage Emergency, any water customer subject to water budgets pursuant to the District's Tiered Conservation Rate Structure who willfully use water in excess of their combined Tier 1 and Tier II water budgets shall be in violation of this Ordinance and, upon Board authorization and approval will be subject to a Water Shortage Rate Surcharge in the range of $2.00 to $10.00 as determined by the Board by minute order (motion) or Resolution at an open and public meeting, for each ccf of water used in excess of their combined Tier I and Tier II budget.

Section X. Hardship Waiver

1. **Undue and Disproportionate Hardship:** If, due to unique circumstances, a specific requirement of the Ordinance would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this section.

2. **Written Finding:** The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship.

    a. **Application for a Waiver:** Application for a waiver must be on a form prescribed by the District.

    b. **Supporting Documentation:** The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

    c. **Required Findings for Waiver:** Based on the information and supporting documents provided in the application, additional information provided as requested, and water use information for the property as shown by the records of the District, the District **General Manager** in making the waiver determination will take into consideration the following:

1. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;

2. That because of special circumstances applicable to the property or its use, the strict application of this Ordinance would have a disproportionate impact on the property or use that exceeds the impacts to residents and businesses generally;

3. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this Ordinance and will not be detrimental to the public interest; and

4. That the condition or situation of the subject property or the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

d. Approval Authority

1. The District General Manager or his designee(s) must act upon any completed **Application for a Waiver** no later than ten (10) days after receipt by the District.

2. The General **Manager or his designee(s) may approve, conditionally approve, or deny the waiver** and the decision will be final.

3. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise, at the time a waiver is approved, it will apply to the subject property for the duration of the water supply shortage or emergency.

Section XI. Non-Compliance

In order to ensure compliance with State reporting requirements and customer compliance, the District will collect, track, and analyze relevant data per the procedures defined in the District's Water Shortage Contingency Plan.

1. **Non-Compliance with Level 0 Permanent Water Conservation Requirements and Level 1 Water Shortage Demand Reduction Actions**: The District will issue a written warning and provide information regarding the necessity to comply with all Permanent Water Conservation Requirements.

2. **Non-Compliance with Level 2, Level 3, Level 4, Level 5, and Level 6 Permanent Water Conservation Requirements and Demand Reduction Actions.**

   a. Non-Compliance Charges: The following will apply to persons or entities failing to comply with any provision of the Ordinance for Level 2, Level 3, Level 4, Level 5, and Level 6 permanent water conservation requirements and demand reduction actions:

      1. First Instance of Non-Compliance: The District will issue a **written warning** and send it along with an explanation of the violation.

      2. Second Instance of Non-Compliance: A second instance of noncompliance with the Ordinance within the preceding twelve (12) calendar months is punishable by a non-compliance charge on the water bill not to exceed **two hundred and fifty dollars ($250).**

3. **Third Instance of Non-Compliance:** A third instance of non-compliance with the Ordinance within the preceding twelve (12) calendar months is punishable by a non-compliance charge on the water bill not to exceed **five hundred dollars ($500).**

b. **Water Flow Restrictor and/or Termination of Service**

1. **Water Flow Restrictor Device.** In addition to any non-compliance charges, the District may install a water flow restrictor device. If the District determines to install a water flow restrictor, installation of the flow restrictor would follow written notice of intent to the customer and would be in place for a minimum of forty-eight (48) hours.

2. **Termination of Service:** In addition to any non-compliance charges and the installation of a water flow restrictor, the District may disconnect and/or terminate a customer's water service, pursuant to Water Code Section 356.

3. **Costs for Water Flow Restrictors and Service Disconnection**

a. A person or entity in non-compliance with this Ordinance is responsible for payment of the District's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the District's schedule of charges then in effect.

b. The charge for installing and/or removing any flow restricting device must be paid to the District before the device is removed.

c. Nonpayment will be subject to the same remedies as nonpayment of basic water rate.

c. Misdemeanor: Pursuant to Water Code Section 377, any instance of noncompliance with the Ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding one thousand dollars ($1,000) or by both.

3. **Separate Offenses:** Each day that a person or entity is non-compliant with the Ordinance is a separate offense.

4. **Notice of Non-Compliance/ Appeal and Hearing Process**

a. The District will issue a **Notice of Non-Compliance** by mail or personal delivery before taking enforcement action as defined in the WSCP. The notice will describe the violation and, if applicable, the date by which corrective action must be taken.

b. A customer may appeal the Notice of Non-Compliance by filing a written Notice of Appeal with the District no later than the close of business on the 10th day following receipt of the enforcement action. A customer appeal shall state the grounds for the appeal.

1. **Any Notice of Non-Compliance not timely appealed will be final.**

2. Upon receipt of a timely appeal, **the District will schedule a hearing on the appeal** and mail written notice of the hearing date to the customer at least ten (10) days before the hearing.

3. The District General Manager or his designee(s) will hear the appeal and issue a written **Notification of Decision** within ten (10) days of the hearing.

c. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the District **may take appropriate steps to prevent the unauthorized use of water** given the nature and extent of the violations and the current declared water shortage level condition, including restricting the level of water use until the appeal is heard.

d. Except for violations of this Ordinance subject to excessive water use penalties, if any person fails or refuses to comply with this Ordinance, the District shall provide that person with written notice of the Non-Compliance and opportunity to correct the noncompliance. The written notice shall:

1. Be posted or presented at the site of the Non-Compliance;
2. State the time, date, and place of the Non-Compliance;
3. State a general description of the Non-Compliance;
4. State the means to correct the Non-Compliance;
5. State a date by which the correction is required; and
6. State the possible consequences of failing to correct the Non-Compliance.

Section XII. Administrative Penalty Provisions

1. **Administrative Penalty.** Pursuant to the authority provided for in Government Code Section 53069.4, the District finds, adopts and determines that all penalties provided for in this Ordinance No. 2022-1, as a result of any person or entity violating various provisions set forth herein shall constitute an Administrative Penalty.

2. **Notice and Due Process.** Upon the declaration of a Water Supply Shortage or Emergency and publication of the notice required herein, proper notice shall be deemed to have been given to each and every person and/or entity supplied water within the District, and the applicable water shortage.

3. **Collection of Penalties.** Any penalty imposed pursuant to this Ordinance may be collected on a customer's water bill. Any penalty shall be applicable to water used in violation of this Ordinance during the first complete billing cycle after the declaration of the applicable water shortage level.

4. **Notice of Violation.** The receipt of a water bill with any applicable penalties shall serve as notice of violation of this Ordinance.

5. **Appeal Procedures.** Any customer who wishes to appeal the imposition of an Administrative Penalty imposed by the District shall comply with the following procedures:

6. **Appeal Request.** An Appeal Request form shall be submitted to the District's Customer Service Department.

(a) Appeal Request forms may be obtained at the District's Main Office or downloaded from the District's website at www.etwd.com.

(b) An Appeal Request form shall be received by the District no later than thirty (30) calendar days from the date that the Appellant's water bill for the four-week period in which the penalty or penalties were imposed is due.

(c) Additional Documentation. Additional documentation may be requested at the discretion of the District. Such documentation may include, but is not limited to, school records, driver's licenses, business licenses, lease agreements.

(d) Site Survey. After an Appeal Request form has been received, a site survey may be required by District staff to verify the irrigated square footage of the property where the water was delivered. The site survey will be at no charge to the person and will require the person who submitted the Appeal Request form to be present.

(e) District Response. A response to an Appeal Request shall be provided by the District within thirty calendar days from receipt of the Appeal Request form.

(f) Review of Denial of Appeal Request. If an Appeal Request is denied, the Appeal Request form may be resubmitted by the customer for review by the District's General Manager. The Decision by the District's General Manager shall be final.

7. **Use of Penalty Funds Collected.** The Board of Directors hereby declares its intent to use penalty funds collected to pay any penalties/charges that may be imposed by the State and/or wholesale water provider of the District for exceeding its baseline water budget allocation and in furtherance of conservation efforts and/or acquisition of supplemental water supplies.

Section XIII. Severability: If any section, subsection, sentence, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of the Ordinance will not be affected. The District Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases thereof is declared invalid.

Section XIV. Effective Date of Ordinance: This Ordinance shall be effective immediately upon adoption.

ADOPTED, SIGNED, AND APPROVED by the following vote this 24th day of March, 2022.

EL TORO WATER DISTRICT

Kathryn Freshley, President
El Toro Water District and the
Board of Directors thereof

ATTEST:

Dennis Cafferty, General Manager/Secretary
El Toro Water District and the
Board of Directors thereof

Appendix C

Water Shortage Contingency Response Ordinance Provisions Assigned Outside Watering Days by City Boundary

Appendix C

ETWD Water Shortage Contingency Response Provisions
Assigned Outside Watering Days by City Boundary

	Level 1 **Water Supply Shortage - Up to 10% shortage in imported supplies to District**	**Level 2** **Water Supply Shortage - 11 to 20% shortage in imported supplies to District**	**Level 3** **Water Supply Shortage - 21 to 30% shortage in imported supplies to District**	**Level 4** **Water Supply Shortage - 31 to 40% shortage in imported supplies to District**	**Level 5** **Water Supply Shortage - 41 to 50% shortage in imported supplies to District**	**Level 6** **Water Supply Shortage - Greater than 50% shortage in imported supplies to District**
City / Municipality	N/A	N/A	Watering limited to: 3 days a week from May – Sept. 2 days a week from Oct. - April	Watering Limited to: 2 days a week from May – Sept. 1 day a week from Oct. - April	Watering Limited to: 1 day a week from May - Sept. 1 day a week from Oct. - April	Watering prohibited (Note exemptions in the District's Water Shortage Contingency Plan)
City of Mission Viejo	N/A	N/A	Monday & Thursday & Saturday or Sunday	Monday or Thursday & Saturday or Sunday	Monday or Thursday	Prohibited – Note Exemptions
City of Aliso Viejo	N/A	N/A	Monday & Thursday & Saturday or Sunday	Monday or Thursday & Saturday or Sunday	Monday or Thursday	Prohibited – Note Exemptions
City of Laguna Woods	N/A	N/A	Tuesday & Friday & Saturday or Sunday	Tuesday or Friday & Saturday or Sunday	Tuesday or Friday	Prohibited – Note Exemptions
City of Laguna Hills	N/A	N/A	Tuesday & Friday & Saturday or Sunday	Tuesday or Friday & Saturday or Sunday	Tuesday or Friday	Prohibited – Note Exemptions
City of Lake Forest	N/A	N/A	Tuesday & Friday & Saturday or Sunday	Tuesday or Friday & Saturday or Sunday	Tuesday or Friday	Prohibited – Note Exemptions

Appendix D

Water Shortage Contingency Response Ordinance Provisions Best Practices for the Construction and Operation of Pools and Spas

Appendix D

ETWD Water Shortage Contingency Provisions
Best Practices for the Construction and Operations of Pools and Spas

Implementation of the following Best Practices is encouraged for the construction and operation of any residential pool or spa installation within the District:

Construction:

- Installation of a pool/spa cover or use of cover elements over 75% of the pool surface to reduce evaporation

Operational:

- Installation of a cartridge filtering system to reduce the waste associated with backwash of filters
- Installation of non-mechanical, sensor-based automatic manual or timer-based fill mechanisms to prevent over-filling and waste
- Showing demonstrable off-sets to long-term water use by pool decking and surrounding landscaping compared to traditional landscape.

Appendix E

ETWD Water Shortage Contingency Response Provisions
Drought Factor Financial Impact

Appendix E

ETWD Water Shortage Contingency Response Provisions
Drought Factor Financial Impact

The initiation of an indoor and/or outdoor drought factor will have the effect of reducing the indoor and/or outdoor water budget. Such a reduction may impact the total amount paid for water usage since customers may enter more expensive tiers on an accelerated basis. The additional amount paid, as a result of a reduction in indoor and/or outdoor budgets is deemed an Administrative Penalty, authorized pursuant to California Government Code Section 53069.4.

Below are examples of how the introduction of an indoor and/or outdoor drought factor might affect the total amount paid for water use and the amount of the Administrative Penalty.

For purposes of the examples a single-family residence is assumed with the following billing characteristics under normal conditions and under drought conditions with an imposed drought factor:

	Budget in ccf	Drought Factor
NORMAL CONDITIONS		
Indoor	9	100%
Outdoor	6	100%
DROUGHT FACTOR IMPOSED		
Indoor	8	80%
Outdoor	3	50%

Given the above, the following examples, based on District rates effective July 1, 2021, assume that 1) the customer does not change their consumption pattern and uses 22 ccf under both Normal and Drought conditions; 2) the customer reduces consumption from 22 ccf to 15 ccf; and 3) the customer reduces consumption to the new budget of 11 ccf.

SCENEARIO 1 – RESIDENTAL CUSTOMER USES 22 ccf DURING THE MONTH UNDER DROUGHT CONDITIONS:

		Drought Factor: Indoor - 100% Outdoor - 100%			Drought Factor: Indoor - 80% Outdoor - 50%		
	RATE	**Budget**	**Actual**	**Total**	**Budget**	**Actual**	**Total**
Tier I - Indoor Efficient	$2.72	9	9	$24.48	8	8	$21.76
Tier II - Outdoor Efficient	$3.11	6	6	$18.66	3	3	$9.33
Tier III - Inefficient	$6.78		5	$33.90		4	$27.12
Tier IV - Excessive	$8.52		2	$17.04		7	$59.64
Total			**22**	**$94.08**		**22**	**$117.85**

Revised	$117.85
Original	($94.08)
Administrative Penalty	$23.77

SCENARIO 2 – RESIDENTAL CUSTOMER USES 15 ccf DURING THE MONTH UNDER DROUGHT CONDITIONS:

		Drought Factor: Indoor - 100% Outdoor - 100%			Drought Factor: Indoor - 80% Outdoor - 50%		
	RATE	**Budget**	**Actual**	**Total**	**Budget**	**Actual**	**Total**
Tier I - Indoor Efficient	$2.72	9	9	$24.48	8	8	$21.76
Tier II - Outdoor Efficient	$3.11	6	6	$18.66	3	3	$9.33
Tier III - Inefficient	$6.78		0	$0.00		4	$27.12
Tier IV - Excessive	$8.52		0	$0.00		0	$0.00
Total			**15**	**$43.14**		**15**	**$58.21**

Revised	$58.21
Original	($43.14)
Administrative Penalty	$15.07

SCENARIO 3 – RESIDENTAL CUSTOMER USES 11 ccf DURING THE MONTH UNDER DROUGHT CONDITIONS:

		Drought Factor: Indoor - 100% Outdoor - 100%			Drought Factor: Indoor - 80% Outdoor - 50%		
	RATE	**Budget**	**Actual**	**Total**	**Budget**	**Actual**	**Total**
Tier I - Indoor Efficient	$2.72	9	9	$24.48	8	8	$21.76
Tier II - Outdoor Efficient	$3.11	6	2	$6.22	3	3	$9.33
Tier III - Inefficient	$6.78		0	$0.00		0	$0.00
Tier IV - Excessive	$8.52		0	$0.00		0	$0.00
Total			**11**	**$30.70**		**11**	**$31.09**

Revised	$31.09
Original	($30.70)
Administrative Penalty	$0.39

Appendix F

Notice of Public Hearing

The Orange County Register
1771 S. Lewis Street
Anaheim, CA 92805
714-796-2209

5227134

EL TORO WATER DISTRICT
ATTN: GILBER GRANITO
24251 LOS ALISOS BLVD
LAKE FOREST, CA 92630

AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA, } **SS.**

County of Orange

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of The Orange County Register, a newspaper of general circulation, published in the city of Santa Ana, County of Orange, and which newspaper has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of November 19, 1905, Case No. A-21046, that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/10/2022

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Executed at Anaheim, Orange County, California, on Date: March 10, 2022.

Sandra Campos

Signature

PROOF OF PUBLICATION

Legal No. **0011522689**

NOTICE OF PUBLIC HEARING
EL TORO WATER DISTRICT ("ETWD") ADOPTION OF:
(1) AMENDMENT OF APPENDIX H OF ETWD'S 2020
URBAN WATER MANAGEMENT PLAN (2020 WATER SHORTAGE
CONTINGENCY PLAN) AND (2) ETWD's WATER
SHORTAGE CONTINGENCY RESPONSE ORDINANCE NO. 2022-1

NOTICE IS HEREBY GIVEN that the El Toro Water District ("ETWD") will hold a Public Hearing on March 24, 2022 at 7:30 a.m. or as soon thereafter as the Agenda for ETWD's Regular Board Meeting provides, to consider adoption of ETWD's proposed amended and restated 2020 Water Shortage Contingency Plan ("WSCP"); and ETWD's Water Shortage Contingency Response Ordinance ("Ordinance No. 2022-1"). The Public Hearing/Meeting will be held at ETWD's Administrative Offices located at 24251 Los Alisos Blvd., Lake Forest, CA 92630.

The Public Hearing is being held in accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 through 10657.

The Public Hearing is also being held pursuant to California Water Code Sections 375 through 378 and 350 through 359 which authorizes water suppliers to adopt and enforce comprehensive water conservation regulations, plans, ordinances or resolutions to reduce water consumption and conserve supplies.

The purpose of the Public Hearing is to solicit public comment prior to adoption of the proposed updated WSCP and Ordinance No. 2022-1.

Copies of the proposed WSCP, and Ordinance No. 2022-1 being considered for adoption are available for public inspection on ETWD's website, https://etwd.com and/or at ETWD's Administrative Offices.

Members of the public who wish to comment during the Public Hearing may do so by attending the Public Hearing/Meeting in person or they may observe and address the Public Hearing/Meeting by joining this link:

https://us02web.zoom.us/j/85377324270. (ID: 853 7732 4270).

Members of the public who wish only to listen to the telephonic Public Hearing/Meeting may dial in at the following numbers (669) 900-6833 or (346) 248-7799 with the same ID noted above. Please be advised the Public Hearing/Meeting will be recorded.

For more information, or if you would like assistance in presenting your comments to the Board of Directors at the Public Hearing, please contact (Polly Welsch, Executive Assistant to Board and General Manager) at (949) 837-7050, ext. 225 or via email at pwelsch@etwd.com.

Publish: Orange County Register-March 10, 2022 11522689

The Orange County Register
1771 S. Lewis Street
Anaheim, CA 92805
714-796-2209

5227134

EL TORO WATER DISTRICT
ATTN: GILBER GRANITO
24251 LOS ALISOS BLVD
LAKE FOREST, CA 92630

AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA, } **SS.**

County of Orange

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of The Orange County Register, a newspaper of general circulation, published in the city of Santa Ana, County of Orange, and which newspaper has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of November 19, 1905, Case No. A-21046, that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

03/17/2022

I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Executed at Anaheim, Orange County, California, on Date: March 17, 2022.

Sandra Campos

Signature

PROOF OF PUBLICATION

Legal No. **0011522738**

**NOTICE OF PUBLIC HEARING
EL TORO WATER DISTRICT ("ETWD")
ADOPTION OF:
(1) AMENDMENT OF APPENDIX H OF ETWD'S 2020
URBAN WATER MANAGEMENT PLAN (2020 WATER SHORTAGE
CONTINGENCY PLAN) AND (2) ETWD's WATER
SHORTAGE CONTINGENCY RESPONSE
ORDINANCE NO. 2022-1**

NOTICE IS HEREBY GIVEN that the El Toro Water District ("ETWD") will hold a Public Hearing on March 24, 2022 at 7:30 a.m. or as soon thereafter as the Agenda for ETWD's Regular Board Meeting provides, to consider adoption of ETWD's proposed amended and restated 2020 Water Shortage Contingency Plan ("WSCP"); and ETWD's Water Shortage Contingency Response Ordinance ("Ordinance No. 2022-1"). The Public Hearing/Meeting will be held at ETWD's Administrative Offices located at 24251 Los Alisos Blvd., Lake Forest, CA 92630.

The Public Hearing is being held in accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 through 10657.

The Public Hearing is also being held pursuant to California Water Code Sections 375 through 378 and 350 through 359 which authorizes water suppliers to adopt and enforce comprehensive water conservation regulations, plans, ordinances or resolutions to reduce water consumption and conserve supplies.

The purpose of the Public Hearing is to solicit public comment prior to adoption of the proposed updated WSCP and Ordinance No. 2022-1.

Copies of the proposed WSCP, and Ordinance No. 2022-1 being considered for adoption are available for public inspection on ETWD's website, https://etwd.com and/or at ETWD's Administrative Offices.

Members of the public who wish to comment during the Public Hearing may do so by attending the Public Hearing/Meeting in person or they may observe and address the Public Hearing/Meeting by joining this link:

https://us02web.zoom.us/j/85377324270. (ID: 853 7732 4270).

Members of the public who wish only to listen to the telephonic Public Hearing/Meeting may dial in at the following numbers (669) 900-6833 or (346) 248-7799 with the same ID noted above. Please be advised the Public Hearing/Meeting will be recorded.

For more information, or if you would like assistance in presenting your comments to the Board of Directors at the Public Hearing, please contact (Polly Welsch, Executive Assistant to Board and General Manager) at (949) 837-7050, ext. 225 or via email at pwelsch@etwd.com.

Publish: Orange County Register- March 17, 2022
11522738

Appendix G

Adopted WSCP Resolution

RESOLUTION NO. 22-3-1

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT ADOPTING THE AMENDED WATER SHORTAGE CONTINGENCY PLAN (APPENDIX H TO THE ETWD 2022 URBAN WATER MANAGEMENT PLAN)

WHEREAS, the general welfare of the people in the El Toro Water District ("District") requires that the water available to the District be utilized in a manner which maximizes beneficial use and that the waste and unreasonable use, or unreasonable method of use of water be prevented;

WHEREAS, pursuant to Section 34000 *et seq.* of the Water Code of the State of California, the District has the authority to adopt rules and regulations for the provision of water service and facilities;

WHEREAS, the District held a noticed public hearing on March 24, 2022 in accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 through 10657) to consider public comments regarding the adoption of the amended Water Shortage Contingency Plan in the form and content attached to this Resolution and marked Exhibit "A" entitled "amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan"; and

NOW, THEREFORE, BE IT RESOLVED, that the El Toro Water District hereby adopts the amended Water Shortage Contingency Plan (Appendix H to the ETWD 2022 Urban Water Management Plan) which is attached hereto, marked Exhibit "A", and by this reference is incorporated herein as though set forth in full.

ADOPTED, SIGNED AND APPROVED this 24th day of March, 2022.

KATHRYN FRESHLEY, President
El Toro Water District and of the
Board of Directors thereof

ATTEST

DENNIS P. CAFFERTY, Secretary
El Toro Water District and of the
Board of Directors thereof