

May 16, 2023

## **MEETING NOTICE**

### **WATER CONSERVATION AND DEMAND MANAGEMENT COMMITTEE**

Members of the Water Conservation and Demand Management Committee:

Director Nai Hsueh, Committee Chair

Director Barbara F. Keegan

Director Rebecca Eisenberg, Committee Vice Chair

Staff Support of the Water Conservation and Demand Management Committee:

Rick L. Callender, Esq., Chief Executive Officer

Melanie Richardson, Assistant Chief Executive Officer

Christopher Hakes, Acting Assistant Chief Executive Officer

Aaron Baker, Chief Operating Officer, Water Utility

Rachael Gibson, Chief of External Affairs

J. Carlos Orellana, District Counsel

Joseph Aranda, Assistant District Counsel

Sam Bogale, Deputy Operating Officer, Treated Water Division

Vincent Gin, Deputy Operating Officer, Water Supply Division

Gregory Williams, Deputy Operating Officer, Raw Water Division

Bart Broome, Assistant Officer, Office of Government Relations

Marta Lugo, Assistant Officer, Office of Government Relations

Kirsten Struve, Assistant Officer, Water Supply Division

Antonio Alfaro, Government Relations Advocate, Office of Government Relations

Vanessa De La Piedra, Groundwater Management Manager, Groundwater Monitoring and Analysis Unit

Metra Richert, Unit Manager of the Water Supply Planning and Conservation Unit

Samantha Greene, Senior Water Resources Specialist, Water Supply Planning & Conservation Unit

Jing Wu, Senior Water Resources Specialist, Water Supply Planning & Conservation Unit

Justin Burks, Senior Water Conservation Specialist, Water Supply Planning & Conservation Unit

The regular meeting of the Water Conservation and Demand Management Committee is scheduled to be held on **Monday, May 22, 2023, at 11:00 a.m., in the Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, CA 95118.**

The meeting agenda and corresponding materials are located on our website:

<https://www.valleywater.org/how-we-operate/committees/board-advisory-committees>



## **Water Conservation and Demand Management Committee Meeting**

Public and non-presenting staff Join Zoom Meeting  
<https://valleywater.zoom.us/j/92597340524>

Meeting ID: 925 9734 0524

One tap mobile

+16699009128,,92597340524# US (San Jose)

Dial by your location

+1 669 900 9128 US (San Jose)

Meeting ID: 925 9734 0524



# **Santa Clara Valley Water District Water Conservation and Demand Management Committee Meeting**

**Headquarters Building Boardroom  
5700 Almaden Expressway  
San Jose CA 95118**

## **REGULAR MEETING AGENDA**

**Monday, May 22, 2023  
11:00 AM**

**District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.**

**BOARD REPRESENTATIVES:**  
Director Nai Hsueh, Committee Chair  
Director Barbara F. Keegan  
Director Rebecca Eisenberg,  
Committee Vice Chair

All public records relating to an item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

Vincent Gin  
Kirsten Struve  
(Staff Liaisons)  
  
Glenna Brambill, (COB Liaison)  
Management Analyst II  
gbrambill@valleywater.org  
1-408-630-2408

**Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.**

**Santa Clara Valley Water District**  
**Water Conservation and Demand Management Committee**  
**REGULAR MEETING**  
**AGENDA**

---

Monday, May 22, 2023

11:00 AM

Headquarters Building Boardroom

---

**\*\*\*IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS\*\*\***

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee at a video conferenced meeting, during public comment or on any item listed on the agenda, should use the “Raise Hand” tool located in the Zoom meeting link listed on the agenda, at the time the item is called. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=TojJpYCxXm0>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board’s office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water’s bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of

uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

**Join Zoom Meeting:**  
**<https://valleywater.zoom.us/j/92597340524>**

Meeting ID: 925 9734 0524 Join  
by Phone:  
1 (669) 900-9128, 92597340524#

**1. CALL TO ORDER:**

1.1. Roll Call.

- 2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA.** *Notice to the Public: Members of the public who wish to address the Committee on any item not listed on the agenda should access the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to two minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Committee may take action on any item of business appearing on the posted agenda.*

### 3. APPROVAL OF MINUTES:

#### 3.1. Approval of Minutes.

[23-0571](#)

Recommendation: Approve the April 24, 2023, Meeting Minutes.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: 04242023 WCaDMC DRAFT Mins](#)

Est. Staff Time: 5 Minutes

### 4. REGULAR AGENDA:

#### 4.1. Guiding Principles and Enforcement to Support Water Conservation as a Way of Life.

[23-0572](#)

Recommendation: Recommend that Santa Clara Valley Water District's (Valley Water) Board take the following actions to promote ongoing water conservation and help meet Valley Water's current voluntary call for conservation in Santa Clara County:

- A. Adopt a Resolution Calling for Water Conservation as a Way of Life in Santa Clara County (Attachment 2), which includes guiding principles to support long-term conservation and helps meet Valley Water's current voluntary call for conservation; and
- B. Conduct a public hearing to rescind Ordinance 22-02 and replace it with the proposed ordinance "Enforcement Measures for Water Conservation in Santa Clara County" (Attachment 3).

Manager: Kirsten Struve, 408-630-3138

Attachments: [Attachment 1: PowerPoint Presentation](#)

[Attachment 2: Resolution](#)

[Attachment 3: Ordinance](#)

[Attachment 4: Amended Ordinance A](#)

[Attachment 5: April 2023 Drought Response Report](#)

Est. Staff Time: 15 Minutes

#### 4.2. Review the Water Conservation and Demand Management Committee Work Plan, the Outcomes of Board Action of Committee Requests; and the Committee's Next Meeting Agenda.

[23-0573](#)

Recommendation: Review the Committee work plan to guide the committee's discussions regarding policy alternatives and implications for Board deliberation.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: WCaDMC 2023 Work Plan](#)

Est. Staff Time: 5 Minutes

**5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.**

*This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.*

**6. ADJOURN:**

6.1. Adjourn to Regular Meeting at 11:00 a.m., on Monday, June 26, 2023.

**This Page Intentionally Left Blank**





# Santa Clara Valley Water District

---

**File No.:** 23-0571

**Agenda Date:** 5/22/2023

**Item No.:** 3.1.

---

## **COMMITTEE AGENDA MEMORANDUM** **Water Conservation and Demand Management Committee**

Government Code § 84308 Applies: Yes ☐ No ☒  
(If "YES" Complete Attachment A - Gov. Code § 84308)

### **SUBJECT:**

Approval of Minutes.

### **RECOMMENDATION:**

Approve the April 24, 2023, Meeting Minutes.

### **SUMMARY:**

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meeting.

### **ATTACHMENTS:**

Attachment 1: 04242023 WCaDMC Draft Mins

### **UNCLASSIFIED MANAGER:**

Candice Kwok-Smith, 408-630-3193

**This Page Intentionally Left Blank**



## WATER CONSERVATION AND DEMAND MANAGEMENT COMMITTEE MEETING

# DRAFT MINUTES

**MONDAY, APRIL 24, 2023**

A regular meeting of the Water Conservation and Demand Management Committee was held on April 24, 2023, at Santa Clara Valley Water District, Headquarters Building Boardroom, 5700 Almaden Expressway, in San Jose, California.

### **1. CALL TO ORDER**

Committee Chair Director Nai Hsueh called the meeting to order at 11:00 a.m.

#### **1.1. ROLL CALL**

Committee Board Members in attendance were: Committee Chair, Director Nai Hsueh (District 5), Director Barbara F. Keegan (District 2), establishing a quorum, and Committee Vice Chair, Eisenberg (District 7-arrived at 11:13 a.m.).

Staff members in attendance were: Gina Adriano, Joseph Aranda, Meghan Azalon, Roseryn Bhudsabourg, Neeta Bijoor, Glenna Brambill, Theresa Chinte, Vanessa De La Piedra, Paola Giles, Jason Gurdak, Chris Hakes, Linh Hoang, Cindy Kao, Matt Keller, Michele King, Candice Kwok-Smith, Jessica Lovering, Carlos Orellana, Metra Richert, Don Rocha, Clarissa Sangalang, Ashley Shannon, Nicholas Simard, Kirsten Struve, Cindy Torres, Sana Wazit, Matthew Wilson, Gregory Williams.

Guest Agencies in attendance were: Brian Boyer (Cinnabar Hills Golf Club), Kurt Elvert, Curt Rayer and Bill Tuttle (San Jose Water Company-SJWC) and Katja Irvin (Sierra Club Loma Prieta Chapter).

Public in attendance was: Julia Nussbaum.

### **2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON AGENDA**

There was no one present who wished to speak.

### **3. APPROVAL OF MINUTES**

#### **3.1 APPROVAL OF MINUTES MARCH 17, 2023**

Committee Chair Director Nai Hsueh reviewed the materials as outlined in the agenda items. It was moved by Director Barbara F. Keegan, seconded by Committee Chair Director Nai Hsueh, and unanimously approved, the minutes of the March 17, 2023, Water Conservation and Demand Management Committee special meeting as presented.

### **3.2 APPROVAL OF MINUTES MARCH 27, 2023**

Committee Chair Director Nai Hsueh reviewed the materials as outlined in the agenda items. It was moved by Director Barbara F. Keegan, seconded by Committee Chair Director Nai Hsueh, and unanimously approved, the minutes of the March 27, 2023, Water Conservation and Demand Management Committee meeting as presented.

## **4. REGULAR AGENDA ITEMS**

### **4.1 WATER SUPPLY AND CONSERVATION AS A WAY OF LIFE UPDATE**

Neeta Bijoor reviewed the materials as outlined in the agenda items.

The Water Conservation and Demand Management Committee discussed the following: which that the State was providing more on water conservation, CIP rates are increasing, need more legislation to offset water problems, conservation is the new way of life statewide, Model Ordinance needs more attention (raise it at the state level), lack of equity with large companies, agricultural in Santa Clara County, retailer usage data needed for comparison, fine strategies, and CII.

Aaron Baker and Kirsten Struve were available to answer questions.

The Water Conservation and Demand Management Committee took no action.

### **4.2 WATER CONSERVATION PROGRAM SAVINGS UPDATE FOR FISCAL YEAR (FY) 2022**

Ashley Shannon reviewed the materials as outlined in the agenda items.

The Water Conservation and Demand Management Committee discussed the following: data, Program funds, and water usage.

Kirsten Struve and Metra Richert were available to answer questions.

The Water Conservation and Demand Management Committee took no action.

### **4.3 LANDSCAPE DESIGN ASSISTANCE PROGRAM DEVELOPMENT**

Ashley Shannon reviewed the materials as outlined in the agenda items.

The Water Conservation and Demand Management Committee discussed the following: usage, (outdoor vs indoor) and have the recruitment process easier.

The Water Conservation and Demand Management Committee took no action.

### **4.4 REVIEW AND APPROVED PROPOSED WATER CONSERVATION AND DEMAND MANAGEMENT COMMITTEE WORK PLAN, THE OUTCOMES OF BOARD ACTION OF COMMITTEE REQUESTS; AND THE COMMITTEE'S NEXT MEETING AGENDA**

Committee Chair Director Nai Hsueh and Kirsten Struve reviewed the materials as outlined in the agenda items.

May agenda items: Guiding Principles and Enforcement to Support Water Conservation as a Way of Life and Drought Response Plan.

Committee's suggested agenda items: retailers' schedule and stormwater capture.

The next meeting is May 22, 2023, at 11:00 a.m.

The Water Conservation and Demand Management Committee took no action.

**5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE'S REQUESTS**

Glenna Brambill stated there were no formal action items for Board consideration, however, the committee had request of staff (comparison data information).

**6. ADJOURNMENT**

Committee Chair Director Nai Hsueh adjourned at 12:52 p.m.

Glenna Brambill  
Board Committee Liaison  
Office of the Clerk of the Board

Approved:

**This Page Intentionally Left Blank**



# Santa Clara Valley Water District

File No.: 23-0572

Agenda Date: 5/22/2023

Item No.: 4.1.

## COMMITTEE AGENDA MEMORANDUM Water Conservation and Demand Management Committee

Government Code § 84308 Applies: Yes ☐ No ☒  
(If "YES" Complete Attachment A - Gov. Code § 84308)

### SUBJECT:

Guiding Principles and Enforcement to Support Water Conservation as a Way of Life.

### RECOMMENDATION:

Recommend that Santa Clara Valley Water District's (Valley Water) Board take the following actions to promote ongoing water conservation and help meet Valley Water's current voluntary call for conservation in Santa Clara County:

- A. Adopt a Resolution Calling for Water Conservation as a Way of Life in Santa Clara County (Attachment 2), which includes guiding principles to support long-term conservation and helps meet Valley Water's current voluntary call for conservation; and
- B. Conduct a public hearing to rescind Ordinance 22-02 and replace it with the proposed ordinance "Enforcement Measures for Water Conservation in Santa Clara County" (Attachment 3).

### SUMMARY:

On June 9, 2021, the Board adopted Resolution 21-68, which declared a water shortage emergency condition pursuant to California Water Code §350, called for mandatory water use reduction of 15% compared to 2019, and urged the County of Santa Clara to proclaim a local emergency. Valley Water Board Resolution 22-20 amended the Emergency Water Shortage Resolution on April 12, 2022 (Amended Emergency Water Shortage Resolution), to call for no more than 2 days of irrigation in a week for ornamental lawns and to prohibit excessive runoff, midday irrigation, and irrigation after rainfall. On May 24, 2022, the Board adopted Ordinance 22-02 to legally obligate County residents to adhere to these restrictions as part of an enforceable water conservation program, which went into effect on June 1, 2022. On September 13, the Board amended Ordinance 22-02 to include the State's ban against watering commercial, industrial, and institutional (CII) non-functional turf amongst its list of enforceable restrictions (Attachment 4, Amended Water User Restriction Ordinance).

---

Santa Clara County received high levels of precipitation in winter and spring of 2023 and on March 16, 2023, Santa Clara County was out of drought according to the U.S. Drought Monitor. In addition, local reservoirs are full, groundwater levels are healthy, and for the first time since 2006 Valley Water has received one hundred percent of imported water allocations. As Valley Water's water supply outlook improved considerably, on April 11, 2023, Valley Water's Board unanimously approved to:

- Rescind the Amended Emergency Water Shortage Resolution calling for a countywide mandatory 15% water-use reduction compared 2019 usage; and
- Call for a countywide voluntary 15% water-use reduction call compared 2019 usage; and
- Direct the CEO to bring a recommendation for the Board's consideration for additional actions to support water conservation as a way of life in our county and state.

The Board also chose to continue enforcement of all water waste restrictions contained in Ordinance 22-02.

### **Recommendation to support Water Conservation as a Way of Life**

As discussed at the April 24, 2023 Committee meeting, staff has developed a proposed resolution and an ordinance which address the Board's direction to bring a recommendation for additional actions to support water conservation as a way of life in our county. Staff seek the Committee's feedback on the proposed resolution and ordinance, and ask the Committee to recommend Board adoption on June 13, 2023.

The proposed resolution provides Valley Water's overall approach to promote water conservation as a way of life during non-drought periods in the form of guiding principles. During the April 11, 2023 Board meeting, Directors provided feedback on several topics to help promote conservation as a way of life, including long-term conservation targets, assisting disadvantaged groups and renters, data collection, use of new technologies, public outreach, and promoting state and local conservation policy. Staff has worked to comprehensively include the Board's feedback by developing themes of long-term water conservation as reflected in the guiding principles contained in the proposed resolution. In addition, the resolution includes themes of bringing awareness of proper watering techniques that prevent water waste and Valley Water's many conservation programs that can assist all sectors of our community, including residential, commercial, institutional, industrial, and agricultural.

Staff proposes replacing Ordinance 22-02 with the proposed ordinance (Attachment 3), which addresses both non-drought and drought periods and allows for quicker response to future droughts. During periods when Valley Water's Board has called for mandatory water use reduction, the ordinance provides an enforcement process that includes fines for those who violate outdoor water waste restrictions despite repeated notifications to address the waste. During periods when Valley Water's Board has not called for mandatory water use reduction, the ordinance provides an enforcement process that includes notifications and education for those who are reported to have violated water waste restrictions, and refers repeated complaints to water retailers for further enforcement action. The proposed ordinance will contain a list of permanent water waste restrictions



that Valley Water worked collaboratively with water retailers to develop. Valley Water is encouraging water retailers to adopt this list of permanent water waste restrictions for countywide consistency. The list was expanded from our previous ordinance. However, staff proposes to not include the two-day watering for residential lawns, as this would continue a strict requirement that has been removed by our peer water agencies. Two-day watering was put in place due to exceptional drought conditions and remains a tool for drought times. Instead, consistent with the Landscape Committee recommendation, outreach will focus on proper watering, promoting irrigation schedulers, additional education on turf watering and water budgets.

### **Maintaining Water Conservation**

Valley Water continues its water conservation as a way of life messaging to the public after drought and will promote programs year-round. Speakers Bureau presentations are ongoing. Valley Water continues to see high participation rates in water conservation programs and is continuing the drought rebate rate (\$2 per square foot of turf replacement) for another fiscal year. Multilingual ads continue running on social media and digital channels. Staff have expanded outreach to help Commercial, Industrial and Institutional (CII) entities apply for our large landscape and Water Efficient Technologies rebates. Valley Water has stressed the importance of continuing to conserve following drought to the media. Attachment 5 is a report that describes Valley Water's water supply conditions following drought and continuing water conservation efforts.

### **Countywide Water Use Reduction**

Countywide water savings were 4% in March 2023 compared to pre-COVID March 2019 and 23% compared to March 2020. Countywide savings increased since February 2023. The following table shows countywide water savings compared to 2019 (Valley Water's baseline for conservation) and 2020 (Governor's baseline for conservation).

Baseline Year	Santa Clara County	
	2019	2020
March 2023 Savings	4%	23%
Cumulative*	7%	13%
* Cumulative for 2019 baseline begins in June 2021 and for 2020 baseline begins in July 2021		

### **ATTACHMENTS:**

Attachment 1: PowerPoint Presentation

Attachment 2: Draft Resolution - Calling for Water Conservation as a Way of Life in

Santa Clara County  
Attachment 3: Draft Ordinance - Enforcement Measures for Water Conservation in  
Santa Clara County  
Attachment 4: Amended Water Use Restriction Ordinance 22-02  
Attachment 5: April Water Supply and Conservation Report

**UNCLASSIFIED MANAGER:**  
Kirsten Struve, 408-630-3138



# Guiding Principles and Enforcement to Support Water Conservation as a Way of Life

Water Conservation and Demand Management Committee  
May 22, 2023

## Board Decisions on April 11, 2023

- End 15% mandatory call for water use reduction compared to 2019
  - Replaced with 15% voluntary call compared to 2019
- Continue enforcement of water waste restrictions
- Maintain conservation
  - Must bring back additional recommendation to make sure water conservation is a way of life

# Maintaining Water Conservation after Drought

- Water Conservation as a Way of Life messaging
- High conservation program participation and continued high savings
- Continuing drought rebate rate

	Santa Clara County	
Baseline Year	2019	2020
March 2023 Savings	4%	23%
Cumulative*	7%	13%
* Cumulative for 2019 baseline begins in June 2021 and for 2020 baseline begins in July 2021		

# Proposed Recommendation suggested for Board consideration on June 13, 2023

## Water Conservation as a Way of Life Resolution

- Includes Committee and Board's requests for maintaining conservation in guiding principles

## Revised Enforcement Ordinance

- Includes procedures for both non-drought and drought periods
- Replaces existing enforcement ordinance aimed only for drought period

# Water Conservation as a Way of Life Resolution

- Guiding principles on Valley Water's approach to conservation between droughts
- Includes: long-term targets, disadvantaged groups, renters, data collection, new technologies, public outreach, state & local policy, and more
- Includes working with all stakeholders and sectors: retailers, single and multifamily residents, CII, and agriculture
- Valley Water to encourage countywide consistency in permanent restrictions between droughts

# Revised Enforcement Ordinance

- Fines by Valley Water triggered by mandatory water use reduction calls
- Educational notifications during non-drought periods, and referral to retailers
- Procedures for periods with and without mandatory calls
- Valley Water's permanent water waste prohibitions



# Permanent Water Waste Prohibitions

- Worked collaboratively with retailers to develop list
- Encourages proper watering of trees
- Includes prohibitions related to:
  - Runoff
  - Midday watering
  - Watering after rainfall
  - Watering CII decorative turf
  - Leaks
  - Improper washing of cars, buildings, hardscapes

# Recommendation

Recommend that Valley Water's Board:

- A. Adopt a Resolution Calling for Water Conservation as a Way of Life in Santa Clara County, which includes guiding principles to support long-term conservation and helps meet Valley Water's current voluntary call for conservation; and
- B. Conduct a public hearing to rescind Ordinance 22-02 and replace it with the proposed ordinance "Enforcement Measures for Water Conservation in Santa Clara County"

**BOARD OF DIRECTORS  
SANTA CLARA VALLEY WATER DISTRICT**

**RESOLUTION NO. 23-**

**CALLING FOR WATER CONSERVATION AS A WAY OF LIFE IN SANTA CLARA COUNTY**

WHEREAS, locally and across California, severely dry conditions resulted in a historic multi-year drought beginning in 2020; and

WHEREAS, on June 9, 2021, the Board of Directors (Board) of the Santa Clara Valley District (Valley Water) adopted Resolution 21-68 in response to drought which declared a water shortage emergency condition pursuant to California Water Code §350 and called for mandatory water use reduction of 15 percent compared to 2019; and

WHEREAS, as of March 16, 2023, Santa Clara County is no longer in drought conditions according to the U.S. Drought Monitor, and Valley Water's local and imported water supplies are above average in 2023; and

WHEREAS, on April 11, 2021, Valley Water's Board adopted Resolution 23-24 rescinding Resolution 22-20 that amended and restated Resolution 21-68 declaring a water shortage emergency condition and calling for a mandatory water use reduction, and called for voluntary 15 percent water conservation (as compared to 2019 water use); and

WHEREAS, continuing the progress and momentum of community water use reductions and water use efficiency to make water conservation a way of life will improve long-term water supply reliability and help maintain groundwater levels in Santa Clara County; and

WHEREAS, increasing long-term water conservation efforts is critical to Santa Clara County's resilience to droughts, which are a reoccurring phenomenon for the county and state, and which may be intensified with climate change; and

WHEREAS, the State of California is developing a regulatory framework for Making Water Conservation a California Way of Life, and Valley Water will align with this effort as appropriate; and

WHEREAS, by making small changes in daily habits, residents and businesses in our county can make a big difference in ensuring sufficient water for current and future generations; and

WHEREAS, in addition to short-term drought savings, Valley Water's water conservation programs currently result in the conservation of more than 80,000 acre-feet per year through permanent changes to increase water-use efficiency county-wide; and

WHEREAS, Valley Water's Water Conservation Strategic Plan determined that there remains a significant potential to further increase conservation, particularly from the multifamily residential, commercial, industrial, and institutional sectors, and that prioritizing outdoor water conservation has the greatest potential for significant, long-term water savings; and

WHEREAS, Valley Water's Agricultural Baseline Study determined growers in Santa Clara County to be highly efficient and Valley Water should continue promoting and enhancing its water conservation programs and services for growers, including the Agricultural Mobile Irrigation Lab; and

WHEREAS, the Water Supply Master Plan includes long-term water conservation targets for saving 99,000 acre-feet of water per year by 2030, and 109,000 acre-feet by 2040.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District hereby:

1. Commends the Santa Clara County community for its efforts to reduce water use and calls on the community to make water conservation a way of life in Santa Clara County in order to meet Valley Water's 15 percent voluntary water conservation goal (compared to 2019 water use); and
2. Determines that the Santa Clara Valley Water District hereby declares that water conservation must be a way of life in Santa Clara County and to that end, adopts the Long-Term Water Conservation as a Way of Life Guiding Principles, as shown below. By making small changes in daily water use habits, residents, businesses, and institutions in our community can adopt Water Conservation as a Way of Life, which is using water efficiently and wisely. By adhering to the following guiding principles, Valley Water seeks to lead our community's efforts for promoting long-term water conservation.

**Guiding Principle No. 1 – Make it easier for all members of our community to conserve water.** Valley Water provides water conservation programs, resources, and services to all sectors of our community for both indoor and outdoor conservation and water-efficient landscape practices. Programs will or may include landscape and stormwater rebate programs, water audits landscape water budgets, water-saving devices, and reports on water use for single and multi-family residences and the commercial, industrial, and institutional (CII) sector; and water-efficient technologies for the CII sector. Valley Water is committed to strategic continuous improvement of its water conservation program offerings.

**Guiding Principle No. 2 – Partner with outside organizations to promote Water Conservation as a Way of Life.** Valley Water will partner with water retailers, the County, cities, schools, businesses, and other organizations to promote Water Conservation as a Way of Life; provide a uniform message to our community; and ensure multiple resources are leveraged. Valley Water will work with our partners on uniform permanent restrictions to ensure water is used efficiently and is not wasted.

**Guiding Principle No. 3 – Educate the community about the importance of water conservation.** Valley Water will continue its educational efforts on water conservation, including year-round promotion and messaging of its indoor and outdoor water conservation programs and water conservation habits, tips, and practices; ensuring our community has relevant data about their water use through reports on water use and advanced metering infrastructure; water waste education and enforcement; and educational programs for schools.

**Guiding Principle No. 4 – Work with the local commercial, industrial, and institutional (CII) community to ensure efficient water use.** Promote programs targeted towards the CII sector and assist businesses in adopting water-efficient technologies and landscapes.

**Guiding Principle No. 5 – Work with the local agricultural community to ensure efficient irrigation of crops.** Valley Water will continue targeted water conservation services geared towards the agricultural community, such as irrigation scheduling assistance and water auditing. We will continue to collaborate with the Santa Clara

County Farm Bureau and Agricultural Water Advisory Committee to ensure efficient irrigation practices in our community.

**Guiding Principle No. 6 – Support State and local legislative and policy efforts that promote water conservation.** Valley Water will continue to support federal, state, and local efforts to increase water use efficiency, pursuant to the Legislative Guiding Principles annually reviewed and adopted by the Board. The Board’s annual review of the Legislative Guiding Principles will help ensure Valley Water remains a leading advocate as water conservation and water use efficiency evolve in the future.

**Guiding Principle No. 7 – Coordinate with land-use agencies to promote water conservation.** Valley Water will coordinate with land-use agencies to promote water conservation and water use efficiency in land-use planning and general plans.

**Guiding Principle No. 8 – Periodically reevaluate Valley Water’s long-term water conservation targets.** Valley Water will periodically reevaluate its long-term water conservation targets during each Water Supply Master Plan update cycle to ensure its conservation targets are appropriate and achievable.

**Guiding Principle No. 9 – Utilize data and studies to inform conservation programs and explore innovative technologies to ensure efficient water use.** Valley Water will use available data and studies to inform the development and targeting of conservation programs, and to evaluate and implement technologies that enable efficient water use.

**Guiding Principle No. 10 – Promote equitable and affordable approaches to Water Conservation as a Way of Life.** Valley Water will ensure that water conservation opportunities are available to all sectors of our community, including renters and those from disadvantaged communities.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on June 13, 2023:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

---

JOHN L. VARELA  
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors

**BOARD OF DIRECTORS  
SANTA CLARA VALLEY WATER DISTRICT**

**ORDINANCE NO. 23-**

**ADOPTING WATER CONSERVATION MEASURES IN SANTA CLARA COUNTY**

**The Board of Directors of Santa Clara Valley Water District does ORDAIN as follows:**

**SECTION 1: PURPOSE**

- 1.1 The purpose of this ordinance is to establish mandatory enforcement measures as part of a water conservation program. To ensure the Santa Clara Valley Water District (Valley Water) continues providing a safe, reliable water supply, the measures in this water conservation enforcement program are intended to promote the efficient use of water and prevent its waste to ensure sufficient and reasonable availability for any present or future beneficial use or uses in Santa Clara County.
- 1.2 This ordinance replaces and rescinds Amended Ordinance 22-20, which contains water use prohibitions previously adopted by Valley Water's Board of Directors (Board).
- 1.3 Valley Water adopts this ordinance pursuant to the authorities granted to it by the California Water Code Section 375 et seq. and the Santa Clara Valley Water District Act (California Water Code Appendix, Chapter 60).

**SECTION 2: DEFINITIONS**

- 2.1 "Turf" means a ground cover surface of non-native, ornamental grass, or a ground cover surface of mowable grass.
- 2.2 "Non-Functional Turf" means Turf that is solely ornamental and does not serve a community or neighborhood function, including, use for recreational purposes, or civic or community events.
- 2.3 "Incidental Runoff" means unintended amounts (volume) of runoff, such as unintended, minimal overspray from sprinklers that escapes the area of intended use. Water leaving an intended use area is not considered incidental if it is part of the facility or system design, if it is due to excessive application, if it is due to intentional overflow or application, or if it is due to negligence.
- 2.4 "Property Owner" means the owner of the land where a possible violation of one or more of the water waste prohibitions described in Subsection 3.1 of this ordinance is occurring.
- 2.5 "Water Retailer" means municipalities or investor-owned water retailers that supply potable water made available by Valley Water to Property Owners.
- 2.6 "Mandatory Water Use Reduction" refers to a call made by Valley Water's Board for required water use reduction in Santa Clara County. These calls are typically made during times of drought and/or water shortage.

**SECTION 3: WATER WASTE PROHIBITIONS**

- 3.1 All Property Owners in Santa Clara County who receive some or all of their potable water supplied or managed by Valley Water either directly or indirectly by a Water Retailer shall not do any of the following:
- (a) Apply potable water to any outdoor landscape between the hours of 9:00 AM and 6:00 PM through overhead irrigation.
  - (b) Apply potable water to any outdoor landscape in a manner that causes more than Incidental Runoff. More than Incidental Runoff includes water that flows onto an adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
  - (c) Apply potable water to any outdoor landscape during and within 48 hours after measurable daily rainfall of at least one-fourth of 1 inch (0.25 inches) of rain. In determining whether measurable daily rainfall of at least one-fourth of 1 inch (0.25 inches) of rain occurred on a property, enforcement will be based on records of the closest weather station to the property available from the National Weather Service (weather.gov) or the Valley Water ALERT website (<https://valleywateralert.org/scvwd/pgi.php>).
  - (d) Apply potable water to Non-Functional Turf at commercial, industrial, and institutional sites, including front yards and common areas of homeowner's associations.
  - (e) Use potable water for washing vehicles except by hand-washing without a hose, using a hand-held hose equipped with an automatic shut off nozzle, or using a commercial car washing facility that utilizes recycled water or a re-circulating water system to capture or reuse water.
  - (f) Use potable water for washing building exteriors and mobile homes except by using a hose equipped with an automatic shutoff nozzle.
  - (g) Use potable water for washing sidewalks, walkways, driveways, patios, parking lots, or other hard-surfaced, non-porous ground areas except in cases where health and safety are at risk. Power washing of sidewalks or other outdoor surfaces for health and safety reasons is not considered a violation of this provision.
  - (h) Use potable water through any broken or defective plumbing fixture, sprinkler, watering, or irrigation system on the Property Owner's premises when Valley Water or the retailer has notified the customer in writing to repair the broken or defective plumbing fixture, sprinkler, watering, or irrigation system.
- 3.2 The use of potable water is not prohibited to the extent necessary to ensure the health of trees and other perennial non-Turf plantings or to the extent necessary to address immediate health and safety, sanitation, or fire protection needs as determined by the fire marshal. Unless otherwise permitted by the fire marshal, the watering permitted under this Subsection 3.2 must be completed in a manner that prevents runoff.



**SECTION 4: ENFORCEMENT DURING PERIODS WHEN VALLEY WATER'S BOARD OF DIRECTORS HAS NOT CALLED FOR MANDATORY WATER USE REDUCTION**

- 4.1 During periods when Valley Water's Board has not called for mandatory water use reduction in Santa Clara County, Valley Water will use an educational-based enforcement approach to discourage water waste.
- 4.2 If Valley Water receives a complaint that a Property Owner has violated any of the restrictions set forth in Subsection 3.1, Valley Water will provide that Property Owner with notice of the complaint along with educational information about program offerings that could help resolve the alleged violation(s). In addition, Valley Water will notify the Property Owner's Water Retailer of each complaint.

Repeat complaints of a violation of water waste prohibitions in Subsection 3.1 are considered those submitted to Valley Water for the same property following fourteen (14) calendar days and within twelve (12) calendar months of the initial complaint. After the second repeat complaint, Valley Water will forward any subsequent repeat complaint to the Property Owner's Water Retailer for enforcement action.

**SECTION 5: ENFORCEMENT DURING PERIODS WHEN VALLEY WATER'S BOARD OF DIRECTORS HAS CALLED FOR MANDATORY WATER USE REDUCTION**

- 5.1 The enforcement procedures described in Subsections 5.2 and 5.3 of this ordinance shall apply only during periods when Valley Water's Board has called for a mandatory water use reduction in Santa Clara County.
- 5.2 Reports of water waste will be made through complaints by the public to Valley Water. For Property Owners who receive all or some of their potable water supplied or managed by Valley Water either directly or indirectly by a Water Retailer, steps in Subsection 5.2 and 5.3 of this ordinance will be followed. If the property is supplied by a Water Retailer, Valley Water will notify the Water Retailer of each complaint. Valley Water will offer Water Retailers the opportunity to initiate their own enforcement process established for their respective service area at either of the steps described in Subsection 5.2 (a), (b), or (c). While the Water Retailer pursues its enforcement process, Valley Water will not conduct any of the steps in Valley Water's enforcement process.

(a) Notice of Report of Violation

If a report of a violation of water waste prohibitions in Subsection 3.1 is submitted to Valley Water, a Notice of Report of Violation will be issued to the Property Owner and the property's Water Retailer will be notified. A Notice of Report of Violation will contain information on how to correct the violation(s) and a warning that Valley Water or the Water Retailer may conduct enforcement action for uncorrected violations.

(b) Notice of Second Report of Violation

If a second report of a violation of water waste prohibitions in Subsection 3.1 is submitted to Valley Water for the same property following fourteen (14) calendar days and within twelve (12) calendar months of the issuance of a Notice of Report of Violation, Valley Water will send the Property Owner a Notice of Second Report of Violation and the property's Water Retailer will be notified. The Notice of Second Report of Violation will contain information on how to correct

the violation(s), and a warning that Valley Water or the Water Retailer may conduct enforcement action for uncorrected violations.

(c) Notice of Third Report of Violation

If a third report of a violation of water waste prohibitions in Subsection 3.1 is submitted to Valley Water for the same property following fourteen (14) calendar days from the issuance of a Notice of Second Report of Violation and within twelve (12) calendar months of the issuance of a Notice of Report of Violation, Valley Water will send a Notice of Third Report of Violation and refer the report to the Water Retailer to initiate its own enforcement process. The Notice of Third Report of Violation will contain information on how to correct the violation(s) and a warning that Valley Water or the Water Retailer may conduct enforcement action for uncorrected violations.

5.3 If the Water Retailer does not initiate its own enforcement process, or if the Water Retailer who previously initiated its enforcement process requests that Valley Water resume its enforcement process, then Valley Water will perform the remaining steps of enforcement described in Subsection 5.2 (a) – (c) above and the steps of enforcement described in Subsection 5.3 (a) – (b) below:

(a) Notice of Violation

Valley Water or its contractors will conduct a site visit of the property following fourteen (14) calendar days following the issuance of a Notice of Third Report of Violation to document the violation. If the violation is continuing, then Valley Water will send a Notice of Violation to the Property Owner which will state that the Property Owner is now subject to administrative fine(s) for uncorrected violation(s).

The Property Owner is subject to an administrative fine of up to one hundred dollars (\$100) for each violation found. Notwithstanding the foregoing, Valley Water may impose an administrative fine of up to ten thousand dollars (\$10,000) in extraordinary circumstances where it finds that the Property Owner had actual notice of the water waste prohibition found to be violated; the Property Owner's conduct was intentional; and the amount of water involved was substantial.

(b) Repeat Violations

Valley Water will conduct a site visit thirty-one (31) days following the issuance of a Notice of Violation, or when a subsequent report of violation of water waste prohibitions in Subsection 3.1 is submitted to Valley Water following thirty-one (31) calendar days from the issuance of a Notice of Violation and within twelve (12) calendar months of the issuance of a Notice of Report of Violation, to determine if the confirmed violation is continuing. If the violation is continuing, the Property Owner shall be subject to an additional administrative fine of up to ten thousand dollars (\$10,000). For each successive violation, the Property Owner shall be subject to an additional administrative fine of up to five hundred dollars (\$500) for each additional day that the violation continues.

**SECTION 6: HEARING**

- 6.1 A Property Owner subject to an administrative fine under Subsection 5.3 above will be provided notice and may request a hearing to present evidence that the violation did not occur by following the procedure set forth below:
- (a) Within thirty (30) calendar days of receiving a Notice of Violation, the Property Owner mails a written request for a hearing to the Clerk of the Board, 5750 Almaden Expressway, Santa Clara Valley Water District, San José, CA 95118-3686. For purposes of this Section 6, the request for hearing shall be deemed received by Valley Water on the day it arrives at Valley Water. The Clerk of the Board shall notify the Property Owner, in writing, of the place, date, and time of the hearing, which shall take place no earlier than thirty (30) calendar days after a Notice of Violation was issued.
  - (b) Valley Water's Chief Executive Officer or designee shall conduct a hearing considering all applicable facts and issue a written decision. The Chief Executive Officer's or designee's decision shall be final.
  - (c) Any administrative fine not timely contested in a hearing per this Section 6 shall be deemed final.

**SECTION 7: EFFECTIVE DATE**

NOW, THEREFORE BE IT ORDAINED by the Board of Directors of the Santa Clara Valley Water District that this ordinance shall be in effect starting on June 13, 2023.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on June 13, 2023:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

By: \_\_\_\_\_  
JOHN L. VARELA  
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

\_\_\_\_\_  
Clerk, Board of Directors

**This Page Intentionally Left Blank**

**BOARD OF DIRECTORS  
SANTA CLARA VALLEY WATER DISTRICT**

**ORDINANCE NO. 22-02**

**A FIRST AMENDED AND RESTATED ORDINANCE OF  
SANTA CLARA VALLEY WATER DISTRICT ADOPTING DROUGHT  
OUTDOOR WATER CONSERVATION AND ENFORCEMENT MEASURES**

**The Board of Directors of Santa Clara Valley Water District does ORDAIN as follows:**

**SECTION 1: PURPOSE**

- 1.1 Due to water shortage conditions existing in the service area of the Santa Clara Valley Water District (Valley Water), as well as historically low imported water allocations of Valley Water's State Water Project (SWP) and Central Valley Project (CVP) supplies, the purpose of this ordinance is to establish mandatory outdoor water conservation measures with corresponding enforcement measures as part of a mandatory outdoor water conversation program. To ensure Valley Water continues providing a safe, reliable water supply when its supplies are limited due to current or future shortage conditions, the measures in this water conservation program are intended to preserve and extend Valley Water's available water supply in Santa Clara County and to reduce the hardship on the general public to the greatest extent possible. They are also aimed at ensuring the efficient use of Valley Water's water supply outdoors to maintain sufficient supplies to meet public health, safety and welfare needs during uncertain water supply conditions.
- 1.2 Valley Water adopts this ordinance consistent with Article X, Section 2 of the California Constitution pursuant to its authority under Water Code Section 350 et seq, Water Code Section 375 et seq, and the Santa Clara Valley Water District Act, (Stats. 1951, ch. 1405, p. 3336 et seq., West's Ann. Wat.—Appen. (1999 ed. & 2012 supp.) ch. 60, p. 354 et seq.).

**SECTION 2: DEFINITIONS**

- 2.1 "Turf" means a ground cover surface of non-native, ornamental grass, or a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.
- 2.2 "Non-Functional Turf" means Turf that is solely ornamental and does not serve a community or neighborhood function, including, use for recreational purposes, or civic or community events.
- 2.3 "Incidental Runoff" means unintended amounts (volume) of runoff, such as unintended, minimal overspray from sprinklers that escapes the area of intended use. Water leaving an intended use area is not considered incidental if it is part of the facility or system design, if it is due to excessive application, if it is due to intentional overflow or application, or if it is due to negligence.
- 2.4 "Property Owner" means the owner of the land where a possible violation of one or more of the water waste prohibitions described in Subsection 3.1 of this ordinance is occurring.
- 2.5 "Water Retailer" means municipalities or investor-owned water retailers that supply potable water made available by Valley Water to Property Owners.

An Ordinance of Santa Clara Valley Water District Adopting Drought Outdoor Water  
Conservation and Enforcement Measures Amended and Restated Ordinance No. 22-02

---

### SECTION 3: OUTDOOR DROUGHT WATER WASTE PROHIBITIONS

- 3.1 Violations of the prohibitions set forth below are subject to the enforcement measures described in Section 4. All Property Owners in Santa Clara County who receive potable water supplied or managed by Valley Water either directly or indirectly by a Water Retailer shall not do any of the following:
- (a) irrigate Non-Functional Turf more than 2 days a calendar week.
  - (b) irrigate any outdoor landscape between the hours of 9:00 AM and 6:00 PM.
  - (c) apply potable water to any outdoor landscape in a manner that causes more than Incidental Runoff. More than Incidental Runoff includes water that flows onto an adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
  - (d) apply potable water to any outdoor landscape during and within 48 hours after measurable daily rainfall of at least one fourth of one inch (0.25 inches) of rain. In determining whether measurable daily rainfall of at least fourth of one inch (0.25 inches) of rain occurred on a property, enforcement will be based on records of the closest weather station to the property available from the National Weather Service (weather.gov) or the Valley Water ALERT website (valleywateralert.org/scvwd/pgi.php).
  - (e) apply potable water to Non-Functional Turf at commercial, industrial and institutional sites, including homeowner's associations.
- 3.2 The use of potable water is not prohibited to the extent necessary to ensure the health of trees and other perennial non-Turf plantings or to the extent necessary to address immediate health and safety, sanitation, or fire protection needs as determined by the fire marshal. Unless otherwise permitted by the fire marshal, the watering permitted under this Subsection 3.2 must be completed in a manner that prevents runoff.

### SECTION 4: ENFORCEMENT

- 4.1 For violations set forth in Subsection 3.1, the following enforcement procedures 4.1 (a) – (e) shall apply. Valley Water will emphasize an educational approach to addressing reported violations of water waste prohibitions to encourage water conservation and to prevent water waste.

Reports of water waste will be made through public complaints to Valley Water. For Property Owners who receive potable water supplied or managed by Valley Water either directly or indirectly by a Water Retailer, steps 4.1 (a) – (e) will be followed. If the property is supplied by a Water Retailer, Valley Water will notify the Water Retailer of each complaint. Valley Water will offer Water Retailers the opportunity to initiate their own enforcement process established for their respective service area at either steps 4.1 (a), (b), or (c). While the Water Retailer pursues its enforcement process, Valley Water will not conduct any of the steps in its enforcement process.

If the Water Retailer does not initiate its own enforcement process, or if the Water Retailer who previously initiated its enforcement process requests that Valley Water resume its enforcement process, then Valley Water will perform the remaining steps between 4.1 (a) – (e) that Valley Water has not yet completed.

- (a) Notice of Report of Violation

If a report of a violation of outdoor water waste prohibitions in Subsection 3.1 is submitted to Valley Water, a Notice of Report of Violation will be issued to the Property Owner. A Notice of Report of Violation will contain information on how to

Attachment 4

An Ordinance of Santa Clara Valley Water District Adopting Drought Outdoor Water  
Conservation and Enforcement Measures Amended and Restated Ordinance No. 22-02

---

correct violations and a warning that failure to correct a violation within fourteen (14) calendar days from the issuance date of that written notification may result in future enforcement action. No administrative fine is issued by Valley Water at this time.

(b) Notice of Second Report of Violation

If a second report of a violation of outdoor water waste prohibitions in Subsection 3.1 is submitted to Valley Water for the same property following fourteen (14) calendar days and within twelve (12) calendar months of the issuance of a Notice of Report of Violation, Valley Water or its contractors shall conduct a site visit of the property to document the violation, if possible, and provide a door hanger. The door hanger will state that failure to comply with water waste prohibitions may result in future enforcement action. Furthermore, Valley Water will send the Property Owner a Notice of Second Report of Violation.

(c) Notice of Third Report of Violation

If a third report of a violation of outdoor water waste prohibitions in Subsection 3.1 is submitted to Valley Water for the same property following fourteen (14) calendar days from the issuance of a Notice of Second Report of Violation and within twelve (12) calendar months of the issuance of a Notice of Report of Violation, Valley Water will send a Notice of Third Report of Violation to the Property Owner. This will state that the Property Owner may receive administrative fines for uncorrected violations.

(d) Notice of Violation

Valley Water or its contractors will conduct a site visit of the property following fourteen (14) calendar days following the issuance of a Notice of Third Report of Violation to document the violation. If the violation is continuing, then Valley Water will send a Notice of Violation to the Property Owner which will state that the Property Owner is now subject to administrative fines for uncorrected violations.

The Property Owner is subject to an administrative fine of up to one-hundred dollars (\$100) for each violation found. Notwithstanding the foregoing, Valley Water may impose an administrative fine of up to ten thousand dollars (\$10,000) in extraordinary circumstances where it finds that: the Property Owner had actual notice of the water waste prohibition found to be violated; the Property Owner's conduct was intentional; and the amount of water involved was substantial.

(e) Repeat Violations

Valley Water will conduct a site visit thirty-one (31) days following the issuance of a Notice of Violation, or when a subsequent report of violation of outdoor water waste prohibitions in Subsection 3.1 is submitted to Valley Water following thirty-one (31) calendar days from the issuance of a Notice of Violation and within twelve (12) calendar months of the issuance of a Notice of Report of Violation, to determine if the confirmed violation is continuing. If the violation is continuing, the Property Owner shall be subject to an additional administrative fine of up to ten thousand dollars (\$10,000). For each successive violation, the Property Owner is subject to an additional administrative fine of five hundred dollars (\$500) for each additional day that the violation continues.

An Ordinance of Santa Clara Valley Water District Adopting Drought Outdoor Water  
Conservation and Enforcement Measures Amended and Restated Ordinance No. 22-02

---

**SECTION 5: HEARING**

- 5.1 A Property Owner subject to an administrative fine will be provided notice and may request a hearing to present evidence that the violation did not occur by following the procedure set forth below:
- (a) Within thirty (30) calendar days of receiving a Notice of Violation, the Property Owner mails a written request for a hearing to the Clerk of the Board, 5750 Almaden Expressway, Valley Water, San José, CA 95118-3686. For purposes of this Section 5, the request for hearing shall be deemed received by Valley Water on the day it arrives at Valley Water. The Clerk of the Board shall notify the Property Owner, in writing, of the place, date and time of the hearing, which shall take place no earlier than thirty (30) calendar days after a Notice of Violation was issued.
  - (b) The Chief Executive Officer or designee shall conduct a hearing considering all applicable facts and issue a written decision. The Chief Executive Officer's or designee's decision shall be final.
  - (c) Any administrative fine not timely contested in a hearing per this Section 5 shall be deemed final.

**SECTION 6: EFFECTIVE DATE**

NOW, THEREFORE BE IT ORDAINED by the Board of Directors of the Santa Clara Valley Water District that this ordinance shall be in effect starting on September 13, 2022.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on September 13, 2022:

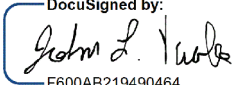
AYES: Directors: T. Estremera, R. Santos, N. Hsueh, B. Keegan, G. Kremen, J. Varela

NOES: Directors: None

ABSENT: Directors: L. LeZotte

ABSTAIN: Directors: None

SANTA CLARA VALLEY WATER DISTRICT

By:  F600AB219490464...  
JOHN L. VARELA  
Chair Pro Tem, Board of Directors

ATTEST: MICHELE L. KING, CMC

 7E1632DBD93E40C...  
Clerk, Board of Directors



# Water Supply and Conservation Report

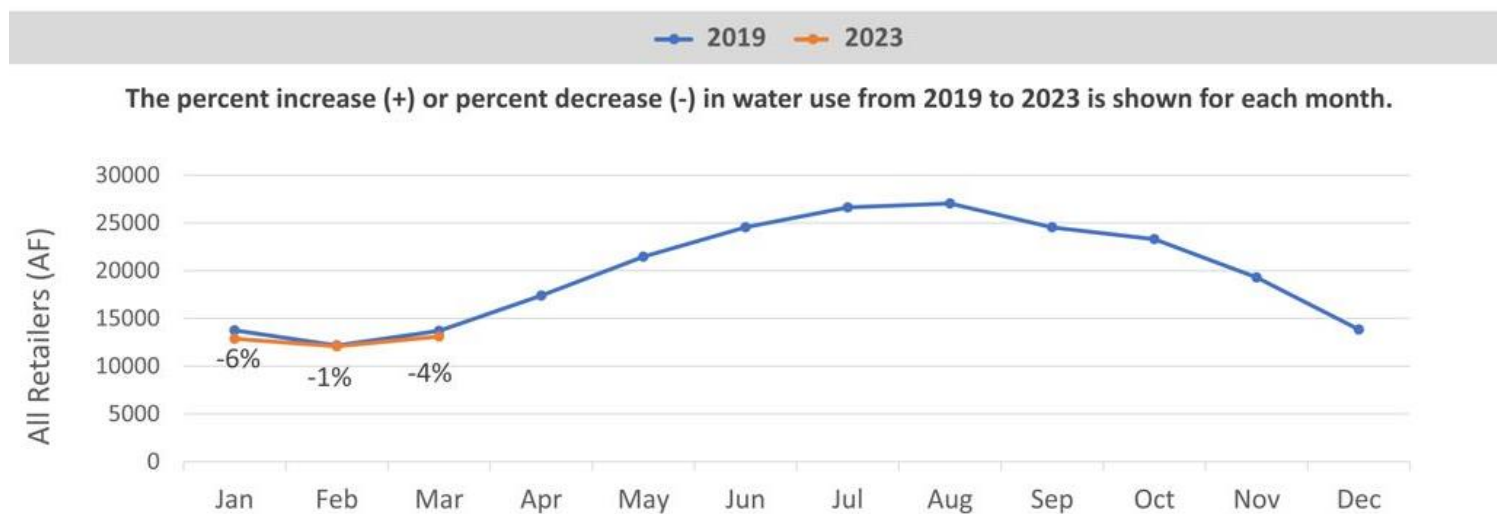
APRIL 2023

## Drought Resolution Implementation

On June 9, 2021, the Board adopted Valley Water Resolution 21-68 which declared a water shortage emergency condition pursuant to California Water Code §350, called for water use reduction of 15% compared to 2019, and urged the County of Santa Clara (County) to proclaim a local emergency. The County adopted a Resolution ratifying the proclamation of a local emergency due to the drought on June 22, 2021. California's Governor included Santa Clara County as part of a drought emergency proclamation on July 8, 2021, and this proclamation included all California counties on October 19, 2021. Valley Water activated its Emergency Operations Center (EOC) on June 16, 2021 to assist with resolution implementation and other drought-related efforts. Valley Water Resolution 22-20 amended Valley Water Resolution 21-68 on April 12, 2022 to call for no more than 2 days of irrigation in a week for ornamental lawns and prohibit excessive runoff, midday irrigation, and irrigation after rainfall. On May 24, 2022, the Board approved Ordinance 22-02 to enforce these restrictions. The ordinance went into effect on June 1, 2022. On September 13, 2023, the Board amended Ordinance 22-02 to include the State's ban against watering commercial, industrial, and institutional (CII) non-functional turf amongst its list of enforceable restrictions. On April 11, 2023, the Board rescinded the Water Shortage Emergency Condition and mandatory water use reduction of 15% compared to 2019 due to improved water supply outlook. This was replaced with a call for voluntary water use reduction of 15% compared to 2019. On April 11, 2023, the drought-related EOC was concluded.

## Retailer Water Use Reduction

The graph below depicts total water use from the 13 retailers in Santa Clara County to help track progress towards achieving Valley Water's 15% call for water use reduction made in June 2021.



- 2023 precipitation has increased the water levels in our local reservoirs and also increased the snowpack in the Sierra. According to the U.S. Drought Monitor, Santa Clara County is no longer in drought.
- Santa Clara County exceeded the Governor’s call for 15% water use reduction compared to 2020 usage in March. Countywide water savings in March 2023 compared to March 2020 was 23%.
- Countywide water savings was 4% in March 2023 compared to March 2019. Winter use represents primarily indoor water use, which generally increased following COVID due to increased water use for sanitation.
- Valley Water continues its conservation and drought-messaging with the “Say Yes to Saving Water” campaign. The multilingual, multi-platform campaign encourages residents, businesses, farms, and others to follow watering restrictions and take actions, both large and small, that can increase water savings.

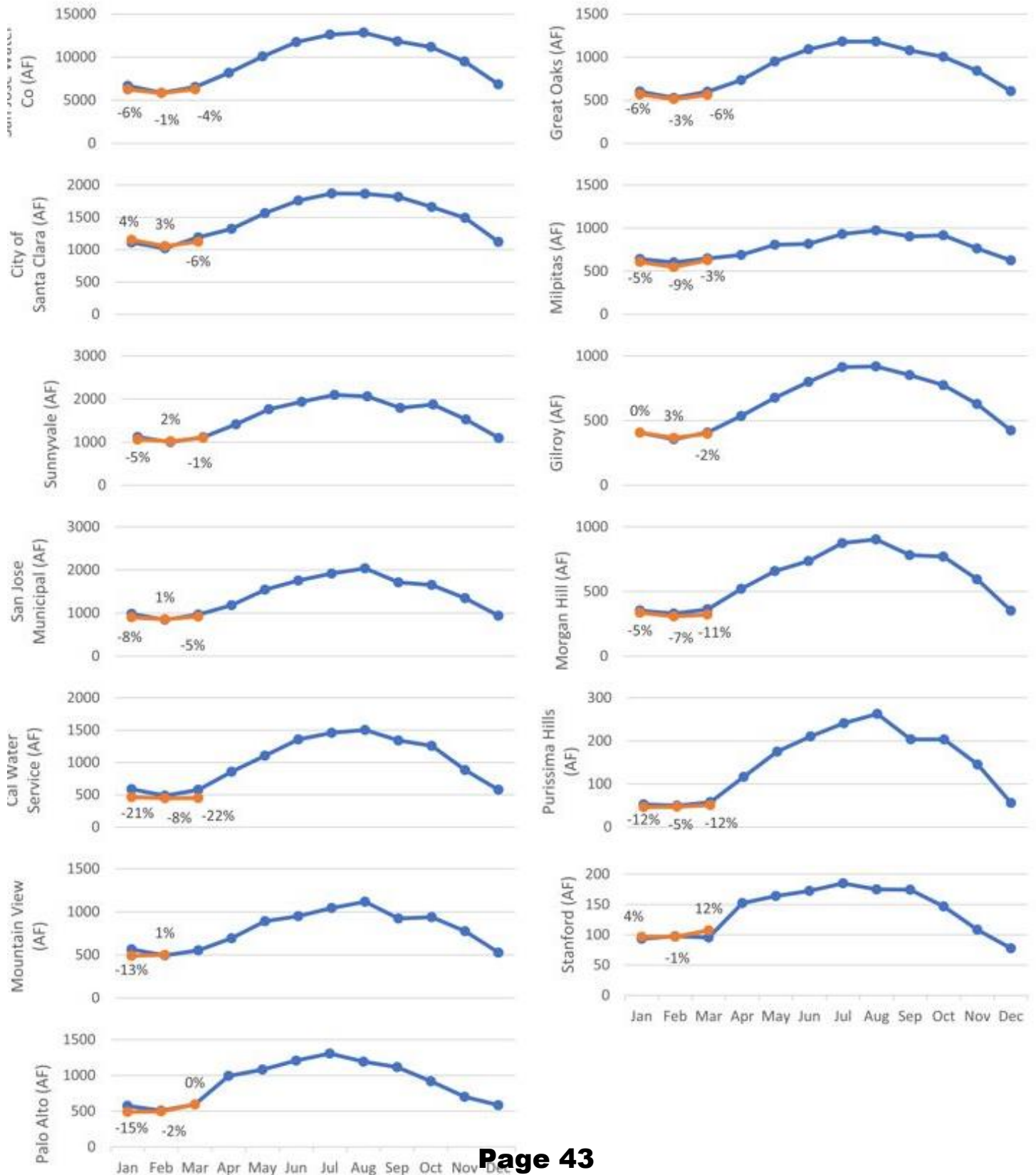
	Santa Clara County	
Baseline Year	2019	2020
March 2023 Savings	4%	23%
Cumulative*	7%	13%
* Cumulative for 2019 baseline begins in June 2021 and for 2020 baseline begins in July 2021		

The graphs on the following page depict water use by each of Valley Water’s 13 retailers to help track progress towards achieving the 15% call for water use reduction made in June 2021. Note that City of Palo Alto Utilities (Palo Alto) and Purissima Hills Water District (Purissima) normally do not use Valley Water sources of water. A large proportion of water used by the City of Mountain View Public Works (Mountain View) and Stanford Utilities (Stanford) is not from Valley Water sources.

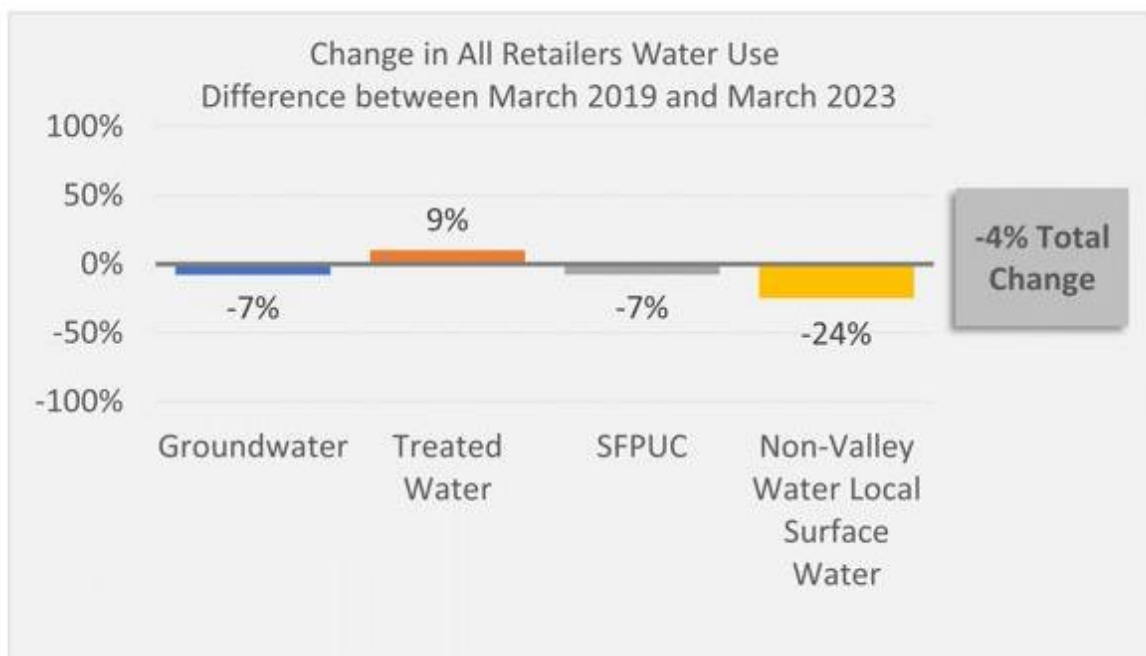
## Monthly Water Use by Retailer (AF)

— 2019 — 2023

The percent increase (+) or percent decrease (-) in water use from 2019 to 2023 is shown for each month.



The graph below depicts changes between the retailers' different types of water use.



The table below shows Valley Water retailers' water usage volumes by type.

Water Retailer	Total Water Use in Acre-Feet (March 2019)					Total Water Use in Acre-Feet (March 2023)				
	Groundwater	Treated Water	SFPUC	Non-Valley Water Local Surface Water	SUM	Groundwater	Treated Water	SFPUC	Non-Valley Water Local Surface Water	SUM
San Jose Water Company	1,440	2,900	-	2,190	6,530	1,270	3,340	-	1,660	6,280
Santa Clara, City	720	220	240	-	1,190	650	180	300	-	1,120
Sunnyvale	10	120	990	-	1,110	10	430	660	-	1,100
San Jose Municipal Water	40	600	320	-	960	60	550	310	-	920
California Water Service	170	410	-	-	580	210	240	-	-	450
Palo Alto	-	-	590	-	590	-	-	590	-	590
Mountain View	20	40	490	-	550	10	40	520	-	580
Great Oaks	600	-	-	-	600	560	-	-	-	560
Milpitas	-	270	370	-	650	-	220	410	-	630
Gilroy	410	-	-	-	410	400	-	-	-	400
Morgan Hill	360	-	-	-	360	320	-	-	-	320
Purissima Hills Water	-	-	60	-	60	-	-	50	-	50
Stanford	-	-	100	-	100	-	-	110	-	110
<b>Total</b>	<b>3,770</b>	<b>4,570</b>	<b>3,170</b>	<b>2,190</b>	<b>13,690</b>	<b>3,490</b>	<b>5,000</b>	<b>2,940</b>	<b>1,660</b>	<b>13,100</b>

### Collaboration with the County, Retailers, and Cities

- In April, Valley Water continued to monitor actions related to the adoption of the Model Water Efficient New Development Ordinance (MWENDO) and provide staff support to municipalities as part of ongoing efforts to support the County's and cities' interests in expanding water efficiency measures.
- While the 2022 version of California's Title 24 building code update was effective January 1, 2023, jurisdictions can adopt additional measures like MWENDO at any time.

### Water Conservation Programs

Valley Water is actively promoting ways our community can save water through rebates, free water-saving devices, and behaviors. The Online Shopping Cart (eCart) Program offers free water-saving devices to homes and businesses. The Landscape Rebate Program (LRP) provides rebates for converting high-water use landscapes to low-water-use landscapes, as well as retrofitting existing irrigation equipment with approved high-efficiency irrigation equipment. With the decrease in winter rains, application submittal rates have begun to increase.

Estimated conservation program applications received in 2023 are shown below.

Program	January	February	March	April
<b>Landscape Rebate Program Applications</b>	126	120	158	211
<b>Water-saving Device Orders</b>	116	114	167	168

Local non-profit Our City Forest hosted their monthly two-day Do-It-Yourself (DIY) Lawn Bust Workshop, sponsored by Valley Water, in April with 10 participants in attendance for the virtual portion of training and 6 for the hands-on training where they learned to design and convert turf lawn into a drought-tolerant landscape and how to leverage Valley Water's Landscape Rebate Program for their own homes. In addition, Valley Water is sponsoring Qualified Water Efficient Landscaper Certification (QWEL) training, an EPA WaterSense labeled professional certification in irrigation system audits. The 20-hour course is offered for landscape professionals and students who live and work throughout Santa Clara County. Spanned from March to early April, Valley Water hosted an in-person training for Spanish speakers with 32 students in attendance. Valley Water sponsors these courses in both English and Spanish to increase accessibility to the course. The next QWEL course will be offered in October through zoom and will be in English.

### Water Waste Enforcement

Valley Water began enforcing outdoor water waste restrictions against runoff, midday watering, and watering after rainfall, and a limit of two days a week of watering for non-functional turf on June 1, 2022. On September 13, 2022, Valley Water's Board of Directors amended the Ordinance 22-02 to allow Valley Water to enforce the State of California's ban against watering non-functional turf on commercial, industrial, and institutional properties. The Water Waste Program is enforcing these restrictions while continuing its educational mission. The number of water waste reports since program launch in June 2022 is shown below.

	June '22	July '22	Aug '22	Sept '22	Oct '22	Nov '22	Dec '22	Jan '23	Feb '23	Mar '23	April '23
<b>Water Waste Reports</b>	515	236	484	286	221	156	79	58	45	35	39

Complaints of violations against water waste restrictions are submitted by members of the public. A total of 39 water waste complaints were received in April 2023. Six of the complaints received are enforceable, as they relate to the restrictions listed in Ordinance 22-02 and occurred in service areas supplied by Valley Water sources; the remaining are not enforceable but are addressed through education. Each complaint may include multiple reports of violations against water waste restrictions. Below is a breakdown of the numbers of reported water waste violations related to the restrictions listed in Ordinance 22-02. Not all violations are verified by staff to be occurring, such as those related to watering after rainfall. Nine second complaints on the same violation have been received between the launch of the enforcement program through the end of April.

<b>Enforceable Water Waste</b>	<b>Jun</b>	<b>July</b>	<b>Aug</b>	<b>Sept</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>
More than 2 days of watering	76	39	113	83	54	26	17	12	8	6	0
Watering from 9AM-6PM	84	30	92	45	29	14	4	0	2	1	0
Watering within 48 hours of	11	4	3	21	4	19	17	19	7	7	0
Runoff	199	95	210	129	118	46	21	18	7	7	6
Watering CII non-functional turf	n/a	n/a	n/a	15	38	18	5	1	4	1	0
<b>Total</b>	<b>370</b>	<b>168</b>	<b>418</b>	<b>293</b>	<b>243</b>	<b>123</b>	<b>64</b>	<b>50</b>	<b>28</b>	<b>22</b>	<b>6</b>

#### Drought and Water Conservation Outreach

- In April, media attention focused on the Board's unanimous decision to rescind the water shortage emergency condition and end the call for a 15% mandatory water-use reduction in Santa Clara County. Several media outlets covered the Board meeting on April 11, including the Mercury News, NBC Bay Area, KTVU, KPIX and ABC7 News. Staff prepared a news release on the Board's action, including a quote from Chair Varela, published on District News and shared on social media. Staff was also interviewed by reporters from KTVU, KPIX and NBC Bay Area, Telemundo and Univision. A statement from Chair Varela regarding increased allocations from the State Water Project and Central Valley Project was also published on District News and shared on social media.
- Our spring water conservation campaign continued with our Yards Have Evolved slogan, featuring the beauty of a landscape transformation from lawns to water-efficient plants. The campaign features video and audio, digital, social and newspaper ads. We also continued promoting our Outdoor Water Surveys. Staff shared water-efficient gardening resources with partner cities and retailers, offering bill inserts, handouts, display tables, digital banners, and web content.
- Community outreach conducted two Speakers Bureau presentations in April. On April 6, 2023, staff gave a virtual presentation via Zoom to Water 101 Academy participants. On April 11, 2023, the team gave an in-person presentation to residents of the Terraces Los Gatos retirement community.
- On social media, staff continued to share the importance of conservation even if we are no longer in drought. Posts included tips to save water, information on our rebate programs, and native plant alternatives to grass.

- Statistics for public outreach efforts are shown below.

<b>Outreach Type</b>	<b>April 2023</b>
<b>Social Media<sup>1</sup></b>	
Impressions <sup>2</sup>	6,743,812
Engagements <sup>3</sup>	323,389
Link Clicks	67,484
Video Views	1,540,807
<b>Website Page Views</b>	
Water conservation webpages	75,825
BeHeard.ValleyWater.org/drought-information	
<b>Media</b>	
Media Mentions <sup>4</sup>	508
<b>Speakers Bureau</b>	
Presentations <sup>5</sup>	2

<sup>1</sup>Includes Facebook, Twitter, Instagram, YouTube and LinkedIn

<sup>2</sup>Impressions are the number of times a post is displayed in a newsfeed.

<sup>3</sup>Engagements are the number of times a user interacts with a post, such a retweet, click, and more.

<sup>4</sup>Includes TV, radio, social media, online and print

<sup>5</sup> Office of Communications and Government Relations

#### Drought and Water Conservation Education

- In April, the Education Outreach Program (EO) supported 64 educators and 1,764 students through 33 in-person presentations, two assembly programs and an Earth Day event. EO staff continued the collaboration with The City of San Jose's Walk n'Roll Program and led two assembly programs at Forest Hill Elementary. During the assemblies, EO staff engaged with over 700 K-5th grade students who recited The Water Conservation Pledge and learned about ways to save water every day with the Valley Water mascot, H2Cool. During all EO programs, students engage in discussions on the importance of water conservation, stewardship, and pollution prevention. Students and educators receive Water Conservation Pledge posters, bookmarks and either water conservation stickers or drought-tolerant native wildflower seeds after every presentation to reinforce the water conservation messaging and inspire conversations with their families.
- The table below shows Education Outreach efforts in Fiscal Year 2023, all of which included drought and water conservation messaging.

<b>EDUCATION OUTREACH PRESENTATION NUMBERS</b>			
<b>MONTH</b>	<b>STUDENTS &amp;</b>	<b>PUBLIC ATTENDEES</b>	<b>FY23 YEAR TO DATE</b>
<b>July – March</b>	9,654	529	10,183
<b>April</b>	1,828	164	1,992
<b>Total</b>	<b>11,482</b>	<b>693</b>	<b>12,175</b>



### Committee Updates

- Water supply-related updates are being provided regularly at Committee meetings to receive feedback and guidance. These updates were provided to the Santa Clara Valley Water Commission, Joint Water Resources Committee, and Water Conservation and Demand Management Committee in April.

---

### Water Supply Operations and Outlook

- The cumulative rainfall in San José in this rainfall year through May 1, 2023, is 21.14 inches or 153% of the long-term average for the valley floor for this date. The current rainfall year extends from July 1, 2022, to June 30, 2023.
- Total reservoir storage as a percentage of unrestricted reservoir capacity is 58% for May 1, 2023, which is 98% of the (20-year) average storage for May.

### Imported Water

- California's water year runs from October 1 to September 30 and is the official timeframe used to compare hydrologic records. Water Year 2020 to 2022 was the driest three-year period on record, breaking the old record set by the last drought from Water Year 2013 to 2015.
- Since December 2022, a number of strong atmospheric rivers have impacted California, leading to increased storage across California's major reservoirs. As of May 1, 2023, Shasta Reservoir is at 116% of average of this date, Oroville Reservoir is at 118% of average for this date, and Folsom Reservoir is at 112% of average of this date. All three reservoirs are expected to reach full capacity to this year.
- As of May 1, storage in San Luis Reservoir is approximately 2,010 thousand acre-feet (TAF), which is 120% of the average for this date. Storage capacity in the reservoir is split between the State Water Project (SWP) and Central Valley Project (CVP), and both portions of the reservoir have been full since early April.
- On April 20, 2023, the California Department of Water Resources announced an increase to the 2023 SWP allocation from 75% to 100%.
- On April 20, 2023, the U.S. Bureau of Reclamation announced an increase to the 2023 Central Valley Project (CVP) allocation from 80% to 100% for South-of-Delta Agricultural contractors. The allocation for South-of-Delta Municipal & Industrial contractors remains at 100%.

### Treated Water

- Due to rain and stormwater runoff events between January and March, total organic carbon and turbidity levels in April remained slightly elevated in our source water (South Bay Aqueduct and Calero Reservoir) to the plants. Valley Water took proactive measures to optimize the water treatment process and mitigate impact.
- Source water algal toxins and taste and odor compounds were below our internal trigger levels and treated water delivered met all applicable drinking water standards.

### Groundwater Recharge

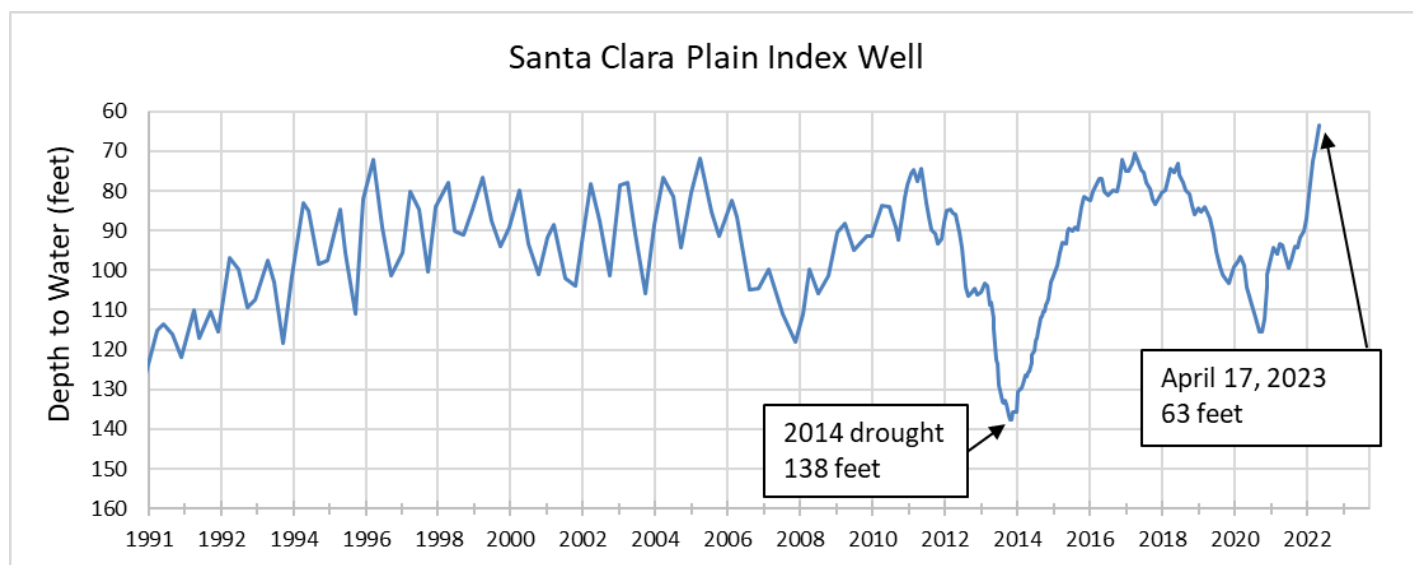
- Since January 2023, Valley Water has been conducting full recharge operations in creeks downstream of local reservoirs.
- Most North County off-stream facilities are running full due to the availability of imported water and local water.

- Normal recharge operations in the Llagas Subbasin resumed in mid-March in off-stream facilities in Morgan Hill after the repair of a major pipeline that carries imported water from San Luis Reservoir. However, the Madrone Channel and Main Avenue Ponds were taken offline in May for pond cleaning, which will increase their productivity during the summer season and beyond.
- Countywide recharge in CY 2023 is projected to be 131% of normal (*i.e.*, of the 20-year historical average).

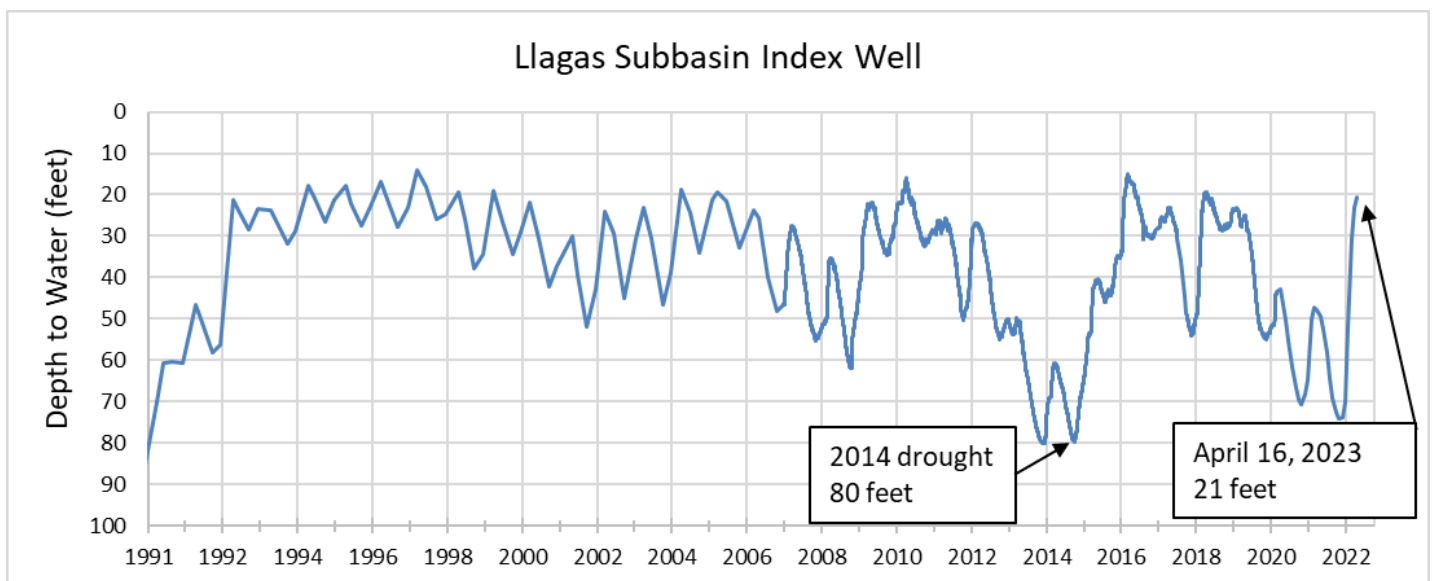
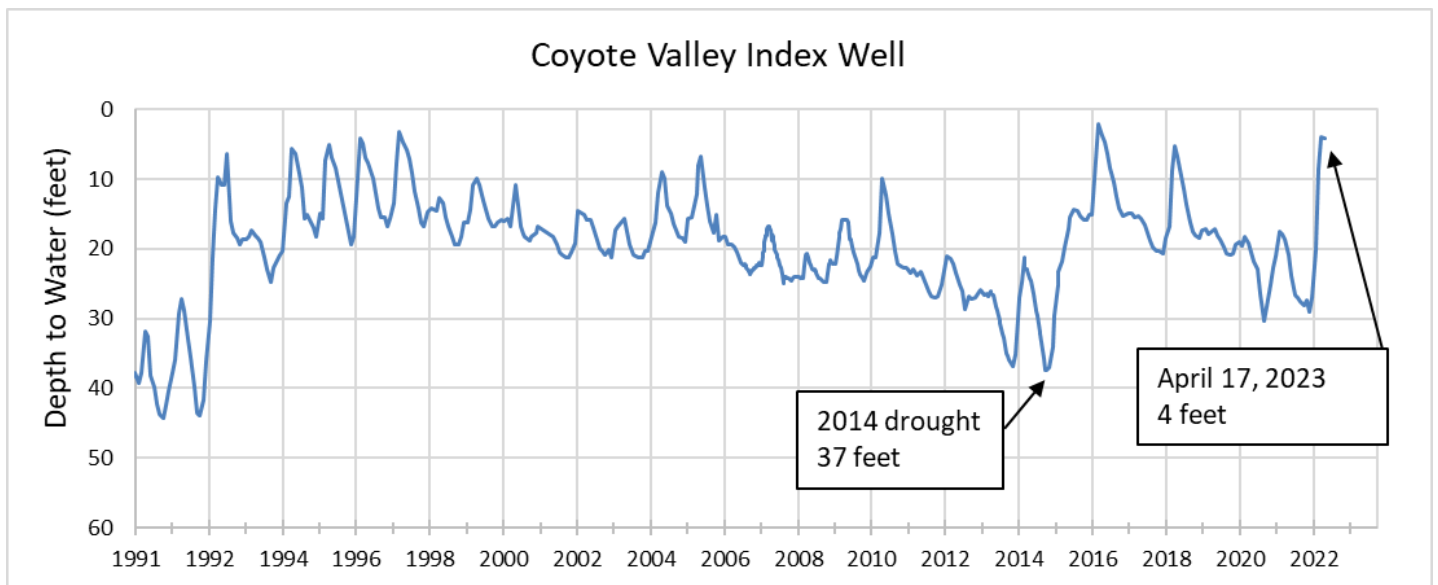
#### Groundwater Conditions:

Groundwater levels in most Valley Water key monitoring wells are higher than last month and all are higher relative to April 2022, indicating that most groundwater levels have recovered to healthy, predrought conditions. No new dry wells were reported in April.

- North County Groundwater
  - The current water level at the regional index well has increased about 6 feet since last month and is about 75 feet above the minimum water level in 2014. The water level at this well is about 30 feet higher compared to this time last year.
  - Groundwater levels are more than 56 to 100 feet above thresholds established to minimize the risk of permanent subsidence.
  - No dry wells were reported in April. Since the onset of the current drought, a total of two dry wells have been reported in North County, all in the foothills where yield is generally less reliable.



- South County Groundwater
  - The current water level in the Coyote Valley and Llagas Subbasin regional index wells are the same and increased by about 3 feet, respectively, since last month and are about 33 and 59 feet, respectively, above the minimum water level in 2014. Additionally, the water levels in these wells are about 17 and 29 feet higher, respectively, compared to this time last year.
  - No dry wells were reported in April. Since the onset of the current drought, a total of six dry domestic wells have been reported in South County, with most located near the foothills where yield is generally less reliable. Valley Water works to provide affected well owners with appropriate assistance, including information on available resources or billing support as needed.



#### **Federal Coordination**

- Valley Water directors and senior staff met with Bureau of Reclamation officials and Members of Congress during the spring advocacy trip to Washington, DC. Staff thanked Reclamation and the congressional delegation for all the support that our agency and region received throughout the drought, and for 100% of CVP water supplies allocated at the end of March. Valley Water advocated for tools to become more drought resilient in the future, including expanding water recycling and creating new storage (e.g., Pacheco, Los Vaqueros, Sisk Dam Raise) to capture as much rainfall as possible during these wet years.
- Directors and staff will meet with Bureau of Reclamation regional staff at the upcoming ACWA Spring Conference in Monterey to continue advocating for these and other ways to ensure future drought resilience.

## **Staffing and Resources**

- Drought emergency expenses are expenditures supplemental to the regular budget that would not have been adopted had there been no drought. Due to the timing of monthly financial system closes, drought expenditures are reported one month behind in this monthly report.
- The FY 2022-23 Adopted Budget of \$37 million for drought emergency is comprised of \$17 million for emergency water purchases, \$7 million for water banking expenses to help bring approximately 32,000 acre-feet of water banked at Semitropic Water Storage District into the county, and \$13 million for conservation programs and drought-related public relations. Budget adjustments will be brought to the Board for any additional expenses incurred during the year.
- March 2023 expenses totaled approximately \$12.3 million spent or encumbered this fiscal year primarily for emergency water purchases tied to contracts executed in prior years, recovery of stored water from Semitropic Water Storage District, operating supplies and services for public relations including conservation-related communications, rebates, eCart supplies, temps and interns, and labor expenses for staff time directly supporting Valley Water's drought response program.

## **Expanded Opportunities**

### **Purified Water Project**

The Purified Water Project will replenish groundwater supplies with purified water and expand usage of recycled and purified water, a drought-resilient, locally-controlled water source.

- Staff continues to work with our partner agencies on agreements, technical requirements, and the draft Environmental Impact Report (EIR).
- The City of Palo Alto City Council approved the staff funding agreement to support the Purified Water Project on April 17, 2023.
- A groundwater tracer study is currently being performed at the Budd Ponds to confirm the speed of groundwater flow to inform the zone of controlled drinking water well construction.

### **Flood-Managed Aquifer Recharge (Flood-MAR) Study**

Valley Water is collaborating with a team of water experts from the University of California system (referred to as UC Water) to complete a reconnaissance study for Flood-MAR implementation in Santa Clara County. The study began in 2021. Study deliverables include a GIS-based tool to identify potential sites for Flood-MAR projects in Santa Clara County and an evaluation of institutional/regulatory requirements for implementing Flood-MAR projects.

- Drafts are currently being reviewed by staff.
- Valley Water has applied for a Proposition 1 Integrated Regional Watershed Management grant to begin the first phase of a feasibility study. The proposal is currently under review by the California Department of Water Resources.

### Drought Response Plan

Valley Water is developing a Drought Response Plan (DRP) to improve water supply reliability in Santa Clara County during times of future shortage through a WaterSMART grant from the Bureau of Reclamation. Valley Water's DRP will evaluate new approaches for determining when to request water use reductions from the public and develop a response framework to employ during future droughts.

- Internal work continues to develop potential drought triggers and water shortage actions. Next steps will be to draft a technical memo providing the background on the proposed actions and triggers and to meet with water retailers and the external Task Force for their input.

**This Page Intentionally Left Blank**



# Santa Clara Valley Water District

**File No.:** 23-0573

**Agenda Date:** 5/22/2023

**Item No.:** 4.2.

---

## **COMMITTEE AGENDA MEMORANDUM** **Water Conservation and Demand Management Committee**

Government Code § 84308 Applies: Yes ☐ No ☒  
(If "YES" Complete Attachment A - Gov. Code § 84308)

### **SUBJECT:**

Review the Water Conservation and Demand Management Committee Work Plan, the Outcomes of Board Action of Committee Requests; and the Committee's Next Meeting Agenda.

### **RECOMMENDATION:**

Review the Committee work plan to guide the committee's discussions regarding policy alternatives and implications for Board deliberation.

### **SUMMARY:**

The attached Work Plan outlines the approved topics for discussion to be able to prepare policy alternatives and implications for Board deliberation. The work plan is agendaized at each meeting as accomplishments are updated and to review additional work plan assignments by the Board.

### **BACKGROUND:**

#### **Governance Process Policy-8:**

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to serve at the pleasure of the Board.

Accordingly, the Board has established Advisory Committees, which bring respective expertise and community interest, to advise the Board, when requested, in a capacity as defined: prepare Board policy alternatives and provide comment on activities in the implementation of the District's mission for Board consideration. In keeping with the Board's broader focus, Advisory Committees will not direct the implementation of District programs and projects, other than to receive information and provide comment.

Further, in accordance with Governance Process Policy-3, when requested by the Board, the Advisory Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.

**ATTACHMENTS:**

Attachment 1: WCaDMC 2023 Work Plan

**UNCLASSIFIED MANAGER:**

Candice Kwok-Smith, 408-630-3193



# WCaDMC 2023 WORKPLAN

Task	Agenda Item	January	February	March	April	May	June	July	August	September	October	November	December
<b>FY 23 Drought Response</b>													
1.1	Monthly Drought Status			X	X	X	X						
1.2	Drought Response Plan						X		X				
1.3	Outreach Efforts.			X									
<b>FY 23 WSMP Strategy 1: Secure Existing Supplies - 99,000 AF Conservation by 2030</b>													
2.1	Annual Water Conservation Savings				X								
2.2	Water Conservation Strategic Plan			X									
2.3	Water Conservation Savings Model			X									
2.4	Water Conservation as a Way of Life recommendations (including water waste restrictions)						X						
2.5	New Programs (Lawn Busters, Pilot programs, landscape design assistance)			X					X				
2.6	Outreach (including to Renters/Landlords)												
2.7	SCW funding								X				X
2.8	affordability discussion/supporting underserved communities												
2.9	Collaboration with retailers												
2.9	Demand Model and water use data								X				
<b>FY 23 WSMP Strategy 2: Increase Water Conservation (109,000 AF) and Stormwater Capture (1,000 AF) by 2040</b>													
3.1	Investments in no-regrets package/stormwater resource plan implementation									X			
3.2	Collaboration with UC Water on Flood Managed Aquifer Recharge (Flood MAR)								X				
3.3	Find opportunities to ensure new development has improved water wise features (MWENDO, land use coordination)										X		
3.4	Resource Needs												
3.5	Review long-term goals as part of WSMP update									X			
<b>FY 23 WSMP Strategy 3 Optimize the Use of Existing Supplies and Infrastructure</b>													
4.1	Sustainable Groundwater Management Act (SGMA) - annual update										X		
4.2	South County Recharge												
4.3	Well control zone for Purified Water Project											X	

FY 23 Other Demand Management Items															
5.1															
5.2															

**This Page Left Intentionally Blank**