

Appendix A
2010 Urban Water Management Planning Act

Section K: California Water Code, Division 6, Part 2.6: Urban Water Management Planning

The following sections of California Water Code Division 6, Part 2.6, are available online at <http://www.leginfo.ca.gov/calaw.html>.

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Chapter 1. General Declaration and Policy

10610. This part shall be known and may be cited as the “Urban Water Management Planning Act.”

10610.2.

- (a) The Legislature finds and declares all of the following:
- (1) The waters of the state are a limited and renewable resource subject to ever-increasing demands.
 - (2) The conservation and efficient use of urban water supplies are of statewide concern; however, the planning for that use and the implementation of those plans can best be accomplished at the local level.
 - (3) A long-term, reliable supply of water is essential to protect the productivity of California's businesses and economic climate.
 - (4) As part of its long-range planning activities, every urban water supplier should make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry water years.
 - (5) Public health issues have been raised over a number of contaminants that have been identified in certain local and imported water supplies.
 - (6) Implementing effective water management strategies, including groundwater storage projects and recycled water projects, may require specific water quality and salinity targets for meeting groundwater basins water quality objectives and promoting beneficial use of recycled water.

- (7) Water quality regulations are becoming an increasingly important factor in water agencies' selection of raw water sources, treatment alternatives, and modifications to existing treatment facilities.
 - (8) Changes in drinking water quality standards may also impact the usefulness of water supplies and may ultimately impact supply reliability.
 - (9) The quality of source supplies can have a significant impact on water management strategies and supply reliability.
- (b) This part is intended to provide assistance to water agencies in carrying out their long-term resource planning responsibilities to ensure adequate water supplies to meet existing and future demands for water.

10610.4. The Legislature finds and declares that it is the policy of the state as follows:

- (a) The management of urban water demands and efficient use of water shall be actively pursued to protect both the people of the state and their water resources.
- (b) The management of urban water demands and efficient use of urban water supplies shall be a guiding criterion in public decisions.
- (c) Urban water suppliers shall be required to develop water management plans to actively pursue the efficient use of available supplies.

Chapter 2. Definitions

10611. Unless the context otherwise requires, the definitions of this chapter govern the construction of this part.

10611.5. “Demand management” means those water conservation measures, programs, and incentives that prevent the waste of water and promote the reasonable and efficient use and reuse of available supplies.

10612. “Customer” means a purchaser of water from a water supplier who uses the water for municipal purposes, including residential, commercial, governmental, and industrial uses.

10613. “Efficient use” means those management measures that result in the most effective use of water so as to prevent its waste or unreasonable use or unreasonable method of use.

10614. “Person” means any individual, firm, association, organization, partnership, business, trust, corporation, company, public agency, or any agency of such an entity.

10615. “Plan” means an urban water management plan prepared pursuant to this part. A plan shall describe and evaluate sources of supply, reasonable and practical efficient uses, reclamation and demand management activities. The components of the plan may vary according to an individual community or area's characteristics and its capabilities to efficiently use and conserve water. The plan shall address measures for residential, commercial, governmental, and industrial water demand management as set forth in Article 2 (commencing with Section 10630) of Chapter 3. In addition, a strategy and time schedule for implementation shall be included in the plan.

10616. “Public agency” means any board, commission, county, city and county, city, regional agency, district, or other public entity.

10616.5. “Recycled water” means the reclamation and reuse of wastewater for beneficial use.

10617. “Urban water supplier” means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. An urban water supplier includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells for ultimate resale to customers. This part applies only to water supplied from public water systems subject to Chapter 4 (commencing with Section 116275) of Part 12 of Division 104 of the Health and Safety Code.

Chapter 3. Urban Water Management Plans

Article 1. General Provisions

10620.

- (a) Every urban water supplier shall prepare and adopt an urban water management plan in the manner set forth in Article 3 (commencing with Section 10640).
- (b) Every person that becomes an urban water supplier shall adopt an urban water management plan within one year after it has become an urban water supplier.
- (c) An urban water supplier indirectly providing water shall not include planning elements in its water management plan as provided in Article 2 (commencing with Section 10630) that would be applicable to urban water suppliers or public agencies directly providing water, or to their customers, without the consent of those suppliers or public agencies.
- (d) (1) An urban water supplier may satisfy the requirements of this part by participation in areawide, regional, watershed, or basinwide urban water management planning where those plans will reduce preparation costs and contribute to the achievement of conservation and efficient water use.

- (2) Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.
- (e) The urban water supplier may prepare the plan with its own staff, by contract, or in cooperation with other governmental agencies.
- (f) An urban water supplier shall describe in the plan water management tools and options used by that entity that will maximize resources and minimize the need to import water from other regions.

10621.

- (a) Each urban water supplier shall update its plan at least once every five years on or before December 31, in years ending in five and zero.
- (b) Every urban water supplier required to prepare a plan pursuant to this part shall, at least 60 days prior to the public hearing on the plan required by Section 10642, notify any city or county within which the supplier provides water supplies that the urban water supplier will be reviewing the plan and considering amendments or changes to the plan. The urban water supplier may consult with, and obtain comments from, any city or county that receives notice pursuant to this subdivision.
- (c) The amendments to, or changes in, the plan shall be adopted and filed in the manner set forth in Article 3 (commencing with Section 10640).

Article 2. Contents of Plans

10630. It is the intention of the Legislature, in enacting this part, to permit levels of water management planning commensurate with the numbers of customers served and the volume of water supplied.

10631. A plan shall be adopted in accordance with this chapter that shall do all of the following:

- (a) Describe the service area of the supplier, including current and projected population, climate, and other demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available.
- (b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a). If groundwater is identified as an existing or planned source of

water available to the supplier, all of the following information shall be included in the plan:

- (1) A copy of any groundwater management plan adopted by the urban water supplier, including plans adopted pursuant to Part 2.75 (commencing with Section 10750), or any other specific authorization for groundwater management.
 - (2) A description of any groundwater basin or basins from which the urban water supplier pumps groundwater. For those basins for which a court or the board has adjudicated the rights to pump groundwater, a copy of the order or decree adopted by the court or the board and a description of the amount of groundwater the urban water supplier has the legal right to pump under the order or decree. For basins that have not been adjudicated, information as to whether the department has identified the basin or basins as overdrafted or has projected that the basin will become overdrafted if present management conditions continue, in the most current official departmental bulletin that characterizes the condition of the groundwater basin, and a detailed description of the efforts being undertaken by the urban water supplier to eliminate the long-term overdraft condition.
 - (3) A detailed description and analysis of the location, amount, and sufficiency of groundwater pumped by the urban water supplier for the past five years. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.
 - (4) A detailed description and analysis of the amount and location of groundwater that is projected to be pumped by the urban water supplier. The description and analysis shall be based on information that is reasonably available, including, but not limited to, historic use records.
- (c) (1) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable, and provide data for each of the following:
- (A) An average water year.
 - (B) A single dry water year.
 - (C) Multiple dry water years.
- (2) For any water source that may not be available at a consistent level of use, given specific legal, environmental, water quality, or climatic factors, describe plans to supplement or replace that source with alternative sources or water demand management measures, to the extent practicable.

- (d) Describe the opportunities for exchanges or transfers of water on a short-term or long-term basis.
- (e) (1) Quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, identifying the uses among water use sectors, including, but not necessarily limited to, all of the following uses:
 - (A) Single-family residential.
 - (B) Multifamily.
 - (C) Commercial.
 - (D) Industrial.
 - (E) Institutional and governmental.
 - (F) Landscape.
 - (G) Sales to other agencies.
 - (H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof.
 - (I) Agricultural.
- (2) The water use projections shall be in the same five-year increments described in subdivision (a).
- (f) Provide a description of the supplier's water demand management measures. This description shall include all of the following:
 - (1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:
 - (A) Water survey programs for single-family residential and multifamily residential customers.
 - (B) Residential plumbing retrofit.
 - (C) System water audits, leak detection, and repair.
 - (D) Metering with commodity rates for all new connections and retrofit of existing connections.

- (E) Large landscape conservation programs and incentives.
 - (F) High-efficiency washing machine rebate programs.
 - (G) Public information programs.
 - (H) School education programs.
 - (I) Conservation programs for commercial, industrial, and institutional accounts.
 - (J) Wholesale agency programs.
 - (K) Conservation pricing.
 - (L) Water conservation coordinator.
 - (M) Water waste prohibition.
 - (N) Residential ultra-low-flush toilet replacement programs.
- (2) A schedule of implementation for all water demand management measures proposed or described in the plan.
 - (3) A description of the methods, if any, that the supplier will use to evaluate the effectiveness of water demand management measures implemented or described under the plan.
 - (4) An estimate, if available, of existing conservation savings on water use within the supplier's service area, and the effect of the savings on the supplier's ability to further reduce demand.
- (g) An evaluation of each water demand management measure listed in paragraph (1) of subdivision (f) that is not currently being implemented or scheduled for implementation. In the course of the evaluation, first consideration shall be given to water demand management measures, or combination of measures, that offer lower incremental costs than expanded or additional water supplies. This evaluation shall do all of the following:
- (1) Take into account economic and noneconomic factors, including environmental, social, health, customer impact, and technological factors.
 - (2) Include a cost-benefit analysis, identifying total benefits and total costs.
 - (3) Include a description of funding available to implement any planned water supply project that would provide water at a higher unit cost.

- (4) Include a description of the water supplier's legal authority to implement the measure and efforts to work with other relevant agencies to ensure the implementation of the measure and to share the cost of implementation.
- (h) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single-dry, and multiple-dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.
- (i) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.
- (j) For purposes of this part, urban water suppliers that are members of the California Urban Water Conservation Council shall be deemed in compliance with the requirements of subdivisions (f) and (g) by complying with all the provisions of the "Memorandum of Understanding Regarding Urban Water Conservation in California," dated December 10, 2008, as it may be amended, and by submitting the annual reports required by Section 6.2 of that memorandum.
- (k) Urban water suppliers that rely upon a wholesale agency for a source of water shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier's plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water-year types in accordance with subdivision (c). An urban water supplier may rely upon water supply information provided by the wholesale agency in fulfilling the plan informational requirements of subdivisions (b) and (c).

10631.1.

- (a) The water use projections required by Section 10631 shall include projected water use for single-family and multifamily residential housing needed for lower income households, as defined in Section 50079.5 of the Health and Safety Code,

as identified in the housing element of any city, county, or city and county in the service area of the supplier.

- (b) It is the intent of the Legislature that the identification of projected water use for single-family and multifamily residential housing for lower income households will assist a supplier in complying with the requirement under Section 65589.7 of the Government Code to grant a priority for the provision of service to housing units affordable to lower income households.

10631.5.

- (a) (1) Beginning January 1, 2009, the terms of, and eligibility for, a water management grant or loan made to an urban water supplier and awarded or administered by the department, state board, or California Bay-Delta Authority or its successor agency shall be conditioned on the implementation of the water demand management measures described in Section 10631, as determined by the department pursuant to subdivision (b).
- (2) For the purposes of this section, water management grants and loans include funding for programs and projects for surface water or groundwater storage, recycling, desalination, water conservation, water supply reliability, and water supply augmentation. This section does not apply to water management projects funded by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5).
- (3) Notwithstanding paragraph (1), the department shall determine that an urban water supplier is eligible for a water management grant or loan even though the supplier is not implementing all of the water demand management measures described in Section 10631, if the urban water supplier has submitted to the department for approval a schedule, financing plan, and budget, to be included in the grant or loan agreement, for implementation of the water demand management measures. The supplier may request grant or loan funds to implement the water demand management measures to the extent the request is consistent with the eligibility requirements applicable to the water management funds.
- (4) (A) Notwithstanding paragraph (1), the department shall determine that an urban water supplier is eligible for a water management grant or loan even though the supplier is not implementing all of the water demand management measures described in Section 10631, if an urban water supplier submits to the department for approval documentation demonstrating that a water demand management measure is not locally cost effective. If the department determines that the documentation submitted by the urban water supplier fails to demonstrate that a water demand management measure is not locally cost effective, the

department shall notify the urban water supplier and the agency administering the grant or loan program within 120 days that the documentation does not satisfy the requirements for an exemption, and include in that notification a detailed statement to support the determination.

- (B) For purposes of this paragraph, “not locally cost effective” means that the present value of the local benefits of implementing a water demand management measure is less than the present value of the local costs of implementing that measure.
- (b) (1) The department, in consultation with the state board and the California Bay-Delta Authority or its successor agency, and after soliciting public comment regarding eligibility requirements, shall develop eligibility requirements to implement the requirement of paragraph (1) of subdivision (a). In establishing these eligibility requirements, the department shall do both of the following:
- (A) Consider the conservation measures described in the Memorandum of Understanding Regarding Urban Water Conservation in California, and alternative conservation approaches that provide equal or greater water savings.
 - (B) Recognize the different legal, technical, fiscal, and practical roles and responsibilities of wholesale water suppliers and retail water suppliers.
- (2) (A) For the purposes of this section, the department shall determine whether an urban water supplier is implementing all of the water demand management measures described in Section 10631 based on either, or a combination, of the following:
- (i) Compliance on an individual basis.
 - (ii) Compliance on a regional basis. Regional compliance shall require participation in a regional conservation program consisting of two or more urban water suppliers that achieves the level of conservation or water efficiency savings equivalent to the amount of conservation or savings achieved if each of the participating urban water suppliers implemented the water demand management measures. The urban water supplier administering the regional program shall provide participating urban water suppliers and the department with data to demonstrate that the regional program is consistent with this clause. The department shall review the data to determine whether the urban water suppliers in the regional program are meeting the eligibility requirements.

- (B) The department may require additional information for any determination pursuant to this section.
- (3) The department shall not deny eligibility to an urban water supplier in compliance with the requirements of this section that is participating in a multiagency water project, or an integrated regional water management plan, developed pursuant to Section 75026 of the Public Resources Code, solely on the basis that one or more of the agencies participating in the project or plan is not implementing all of the water demand management measures described in Section 10631.
- (c) In establishing guidelines pursuant to the specific funding authorization for any water management grant or loan program subject to this section, the agency administering the grant or loan program shall include in the guidelines the eligibility requirements developed by the department pursuant to subdivision (b).
- (d) Upon receipt of a water management grant or loan application by an agency administering a grant and loan program subject to this section, the agency shall request an eligibility determination from the department with respect to the requirements of this section. The department shall respond to the request within 60 days of the request.
- (e) The urban water supplier may submit to the department copies of its annual reports and other relevant documents to assist the department in determining whether the urban water supplier is implementing or scheduling the implementation of water demand management activities. In addition, for urban water suppliers that are signatories to the Memorandum of Understanding Regarding Urban Water Conservation in California and submit annual reports to the California Urban Water Conservation Council in accordance with the memorandum, the department may use these reports to assist in tracking the implementation of water demand management measures.
- (f) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

10631.7. The department, in consultation with the California Urban Water Conservation Council, shall convene an independent technical panel to provide information and recommendations to the department and the Legislature on new demand management measures, technologies, and approaches. The panel shall consist of no more than seven members, who shall be selected by the department to reflect a balanced representation of experts. The panel shall have at least one, but no more than two, representatives from each of the following: retail water suppliers, environmental organizations, the business community, wholesale water suppliers, and academia. The panel shall be convened by January 1, 2009, and shall report to the

Legislature no later than January 1, 2010, and every five years thereafter. The department shall review the panel report and include in the final report to the Legislature the department's recommendations and comments regarding the panel process and the panel's recommendations.

10632. The plan shall provide an urban water shortage contingency analysis which includes each of the following elements which are within the authority of the urban water supplier:

- (a) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.
- (b) An estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply.
- (c) Actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.
- (d) Additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning.
- (e) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.
- (f) Penalties or charges for excessive use, where applicable.
- (g) An analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.
- (h) A draft water shortage contingency resolution or ordinance.
- (i) A mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency analysis.

10633. The plan shall provide, to the extent available, information on recycled water and its potential for use as a water source in the service area of the urban water

supplier. The preparation of the plan shall be coordinated with local water, wastewater, groundwater, and planning agencies that operate within the supplier's service area, and shall include all of the following:

- (a) A description of the wastewater collection and treatment systems in the supplier's service area, including a quantification of the amount of wastewater collected and treated and the methods of wastewater disposal.
- (b) A description of the quantity of treated wastewater that meets recycled water standards, is being discharged, and is otherwise available for use in a recycled water project.
- (c) A description of the recycled water currently being used in the supplier's service area, including, but not limited to, the type, place, and quantity of use.
- (d) A description and quantification of the potential uses of recycled water, including, but not limited to, agricultural irrigation, landscape irrigation, wildlife habitat enhancement, wetlands, industrial reuse, groundwater recharge, indirect potable reuse, and other appropriate uses, and a determination with regard to the technical and economic feasibility of serving those uses.
- (e) The projected use of recycled water within the supplier's service area at the end of 5, 10, 15, and 20 years, and a description of the actual use of recycled water in comparison to uses previously projected pursuant to this subdivision.
- (f) A description of actions, including financial incentives, which may be taken to encourage the use of recycled water, and the projected results of these actions in terms of acre-feet of recycled water used per year.
- (g) A plan for optimizing the use of recycled water in the supplier's service area, including actions to facilitate the installation of dual distribution systems, to promote recirculating uses, to facilitate the increased use of treated wastewater that meets recycled water standards, and to overcome any obstacles to achieving that increased use.

10634. The plan shall include information, to the extent practicable, relating to the quality of existing sources of water available to the supplier over the same five-year increments as described in subdivision (a) of Section 10631, and the manner in which water quality affects water management strategies and supply reliability.

Article 2.5. Water Service Reliability

10635.

- (a) Every urban water supplier shall include, as part of its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry water years. This water supply and demand

assessment shall compare the total water supply sources available to the water supplier with the total projected water use over the next 20 years, in five-year increments, for a normal water year, a single dry water year, and multiple dry water years. The water service reliability assessment shall be based upon the information compiled pursuant to Section 10631, including available data from state, regional, or local agency population projections within the service area of the urban water supplier.

- (b) The urban water supplier shall provide that portion of its urban water management plan prepared pursuant to this article to any city or county within which it provides water supplies no later than 60 days after the submission of its urban water management plan.
- (c) Nothing in this article is intended to create a right or entitlement to water service or any specific level of water service.
- (d) Nothing in this article is intended to change existing law concerning an urban water supplier's obligation to provide water service to its existing customers or to any potential future customers.

Article 3. Adoption and Implementation of Plans

10640. Every urban water supplier required to prepare a plan pursuant to this part shall prepare its plan pursuant to Article 2 (commencing with Section 10630).

The supplier shall likewise periodically review the plan as required by Section 10621, and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

10641. An urban water supplier required to prepare a plan may consult with, and obtain comments from, any public agency or state agency or any person who has special expertise with respect to water demand management methods and techniques.

10642. Each urban water supplier shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the service area prior to and during the preparation of the plan. Prior to adopting a plan, the urban water supplier shall make the plan available for public inspection and shall hold a public hearing thereon. Prior to the hearing, notice of the time and place of hearing shall be published within the jurisdiction of the publicly owned water supplier pursuant to Section 6066 of the Government Code. The urban water supplier shall provide notice of the time and place of hearing to any city or county within which the supplier provides water supplies. A privately owned water supplier shall provide an equivalent notice within its service area. After the hearing, the plan shall be adopted as prepared or as modified after the hearing.

10643. An urban water supplier shall implement its plan adopted pursuant to this chapter in accordance with the schedule set forth in its plan.

10644.

- (a) An urban water supplier shall submit to the department, the California State Library, and any city or county within which the supplier provides water supplies a copy of its plan no later than 30 days after adoption. Copies of amendments or changes to the plans shall be submitted to the department, the California State Library, and any city or county within which the supplier provides water supplies within 30 days after adoption.
- (b) The department shall prepare and submit to the Legislature, on or before December 31, in the years ending in six and one, a report summarizing the status of the plans adopted pursuant to this part. The report prepared by the department shall identify the exemplary elements of the individual plans. The department shall provide a copy of the report to each urban water supplier that has submitted its plan to the department. The department shall also prepare reports and provide data for any legislative hearings designed to consider the effectiveness of plans submitted pursuant to this part.
- (c)
 - (1) For the purpose of identifying the exemplary elements of the individual plans, the department shall identify in the report those water demand management measures adopted and implemented by specific urban water suppliers, and identified pursuant to Section 10631, that achieve water savings significantly above the levels established by the department to meet the requirements of Section 10631.5.
 - (2) The department shall distribute to the panel convened pursuant to Section 10631.7 the results achieved by the implementation of those water demand management measures described in paragraph (1).
 - (3) The department shall make available to the public the standard the department will use to identify exemplary water demand management measures.

10645. Not later than 30 days after filing a copy of its plan with the department, the urban water supplier and the department shall make the plan available for public review during normal business hours.

Chapter 4. Miscellaneous Provisions

10650. Any actions or proceedings to attack, review, set aside, void, or annul the acts or decisions of an urban water supplier on the grounds of noncompliance with this part shall be commenced as follows:

- (a) An action or proceeding alleging failure to adopt a plan shall be commenced within 18 months after that adoption is required by this part.
- (b) Any action or proceeding alleging that a plan, or action taken pursuant to the plan, does not comply with this part shall be commenced within 90 days after filing of the plan or amendment thereto pursuant to Section 10644 or the taking of that action.

10651. In any action or proceeding to attack, review, set aside, void, or annul a plan, or an action taken pursuant to the plan by an urban water supplier on the grounds of noncompliance with this part, the inquiry shall extend only to whether there was a prejudicial abuse of discretion. Abuse of discretion is established if the supplier has not proceeded in a manner required by law or if the action by the water supplier is not supported by substantial evidence.

10652. The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to the preparation and adoption of plans pursuant to this part or to the implementation of actions taken pursuant to Section 10632. Nothing in this part shall be interpreted as exempting from the California Environmental Quality Act any project that would significantly affect water supplies for fish and wildlife, or any project for implementation of the plan, other than projects implementing Section 10632, or any project for expanded or additional water supplies.

10653. The adoption of a plan shall satisfy any requirements of state law, regulation, or order, including those of the State Water Resources Control Board and the Public Utilities Commission, for the preparation of water management plans or conservation plans; provided, that if the State Water Resources Control Board or the Public Utilities Commission requires additional information concerning water conservation to implement its existing authority, nothing in this part shall be deemed to limit the board or the commission in obtaining that information. The requirements of this part shall be satisfied by any urban water demand management plan prepared to meet federal laws or regulations after the effective date of this part, and which substantially meets the requirements of this part, or by any existing urban water management plan which includes the contents of a plan required under this part.

10654. An urban water supplier may recover in its rates the costs incurred in preparing its plan and implementing the reasonable water conservation measures included in the plan. Any best water management practice that is included in the plan that is identified in the "Memorandum of Understanding Regarding Urban Water Conservation in California" is deemed to be reasonable for the purposes of this section.

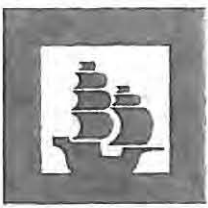
10655. If any provision of this part or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or

applications of this part which can be given effect without the invalid provision or application thereof, and to this end the provisions of this part are severable.

10656. An urban water supplier that does not prepare, adopt, and submit its urban water management plan to the department in accordance with this part, is ineligible to receive funding pursuant to Division 24 (commencing with Section 78500) or Division 26 (commencing with Section 79000), or receive drought assistance from the state until the urban water management plan is submitted pursuant to this article.

Appendix B

Workshop Agenda and List of Participants



Urban Water Management Plan Update 2010 Planning Session Agenda

City of Santa Maria Utilities Department
March 22, 2011
2:00 PM

- Introductions
- Purpose of this Meeting
 - Data Exchange
 - Buy-in of Data Sources/Assumptions
- Overview
 - 2010 Update New Elements
 - SBX7x7
 - Low Income Housing
 - Schedule
 - DWR Checklist
- Data Input/Exchange
 - ✓ Population
 - ✓ Water Supply
 - ✓ Water Demands
 - ✓ 20x2020 Impacts
 - Low Income Housing
 - Other
- Water Shortage Contingency Plan
- Questions

Appendix C
Notification (60 Days Prior to Review)



CITY OF SANTA MARIA
UTILITIES DEPARTMENT

Business Services • Regulatory Compliance
Solid Waste Services • Water Resources

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March 3, 2011

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Guadalupe, CA 93434

Subject City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. Delzeit,

The Urban Water Management Planning Act requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. The City of Guadalupe has been identified as an adjacent water retailer in the Santa Maria Groundwater Basin. In order to update the UWMP(s), the City or its consultant, CH2M HILL, will be contacting you to obtain water supply planning information including growth projections, population, and land use data.

The City will also contact you in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. A draft UWMP will be available for public review before the public meeting.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,

Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria



CITY OF SANTA MARIA
UTILITIES DEPARTMENT
Business Services • Regulatory Compliance
Solid Waste Services • Water Resources

2065 EAST MAIN STREET • SANTA MARIA, CALIFORNIA 93454-8026 • 805-925-0951, EXT. 7270 • FAX 805-928-7240

March 3, 2011

Regan Candelario
City Administrator
City of Guadalupe
918 Obispo Street
Guadalupe, CA 93434

Subject City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. Candelario,

The Urban Water Management Planning Act requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. The City of Guadalupe has been identified as an adjacent water retailer in the Santa Maria Groundwater Basin. In order to update the UWMP(s), the City or its consultant, CH2M HILL, will be contacting you to obtain water supply planning information including growth projections, population, and land use data.

The City will also contact you in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. A draft UWMP will be available for public review before the public meeting.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,

Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria



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March 3, 2011

William Brennan
Executive Director
Central Coast Water Authority
255 Industrial Way
Buellton, CA 93427

Subject: City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. Brennan,

The Urban Water Management Planning Act (Act) requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. Central Coast Water Authority has been identified as a wholesale water provider to the City. The Act requires the City to provide information regarding projected water supply sources in the UWMP. In order to update the UWMP, the City or its consultant, CH2M HILL, will be contacting you to obtain data as required by the Act to meet supply definition and reliability issues.

The City will also contact Central Coast Water Authority in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. The City will also provide your organization with a draft copy of the UWMP for your review and comments. In addition, the City will send out the final UWMP within 30 days of adoption by the City.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,

Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria



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March 3, 2011

Dan W. Talaga, P.E.
Senior Civil Engineer
Golden State Water Company
3035 Prospect Park Drive, Suite 60
Rancho Cordova, CA 95670

Subject City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. Talaga,


The Urban Water Management Planning Act requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. The Golden State Water Company has been identified as an adjacent water retailer in the Santa Maria Groundwater Basin. In order to update the UWMP(s), the City or its consultant, CH2M HILL, will be contacting you to obtain water supply planning information including growth projections, population, and land use data.

The City will also contact you in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. A draft UWMP will be available for public review before the public meeting.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,


Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria



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March 3, 2011

Robert Braitman
Executive Officer, The Local Agency Formation Commission
County of Santa Barbara
105 E. Anapamu Room 406
Santa Barbara, CA 93101

Subject City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. Braitman,


The Urban Water Management Planning Act requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. It was found that the City's system falls within your boundaries. In order to update the UWMP(s), the City or its consultant, CH2M HILL, will be contacting you to obtain planning information including growth projection, population, and land use data.

The City will also contact County of Santa Barbara in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. A draft UWMP will be available for public review before the public meeting.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,


Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria



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March 3, 2011

Glenn Russell
Director Planning and Development
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

Subject City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. Russell,

The Urban Water Management Planning Act requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. It was found that portions of the City's system fall within your boundaries. In order to update the UWMP(s), the City or its consultant, CH2M HILL, will be contacting you to obtain planning information including growth projection, population, and land use data.

The City will also contact County of Santa Barbara in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. A draft UWMP will be available for public review before the public meeting.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,

Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria



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March 3, 2011

Marty Wilder
General Manager
Laguna County Sanitation District
620 West Foster Road
Santa Maria, CA 93455

Subject City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. Wilder,

The Urban Water Management Planning Act requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. The Act requires that the UWMPs contain descriptions of wastewater systems in the service areas and recycled water use/potential. In order to update the UWMP, the City or its consultant, CH2M HILL, will be contacting you to obtain data regarding wastewater systems and recycled water use or plans for use.

The City will also contact Laguna County Sanitation District in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. A draft UWMP will be available for public review before the public meeting.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,

Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria



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March 3, 2011

Michael LeBrun
General Manager
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

Subject City of Santa Maria – 2010 Urban Water Management Plan Updates

Dear Mr. LeBrun,

The Urban Water Management Planning Act requires that urban water suppliers supplying more than 3,000 acre-feet of water annually, or 3,000 customers, prepare an Urban Water Management Plan (UWMP) in years ending in 5 and 0. However, because of recent changes in UWMP requirements, State law has extended the deadline for the 2010 Plans to July 1, 2011. The Act describes in detail the content of the plans to be submitted to the California Department of Water Resources.

The City of Santa Maria (City) is in the process of preparing the 2010 UWMP. The Nipomo Community Services District has been identified as an adjacent water retailer in the Santa Maria Groundwater Basin. In order to update the UWMP(s), the City or its consultant, CH2M HILL, will be contacting you to obtain water supply planning information including growth projections, population, and land use data.

The City will also contact you in the future regarding public meetings where we will discuss the UWMP. We encourage your attendance and input. A draft UWMP will be available for public review before the public meeting.

If you have additional information that may benefit this update, or questions and concerns, please feel free to contact us. I can be reached at (805) 925-0951 ext. 7211, and the staff at CH2M HILL can be reached via Terry Foreman at (805) 371-7817 ext. 38065.

Sincerely,

Richard G. Sweet, P.E.
Director of Utilities
City of Santa Maria

Appendix D

Public Hearing Notice (Hearing Notice will be added after hearing)

Appendix E
Public Workshop/Hearing Materials (Materials for this Appendix
will be added after Workshop/Hearing)

Urban Water Management Plan WORKSHOP

**Thursday
May 19, 2011**

6:30 p. m.

**Santa Maria City Hall
Council Chambers**

110 E. Cook Street

The City of Santa Maria will be presenting its Urban Water Management Plan Update. This workshop will inform the community regarding the plan, including information pertaining to water supplies, projected water demands, alternative water supplies, and water conservation measures. All those interested are encouraged to attend.

The public review draft is available at the following locations:

- Utilities Department, 2065 E. Main Street
- City Clerk's Office, 110 E. Cook Street, Rm. 3
- Reference Section of the City Library, 420 S. Broadway

For more information please contact the Utilities Department at (805) 925-0951 ext. 7270.



**CITY OF SANTA MARIA
UTILITIES DEPT**

Questions? Call 925-0951 ext. 7270



**CIUDAD DE SANTA MARIA
Discusión Informativa Sobre
El Plan Urbano de la Administración de Agua**

Mayo 19, 2011

6:30 p. m.

Alcaldía de la Ciudad de Santa Maria

(City Hall)

Cámara de Concilio

110 E. Cook Street

La Ciudad de Santa Maria estará presentando su Plan Urbano de la Administración de Agua. Esta discusión informara a la comunidad sobre el plan incluyendo información sobre la reserva de agua, las demandas de agua en el futuro, provisiones alternativas de agua, y medidas de conservación. Todas las personas interesadas se les recomienda atender a este taller.

La versión disponible para revisión publica esta disponible en las siguientes locaciones:

Departamento de Utilidades- 2065 E. Main Street

Oficina Secretarial- 110 E. Cook Street, Cuarto #3

Sección de Referencia en la Librería Pública- 420 S. Broadway

Para mas información por favor llame al Departamento de Utilidades al (805) 925-0951 ext. 7270.

Urban Water Management Plan UPDATE

CITY OF SANTA MARIA • PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City Council of the City of Santa Maria will conduct a public hearing on Tuesday, July 5, 2011, at 6:30 p.m. in the Council Chambers, 110 East Cook Street, Santa Maria, California, to consider:

URBAN WATER MANAGEMENT PLAN UPDATE. The City Council will consider the Urban Water Management Plan Update as mandated by AB797 which requires medium and large urban water purveyors to prepare and adopt an Urban Water Management Plan and update it every five years. The City's original Plan was adopted in June of 1988 with updates adopted in October 1991, May 1996, and December 2000.

Information and copies of the supporting data are on file in the Utilities Department, 2065 E. Main Street, ext. 7270. Copies of the staff report regarding this item will be available for public review in the City Clerk's Office at 110 E. Cook Street, Rm.3, the Reference Section of the City Library at 420 S. Broadway, and on the City's Web Site at www.ci.santa-maria.ca.us on Friday, July 1, 2011.

All interested persons are invited to attend. If you challenge the above-noticed project in court, you may be limited to raising those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Santa Maria at, or prior to, the public hearing.

The City of Santa Maria welcomes orderly participation at its meetings from all members of the public. Participation includes assistance under the Americans with Disabilities Act to provide an equally effective opportunity for individuals with a disability to participate in and benefit from City activities. To request assistance, please call 925-0951, Ext. 307, or the California Relay Service at (800) 735-2929 for TDD (Telecommunications Devices for the Deaf). Notification at least by the Friday before the meeting would enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Dated: June 19, 2011
PATRICIA A. PEREZ
CHIEF DEPUTY CITY CLERK



**CITY OF SANTA MARIA
UTILITIES DEPT**

Questions? Call 925-0951 ext. 7270



La Actualización del Plan Urbano de la Administración de Agua

CIUDAD DE SANTA MARIA · ANUNCIO DE AUDIENCIA PÚBLICA

NOTIFICACIÓN ESTÁ DADA POR ESTE MEDIO que los Miembros del Consejo de la Ciudad de Santa Maria estarán conduciendo una audiencia pública el Martes, 5 de Julio del 2011 a las 6:30 p.m. en la Cámara de Concilio, 110 E. Cook St., Santa Maria, California, para considerar lo siguiente:

LA ACTUALIZACIÓN DE EL PLAN URBANO DE LA ADMINISTRACION DE AGUA. Los miembros del Consejo considerarán el Plan Urbano de la Administración de Agua como está mandado por la ley AB797 que requiere que proveedores de agua de ciudades medianas y grandes preparen y adopten un Plan Urbano de Administración de Agua y lo actualicen cada cinco años. El plan original de la Ciudad fue adoptado en Junio de 1988 con actualizaciones adoptadas en Octubre 1991, Mayo 1996, y Diciembre 2000.

Información y copias de los datos de apoyo se encuentran guardados en el Departamento de Utilidades, 2065 E. Main St., ext. 7270. Copias de este reporte estarán disponibles para la revisión pública en la Oficina de la Secretaría Municipal en el 110 E. Cook St. Cuarto #3, la Sección de Referencia de la Biblioteca Pública en el 420 S. Broadway, y en la página Web de la Ciudad en el www.ci.santa-maria.ca.us, el Viernes, 1 de Julio, 2011.

Todas las personas interesadas se les recomienda atender. Si usted llega a disputar este proyecto en corte, puede que usted sea limitado a mencionar los puntos que usted o alguien mas presentó en la audiencia pública escrita en esta notificación, o en correspondencias enviadas a la Ciudad de Santa Maria al momento, o antes, de la audiencia pública.

La Ciudad de Santa Maria da la bienvenida a la participación pacífica de todos los miembros del público en sus juntas. La participación incluye asistencia bajo la Ley de Estadounidenses con Discapacidades (ADA) para proveer una plano de igualdad hacia las personas con discapacidades que desean participar y beneficiarse de las actividades organizadas por la Ciudad. Para pedir asistencia, por favor llame al 925-0951, Ext. 307, o el Servicio de Revelo al (800) 735-2929 para el TDD (Servicios de Telecomunicaciones para personas con problemas de audición). Para este servicio notificaciones necesitan ser recibidas el Viernes antes de la audiencia para que la Ciudad haga los arreglos correspondientes y así se pueda asegurar la accesibilidad a esta junta.

Fecha: Junio 19, 2011

PATRICIA A. PEREZ
SECRETARIA DIPUTADA PRINCIPAL



**CITY OF SANTA MARIA
UTILITIES DEPT**

Questions? Call 925-0951 ext. 7270



Appendix F
City of Santa Maria Water Conservation Program

CITY OF SANTA MARIA WATER CONSERVATION PROGRAM

PROGRAM OUTLINE

The City of Santa Maria's Water Conservation Program is established to promote the efficient use of local and state water supplies through information and assistance to residential, commercial, and institutional customers. The program provides information regarding technology, monitoring, and legislation concerning efficient water use.

The City's Water Conservation Program is intended to fulfill the water purveyor's obligations to educate customers and implement Best Management Practices (BMP) outlined in the statewide Memorandum of Understanding (MOU) that is administered by the California Urban Water Conservation Council (CUWCC). The Water Conservation Programs and the CUWCC's related BMP's are outlined within this document.

PROGRAMS

I. **Water Survey Programs for Single-Family and Multi-Family Residential Customers. CUWCC's BMP 01.**

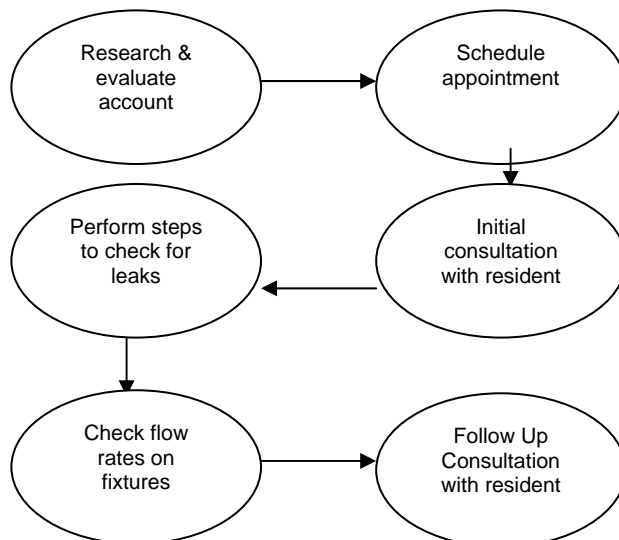
Objective:

To provide single-family and multi-family residential customers with indoor and outdoor water audits that will result in reduced water consumption. By providing water saving devices (low flow shower heads, toilet flappers, faucet aerators, and shower timers) as needed, water conservation efforts will be met.

Implementation:

Develop and implement a marketing strategy in conjunction with the use of water consumption surveys and data to target single-family and multi-family residential customers that demonstrate high water usage. Marketing strategies may consist of advertisements, publications, and media broadcasts, or direct telephone solicitation. Surveys will include indoor and outdoor components and shall include the following elements:

Indoor Survey:



Step 1 – Research and evaluate account.

- a. Research and evaluate water consumption pattern and history.
- b. Calculate water usage to determine daily usage.

Step 2 – Schedule appointment.

- a. Arrange an appointment date and time with customer.

Step 3 – Initial Consultation with resident.

- a. Discuss customer concerns.
- b. Determine the end results that the customer would like to achieve.
- c. Review account information.

Step 4 – Perform steps to check for leaks.

- a. Check toilets, faucets, and water supply meter.
- b. Check plumbing fixtures for leaks.
- c. Check water heater for leaks.
- d. Check water softener unit for leaks.
- e. Take a meter reading and calculate current water usage.

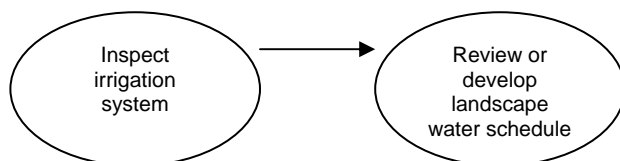
Step 5 – Calculate flow rates on fixtures and make recommendations regarding water saving devices.

- a. Check showerhead flow rates, aerator flow rates, and offer to replace or recommend replacement, as necessary.
- b. Determine the manufacturer's flow rates. Recommend replacement of showerheads rated 2.5 gpm or less and faucet aerators rated 2.2 gpm or less.
- c. Check toilet flow rates and install displacement devices or recommend a 1.6 gpf ultra-low-flow toilet replacement through a rebate program; replace leaking toilet flapper, as necessary.
- d. Calculate total flow rate of original fixtures and new total flow rate with replacement fixtures and report calculations to customer.

Step 6 – Follow up consultation with resident.

- a. Contact customer within one to two billing cycles.
- b. Review account information.
- c. Make any further water conservation recommendations to reduce water consumption.

Outdoor Survey:



Step 1 – Inspect irrigation system.

- a. Turn on sprinkler system and inspect for water leakage.
- b. Check for malfunctioning and broken sprinklers.
- c. Determine sprinkler patterns and water distribution.
- d. Measure the square footage of irrigated landscape.

Step 2 – Review or develop landscape irrigation schedule.

- a. Recommend irrigation adjustments to improve system.
- b. Supply customer with water conservation information.

Water Survey Data:

The water survey data will consist of tracking information from a water audit form. The service address information and historical water data will be obtained from the utility billing system. Data from water meter readings will be recorded. Leak detection of toilets, faucets, and irrigation systems will be performed and recorded as data.

Monitoring and Tracking Data:

- a. Number of single-family residential accounts in service area.
- b. Number of multi-family residential accounts in service area.
- c. Number of single-family residential surveys offered.
- d. Number of single-family residential surveys completed.
- e. Number of multi-family residential surveys offered.
- f. Number of multi-family residential surveys completed.

Initial Water Survey Program Budget:

Task		Cost
Water Conservation Specialist Time	200-300 hours per year	\$18.43 per hour = \$5,529.00
Marketing Program	Various Types	\$20,000
Water Conservation Kits consisting of low-flow showerheads, faucet aerators, leak detector tablets, shower timers, toilet flappers, and tank banks.	500 count per year @ \$7.00 each.	\$3,500.00 per year

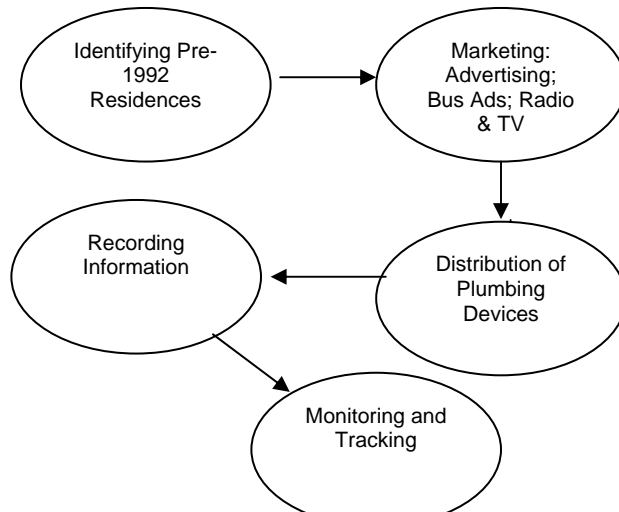
II. Residential Plumbing Retrofit Program. CUWCC's BMP 02.

Objective:

Identify single and multi-family residences constructed prior to 1992. Distribute high-quality, low-flow showerheads (rated 2.5 gpm or less), toilet displacement devices (as needed), toilet flappers (as needed), and faucet aerators (rated 2.2 gpm or less) as practical to residences requiring them. The program may be discontinued when it has been demonstrated that thirty (30) percent of its residences have been fitted with water saving devices.

Implementation:

Develop a marketing strategy for the distribution and/or installation of high-quality, low-flow plumbing devices to not less than thirty (30) percent of the single and multi-family residential customers, on an annual basis.



Step 1 – Identifying Pre-1992 Residences

Identifying the location and addresses of single and multi-family residences will be determined with the assistance from the Building Department.

Step 2 – Marketing.

Various options exist to promote a marketing strategy. Options to be implemented to achieve the target goal may include:

- a. Postcard survey mailing on an annual basis.
- b. Utility bill insert.
- c. Newspaper advertisement.
- d. Public event distribution.

Step 3 – Distribution of Low-Flow Plumbing Devices.

Distribution of low-flow plumbing devices will occur based on the response from the survey or other strategies derived from a marketing plan.

Step 4 – Recording Information.

Recorded data for the tracking system will consist of 1) name of customer, 2) account number, 3) service address, 4) construction date, and 5) plumbing devices retrofitted.

Step 5 – Monitoring and Tracking Data.

- A database will be used to monitor and track the data elements that will include, but are not limited to
- a. Target population of pre-1992 single-family residences and multi-family units to be provided showerheads and other water saving devices.
 - b. Number of showerhead retrofit kits distributed.
 - g. Number of device retrofits completed.
 - h. The estimated percentage of pre-1992 single-family residences and multi-family units in the service area fitted with low-flow showerheads.

Residential Plumbing Retrofit Budget:

Task		Cost
Water Conservation Specialist Time	100 hours per year	\$18.43 per hour = \$1,843.00
Water Conservation Kits consisting of low-flow showerheads, faucet aerators, leak detector tablets, shower timers, toilet flappers, and tank banks.	500 count average @ \$7.00 each	\$3,500.00 per year until fulfilled

III. Water Audits and Leak Detection Program. CUWCC’s BMP 03.

Objective:

Annual prescreening system audit will be performed to determine unaccounted for water in the distribution system to determine the need and or scope of a full-scale system audit.

Implementation:

The prescreening system audit shall be calculated as follows:

- a. Determining metered sales.
- b. Determining other system verifiable uses.

- c. Dividing metered sales plus other verifiable uses by total supply into the system. If this quantity is less than 0.9, a full-scale system audit is desirable.

Survey Data:

Data collected from the survey will determine the volume of water being used in the supply system. This shall be derived from the implementation of meter testing, meter replacements, construction meter output, street sweeping, water main leaks, fire hydrant use and repair, sewer maintenance, annual main line flushing, and other verifiable means of calculating water usage.

Monitoring and Tracking Data:

Data elements that need to be collected and monitored include, but are not limited to:

- a. Prescreening audit results and supporting documentation.
- b. Maintaining in-house records of audit results for each completed audit period.

Water Audit and Leak Detection Budget:

Task		Cost
Water Services Supervisor	40 per hours per year	\$22.81 per hour = \$ 912.40
Water Meter Purchased	1000 meters installed	\$300.00 per meter = \$300,000

IV. Volume of Use Metering/Billing Program. CUWCC's BMP 04.

Objective:

All new connections require a meter device, which will allow billing by volume. Establish a program for retrofitting existing un-metered connections to bill by volume of use. Identify mixed-use commercial accounts. Conduct a feasibility study to assess the merits of providing incentives to switch mixed-use accounts to a dedicated landscape meter account.

Implementation:

By installing new meters for all new connections and implementing a schedule for retrofitting existing un-metered connections more concise water systems audit (BMP 3) can also occur.

Monitoring and Tracking Data:

Data elements that need to be collected and monitored include, but are not limited to:

- a. Confirmation that all new connections are metered and are being billed by volume of use.
- b. Number of un-metered accounts in the service area.
- c. Number of un-metered connections retrofitted during the reporting period.
- d. Number of CII accounts with mixed-use meters.
- e. Number of CII accounts with mixed-use meters retrofitted with dedicated irrigation meters during reporting period.

The City has a very aggressive campaign to ensure all water services are all metered within the City limits. At this time, staff is unaware of any un-metered water services.

V. **Landscape Conservation Program. CUWCC's BMP 05.**

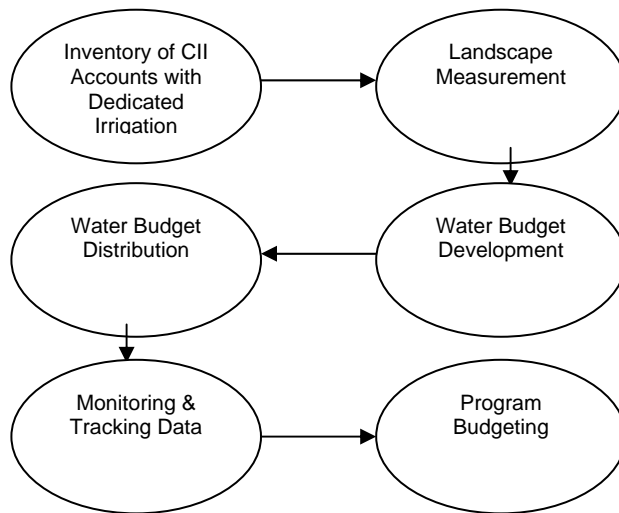
Objective:

Provide the Commercial/Industrial/Institutional (CII) customer with support and incentives to improve their landscape water use efficiency.

Implementation:

The implementation of landscape programs can be split into three main components.

1. **Water Use Budgets:** Identify accounts with dedicated irrigation meters and assign evapotranspiration-based (Eto) water use budgets which cannot exceed 100% of Eto per square foot of landscape area. Eto is an estimate of the depth of water evaporated and transpired from tall fescue grass that is actively growing, completely shading the soil, and cut 4 to 6 inches high, where water is not a limiting factor. This becomes the base reference point in establishing Eto's in the water use budgets. Another factor the City must perform is to provide notices each billing cycle to accounts with water use budgets showing the relationship between the budget and actual consumption.



Step 1 - Inventory of CII Accounts with Dedicated Irrigation Meters

- a. Use the City's utility billing system to establish a customer code field identifying these accounts. Include multi-family residential accounts in this task.
- b. Identify sites with multiple dedicated irrigation meters.

Step 2 – Landscape Measurement

- a. This will be the most challenging and expensive task to accomplish for BMP 5. There are numerous methods to perform landscape measurement. Any one or more can be applied to any particular account.
 1. Field Measurement – Accuracy is high. Involves using such techniques as an odometer wheel, pacing, and measuring tape to acquire field data.
 2. Landscape Plans – Accuracy is medium. Helpful for plant material distinctions and as a supplement to one of the other techniques. Not to be used as the sole method of obtaining field data.
 3. Customer Reported – Accuracy is low. Customers will not always use the same measurement techniques; 50% probability that customers will not respond. Cost is low since it is based on a survey form.

4. Tax Assessor Parcel Information – Accuracy is variable. City staff would need to contact the Santa Barbara County Assessor’s office and determine if they record hardscape (e.g., parking lots, building footprints) separately from the land’s square footage.
5. Aerial Photography – Accuracy is medium. Cost is medium to high. Requires overlaying photos onto a parcel map to obtain size and dimensions.
6. Multi-spectral Digital Images – Accuracy is high. Cost would be high for the City. This method can provide irrigated landscape area and plant material distinctions.

Step 3 – Water Budget Development

The basic water budget equation prescribed by BMP 5 is as follows:

Water budget = landscape area X (Eto X adjustment factor)
 Water Budget = volume of water budgeted for billing period.
 Landscape Area = total amount of landscape area at site.
 Eto = depth of Eto estimated for site during billing period.
 Intensity Factor = scale ranging between 0% and 100%

Example Water Budget Calculation

Landscape area = 40,000 ft²
 Eto = 6 inches or 0.5 ft.
 Intensity Factor = 1

Water Budget = 40,000 ft² X (0.5 ft. X 1) = 20,000 ft³ = 200ccf = 149,600 gallons

Developing a water use budget requires two basic inputs, landscape area and weather data.

Landscape Area

The definition of landscape area equals the area of plant material that regularly receives water through an irrigation system. There must be consideration for differentiating among plant materials in use and the costs related to obtaining the landscape measurement when defining a landscape area. Although BMP 5 **does not** require plant materials to be differentiated, it may be in the best interest of the City to group plants in two or three major groups.

Weather Data

Reference evapotranspiration (Eto) is a measure of the effect of weather on the need for water by landscape plant materials. Historical and current Eto data is available from the California Irrigation Management Information System (CIMIS) in an electronic format over the Internet by entering the ZIP code for the specific area. Actual Eto observations should be used rather than historical because significant fluctuations can occur in a given year, such as an El Nino year.

Step 4 – Water Budget Distribution

Sending notices to customers will require interaction and integration with the City’s utility billing system at some point. It is important that the water budgets get to the decision makers of the account in question, so that there would be a greater chance of action being taken regarding the information provided. Additionally, the City will need to make the presentation in an easily understood format, such as gallons of consumption and lost dollars from exceeding their water budget.

Step 5 – Monitoring and Tracking Data

BMP 5 requires submission of basic data each reporting period to include number of dedicated irrigation meters, number of dedicated irrigation meters with established water budgets, aggregate water use over all dedicated irrigation meters, and determine budget water use over all dedicated irrigation meters.

Step 6 – Program Budgeting

Develop what the costs are for performing the previous steps covered above. Costs to be accounted for include labor, all direct and indirect costs, and overhead. These costs should be rolled together to produce total fixed costs, and costs per site, sorted by tasks listed above. The program budget format is presented below.

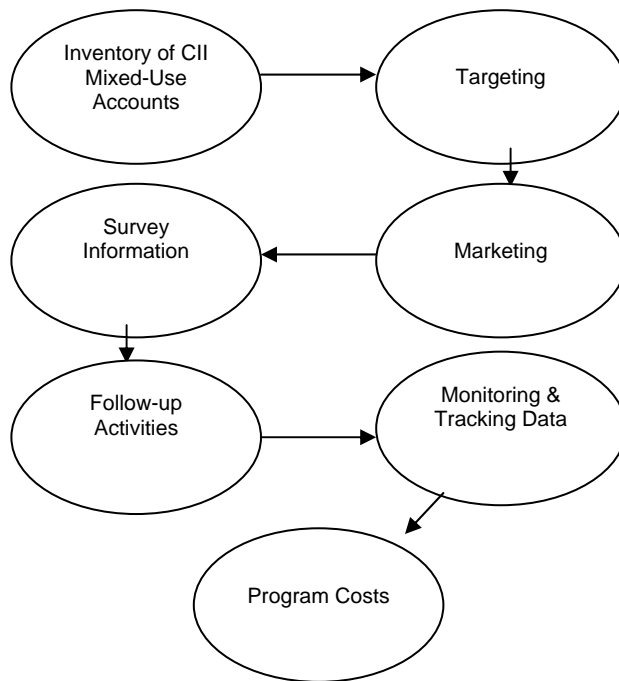
Water Program Budget Formula: P=Personnel V=Vehicle

Task	Fixed Costs	Cost per Site	Notes
Inventory dedicated irrigation meters	40 hours x p = \$	40 hours x p x v = \$	Personnel may vary
Landscape Measurement	Consultant	Consultant	Consultant
Monitoring & Tracking	40 hours x p = \$	40 hours x p x v = \$	Personnel may vary
Total			

The second component of BMP 5 is water use surveys.

2. *Water Use Surveys:* Develop and implement a strategy targeting large landscape water users to complete surveys for CII accounts with mixed-use meters. This would provide non-residential customers with support and incentives to improve their landscape water use efficiency.

There are seven steps that the City’s Water Conservation Coordinator needs to undertake and develop in this area.



Step 1 – Inventory of CII Mixed-Use Accounts

This step may be performed simultaneously when the inventory of CII accounts with dedicated irrigation meters is performed in the water budget component. The dedicated irrigation meters derived from the water budget component must be backed out to arrive at the mixed-use accounts. After that filtering process has occurred, the City may take several approaches to finalize the list of mixed-use accounts.

- a. Identify likely irrigation customers by examining historical water use from billing records.
- b. Conduct a mail survey asking customers to specify their end water uses. This could be done while meeting survey requirements for other BMP’s.

It is important to remember that multi-family residential sites are typically covered under BMP 1. There will be instances where multi-family sites have mixed-use meters with large landscapes, thus they would fall under BMP 5.

Step 2 – Targeting

Water surveys must be offered to 20% of CII mixed-use accounts every two years. The surveys must consider a certain factor. The first two factors are the water applied in feet per year as compared to the acres of turf under irrigation, with the focus on sites with less than three acres in size. The third factor to be included in the survey is determining who is managing the irrigation scheduling, if any exists. The survey will make a great tool for a mixed-use account to audit how their landscape contractor is applying the water they will ultimately pay for.

Step 3 – Marketing

Marketing the water survey and the entire BMP 5 program, helps to maximize the efficiency and return on the program efforts. Mechanisms such as direct mail, landscape contractor communications, and education programs tend to be the best methods.

Step 4 – Survey Implementation

The significant costs incurred involve the labor for the day-to-day administration and actual fieldwork. The City will use both the Water Conservation Coordinator and outside contractors to accomplish the survey implementation.

Step 5 – Follow-Up Activities

Water landscape management requires a continuing commitment every year. The City will perform follow-up surveys to gauge the performance of the efforts over long periods of time. Since the reporting requirement for BMP 5 is every two years, then it would make sense to time the follow-up surveys around those timelines. Seasonal notices or “reminders” should also be implemented.

Step 6 – Monitoring and Tracking Data

Critical data elements that need to be collected and monitored include, but are not limited to:

- a. Number of CII mixed-use accounts.
- b. Number of surveys offered.
- c. Number of surveys accepted.
- d. Annual estimated water savings.
- e. Date of survey.
- f. Site type.
- g. Landscape area.
- h. Site management type.
- i. Measures of technical performance.
- j. Dates and descriptions of follow-up activities, including financial incentives.
- k. How and why customer participated in water survey program.

Step 7 – Program Costs

Develop what the costs are going to be for performing all the previous steps covered above. Costs to be accounted for include labor, all direct and indirect costs, and overhead. These costs should be rolled together to produce total fixed costs, and costs per site, sorted by tasks listed above. The program budgeting format is presented below.

Water Program Budget Formula: P=Personnel V=Vehicle

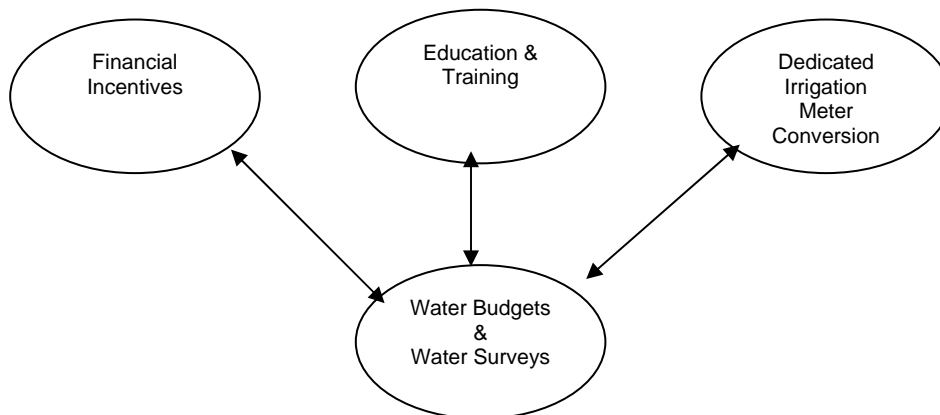
Task	Fixed Costs	Cost per Site
Inventory of CII Mixed Use meters	40 hours x p = \$	80 hours x p x v = \$
Targeting	20 hours x p = \$	40 hours x p x v = \$
Marketing	20 hours x p = \$	40 hours x p x v = \$
Survey Implementation	20 hours x p = \$	40 hours x p x v = \$
Follow-Up Activities	20 hours x p = \$	40 hours x p x v = \$
Monitoring & Tracking	10 hours x p = \$	80 hours x p x v = \$

The Water Conservation Coordinator needs to factor in their budgets the uncertainty of schedule surveys, as workloads can fluctuate on customers' responses to marketing input. Typically, there will be less interest in the winter months than in the summer months.

The third component of BMP 5 consists of the following.

3. *Supplemental Landscape Programs:* These programs include encouraging installation of dedicated landscape meters, training in landscape & irrigation system maintenance, and irrigation system design. It also includes financial incentives to improve irrigation system efficiency such as loans, rebates, and grants for the purchase and/or installation of water efficient irrigation systems.

The supplemental components are integrated with the water budgets and water surveys components.



Financial Incentives

The three primary incentive mechanisms are rebates, direct installation programs, and low-interest loans. The financial incentives are a logical step beyond the establishment of water budgets and water surveys to encourage improvement in the mechanical performance of their irrigation systems. CUWCC recommends targeting actions that are related to improving and upgrading irrigation equipment and capabilities, not behavioral characteristics. The CUWCC states the disadvantage of direct installation is the liability of working with vastly different site circumstances. The Water Conservation Coordinator should consider contracting this to a qualified contractor who will have the resources to match the site installation to the materials required. Loans require more administration and unless the amounts are sufficiently large, will not have many customers applying. The City already has a rate structure to encourage conservative use of water in the form of tiered rates on a per unit basis.

Education and Training

Training and education of customer service staff will continue to occur within the Utilities Department in the area of water conservation as it relates to BMP 5. The Water Conservation Coordinator will be required to give informational seminars to local service clubs and at community events to educate people on water conservation as it relates to BMP 5.

Dedicated Irrigation Meter Conversion

The installation of a dedicated irrigation meter at a current mixed-use location is cost prohibitive. Currently, the City has no mixed-use meters. If a residence chooses to separate their domestic meter from their landscape meter, this will extend an opportunity for a financial incentive with the reduction in their sewer rates.

VI. High-Efficiency Washing Machine Rebate Programs. CUWCC's BMP 06.

Objective:

Offer financial incentive programs for high-efficiency washing machines whenever cost-effective with or without with the presence of a program operated by an energy service provider.

Implementation:

Provide a cost-effective financial incentive based on significant water saving benefits available from high-efficiency washing machines with the intent of widespread product availability. Incentive levels shall be calculated and offered in conjunction with local energy service providers.

Monitoring and Tracking Data:

Data elements to be collected and monitored include, but are not limited to:

- a. Customer incentives to purchase high-efficiency washing machines being offered by local energy service providers.
- b. Customer incentives to purchase high-efficiency washing machines being offered by various agencies.

Rebate Program Expenditures:

Task	Amount and Rate	Cost
Washer Machine Rebates	10 rebates per year @ \$100 each	\$1,000.00 per year

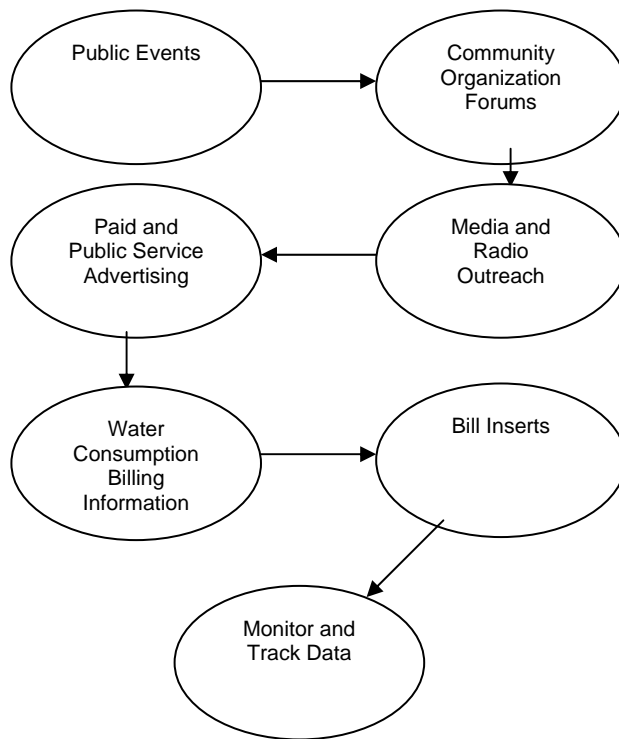
VII. Public Information Programs. CUWCC's BMP 07.

Objective:

Providing a public information program to promote water conservation and related benefits through various communication forums.

Implementation:

Public information programs will include, but will not be limited to, providing speakers to employee and community groups and the media; paid advertisements and public service announcements; bill inserts; providing information on customers' bills showing use in gallons per day for the last billing period compared to the same period the year before; and coordinating with other government agencies, industry groups, public interest groups, and the media.



Step 1 - Public Events

During an event, water conservation brochures, department promotional items, and other related water conservation products will be distributed to the community. Communicating the importance of water conservation will be an important aspect to a successful event. Targeted events for participation include Earth Day, Arbor Day, Water Awareness Month, Chamber of Commerce Trade Show; Family Day In The Park, Kids Day In The Park, Landscape Fair, Environmental Fair, and Autumn Arts Grapes and Grains Festival.

Step 2 - Community Organization Forums

Community presentations will be available to a group of people meeting at a public place to present a water conservation and information program pertinent to local issues. Included will be local boards, commissions, or community groups. Coordinating and promoting specific public activities within the City's water conservation program will include seminars, workshops, and public presentations.

Step 3 - Media and Radio Outreach

Outreach efforts may be made by communicating through television announcements and broadcasting of programmed material to the public by radio and Public Education Government television.

Step 4 - Paid and Public Service Advertising

Paid and public service advertising may be sought through written publication avenues.

Step 5 - Water Consumption Billing Information

Providing the utility billing customers with information of water usage in hundred cubic feet for the last billing period compared to the same period the year before is an important part of the water conservation program.

Step 6 - Bill Inserts

The use of informational brochures may be used as bill insert and/or direct mailings.

Step 7 - Monitoring and Tracking Data

Data elements that need to be collected and monitored include, but are not limited to:

- a. Number of public speaking events relating to conservation and the number of those in attendance.
- b. Number of media events and the numbers reached.
- c. Number of paid or public service announcements and the distribution numbers for the publications.
- d. Various types of information disseminated relating to conservation.
- e. Annual budget for public information programs.

Public Information Program Budget:

Task		Cost
Water Conservation Specialist Time	200-300 hours per year	\$18.43 per hour = \$5,529.00
Public Service Announcements	150 per year	\$10,000 per year
Public Events	6 per year	\$1,500 per year
Bill Inserts or Message	2 times per year	\$2,000 per year
Promotional Water Conservation Information	Items purchased per year	\$10,000 per year

VIII. School Education Programs. CUWCC's BMP 08.

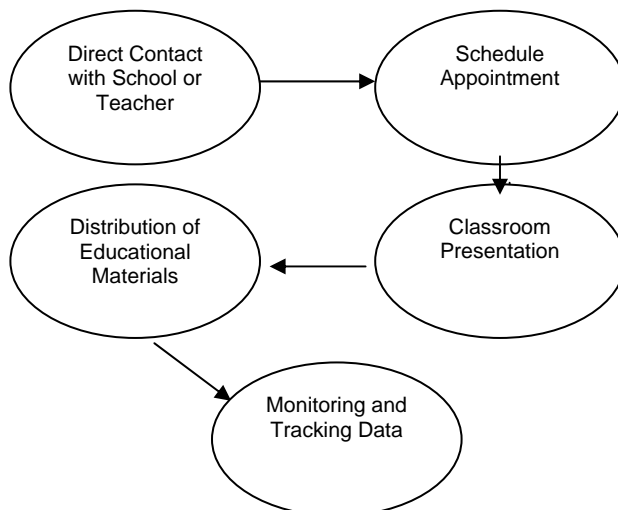
Objective:

Provide a school education program to promote water conservation and its related benefits through educational materials and classroom presentations.

Implementation:

Programs shall include working with school districts and private schools in the water suppliers' service area to provide instructional assistance, educational materials, and classroom presentations that identify urban, agricultural, and environmental issues and conditions in the local watershed. The program will educate students in our service area regarding water conservation and efficient water uses. Education materials shall meet the state educational framework requirements and grade appropriate materials shall be distributed to grade levels K-3, 4-6, 7-8, and high school students.

The various components of the school education program will consist of the following:



Step 1- Direct contact with school or teacher.

Annual letter will be sent to the local school district. Information will be included in the Water Education Resource Guide provided by the County of Santa Barbara. Brochures will be distributed throughout the local schools provided by the Santa Barbara County Water Agency.

Step 2- Schedule appointment.

Arrangements will be made directly between the teacher and presenter.

Step 3 – Classroom presentation.

The classroom presentation will provide information to students with regard to, but not limited to:

- a. Water on our earth.
- b. Water in the human body.
- c. The different forms of water.
- d. The water cycle.
- e. How Santa Maria receives our water, State Water.
- f. Water treatment process.
- g. Groundwater.
- h. Water conservation in the home.

Step 4 – Distribution of educational materials.

Educational materials will be distributed to the appropriate grade levels following a presentation.

Step 5 – Monitoring and tracking data.

Data elements to be collected and monitored include, but are not limited to:

- a. Number of school presentations.
- b. Number of students reached.
- c. Number and type of curriculum materials developed and/or provided by water agency.
- d. Number of in-service presentations or teacher's workshops conducted.
- e. Annual budget for school education programs.

School Education Program Budget:

Task		Cost
Water Conservation Specialist Time	100-200 hours per year	\$18.43 per hour = \$3,686.00
Curriculum Materials	Various items purchased per year	\$6,000 per year

IX. Conservation Programs for Commercial, Industrial, and Institutional (CII) Accounts. CUWCC's BMP 09.

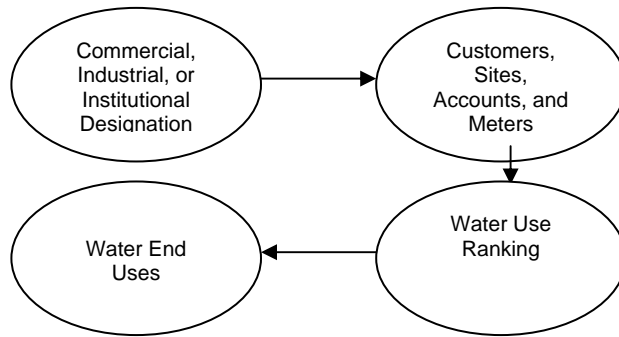
Objectives:

Identify and rank CII accounts according to water use. Provide a program to accelerate replacement of existing high-water-using toilets with ultra-low flush- (1.6 gallons or less) toilets. Utilize the County of Santa Barbara Water Agency's CII Water-Use Survey and their Customer Incentives Program.

Implementation:

Develop and implement a strategy targeting commercial, industrial, and institutional facilities with existing high-water using toilets and urinals. Provide a program to accelerate the replacement to ultra-

low-flush (1.6 gallons or less) toilets and waterless urinals. Implementation shall take place over a three-year period.



Step 1 – Commercial, Industrial, Institutional Designation

- a. Identify commercial customers as those who provide or distribute a product or service, such as hotels, restaurants, office buildings, commercial businesses, or other places of commerce.
- b. Identify industrial customers as those who are primarily manufacturers or processors of materials.
- c. Identify institutional customers as those who provide public services. This includes schools, hotels/motels, courts, churches, hospitals, and government institutions regardless of ownership.

Step 2 – Customer, Sites, Accounts, and Meters

- a. Define a *customer* as one having a water meter that records water use for commercial, industrial, or institutional purposes.
- b. Define a *site* as a contiguous area denoted by the service address. Some sites may have multiple accounts, which may often be the case at large CII sites.
- c. An *account* will be set up for each water meter at the specified site.
- d. A *meter* will measure water use at a specified point on the water system.

Step 3 –Water Use Ranking

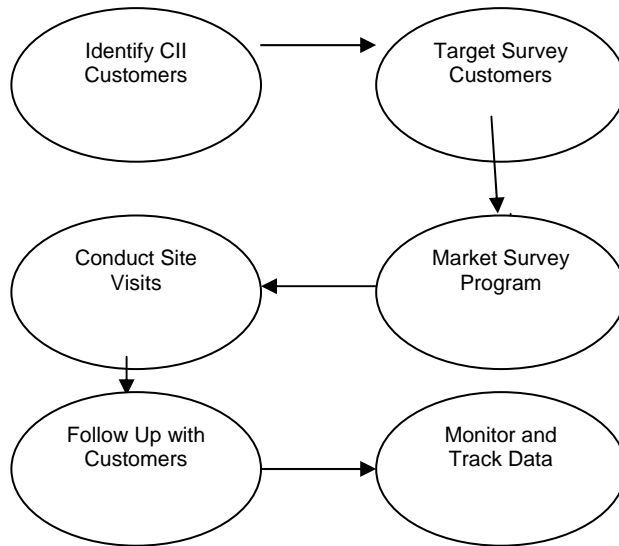
- a. CII customers will be ranked by annual volume of water consumption.
- b. Rankings can be made at the customer, site, account, or meter level.

Step 4 – Water End Uses

- a. Design and tailor a water conservation program by how water is used at the site.
- b. Study the seasonal pattern of water consumption via billing records estimating some of the water end uses in the service area.

Implementation of Water Survey:

The County of Santa Barbara Water Agency has developed and implemented a water-use survey and a customer incentives program. All CII customers may be contacted by the County via letter, telephone, or personal visits and offered water use surveys and customer incentives. Water use surveys will include a site visit, an evaluation of all water-using apparatus and processes, and a customer report identifying recommended efficiency measures, their expected payback period, and available agency incentives. After one year of completing the survey, a follow-up via telephone or onsite visit with the customer to ensure their facility water use and water saving has improved. The County of Santa Barbara Water Agency will track customer contacts, receive surveys, conduct follow-up, and measures taken.



Step 1 – Identifying CII Customers

- a. Create an inventory of CII customers by identifying customer, site, account and meter relationships.
- b. Rank by water consumption aggregated at the customer, site, and account levels.

Step 2 – Target Survey Customers

- a. County to provide surveys to CII customers by direct contact (via letter, telephone, or personal visit).

Step 3 – Market Survey Program

- a. Develop recommended cost-effective measures.
- b. Utilize brochure mailings, direct contact, integration with other water agency programs, professional organizations and equipment suppliers to generate participation.

Step 4 – Conduct Site Visits

- a. Agency employees, outside contractors can perform water-use surveys, or both provided by the County.
- b. Major factors to be considered include cost, quality of service, reliability, flexibility and expected workload.

Step 5 – Follow up with Customers

- a. Follow-up with the customer will be made within one year of a completed survey to inquire about facility water use and water saving improvements.

Step 6 – Monitor and Track Data

- a. Survey summary data will include number of CII accounts, number of surveys offered and completed, type and number of water-saving recommendations implemented, and the program budget and actual program expenditures.
- b. Recording other data for evaluation and tracking will be necessary.
- c. Periodic evaluation of the program will be necessary to improve its efficiency.
- d. Other critical additional data elements to collect include date of survey, type of site, site characteristics, site contact information, dates and descriptions of follow-up activities, including financial incentives and market research on how and why the customer participated in a water-use survey program, and customer water consumption history.

CII Program Budget:

Program costs may vary significantly, depending on program circumstances. Labor cost of the surveyors will be the greatest cost component by far because surveys are labor intensive.

X. **Wholesale Agency Assistance. CUWCC's BMP 10.**

Objective:

Develop support from water wholesale agencies for conservation programs to retail water suppliers.

Implementation:

The City is not a wholesale agency.

XI. **Conservation Pricing. CUWCC's BMP 11.**

Objective:

Provide a uniform or block rate structure, which will provide incentives to customers to reduce average or peak use, or both.

Implementation:

Review the pricing structure for cost recovery of providing service.

Objective Measurements for Monitoring and Tracking:

- a. Report annual revenue requirement by customer class for the reporting period.
- b. Report annual revenue derived from commodity charges by customer class for the reporting period.
- c. Report rate structure by customer class for water service and sewer service if provided.

XII. **Conservation Coordinator. CUWCC's BMP 12.**

Objective:

Provide a Water Conservation Specialist and support staff (as needed) to implement conservation programs.

Implementation:

Coordinate and implement conservation programs and BMP implementation through the existing Water Conservation Specialist. Prepare and submit the CUWCC BMP Implementation Report. Communicate and promote water conservation issues to the agency senior management; coordinate conservation programs with operations and planning staff; prepare annual conservation budget; preparation of the conservation elements of the agency's Urban Water Management Plan.

Objective Measurements for Monitoring and Tracking:

- a. Date conservation position created by agency.
- b. Number of components addressed in conservation program currently implemented.
- c. Number of agencies/residents exposed to the conservation program.
- d. Increase in conservation program components.
- e. Increase in the number of agencies/residents reached by the conservation program.

Conservation Coordinator Program Budget:

Task		Cost
Water Conservation Specialist Time	50 weeks @ 40 hrs each week @ \$18.43 per hour	\$36,860.00 per year

XIII. **Water Waste Prohibition. CUWCC's BMP 13.**

Objective:

Establish and maintain the enacted and enforcement measures prohibiting wasteful use of water.

Implementation:

Implementation methods shall consist of enforcing measures prohibiting gutter flooding, single pass cooling systems in new connections, and non-recirculating systems in all new conveyer car wash, commercial laundry systems, and non-recycling decorative water fountains.

Support efforts to develop state law regarding exchange-type water softeners that would:

- 1) Allow the sale of only more efficient demand-initiated regenerating (DIR) models;
- 2) Develop minimum appliance efficiency standards that
 - a. Increase the regeneration efficiency standard to at least 3,350 grains of hardness removed per pound of common salt used.
 - b. Implement an identified maximum number of gallons discharged per gallon of soft water produced
 - c. Allow local agencies, including municipalities and special districts, to set more stringent standards and/or to ban on-site regeneration of water softeners if it is demonstrated and found by the agency governing board that there is an adverse effect on the re-claimed water or groundwater supply.

Water softener checks in home water audit programs will include information about DIR and exchange-type water softeners in the educational efforts to encourage replacement of less efficient timer models.

Monitoring and Tracking Data:

Data elements to be documented will include:

- a. The levels of enforcement the City is implementing in terms of staff dedicated to the task and the breadth of involvement.
- b. The number of methods used to enforce measures to meet the objective.

Water Waste Prohibition Program Budget:

Task	Time	Cost
Water Conservation Specialist Time	40 hours per year	\$18.43 per hour
Environmental Program Coordinator Time	80 hours per year	\$35.00 per hour

XIV. Residential ULFT Replacement Programs. CUWCC's BMP 14.

Objective:

Provide a program for replacing existing high-water-using toilets with ultra-low-flush (1.6 gallons or less) toilets in single-family and multi-family residences.

Implementation:

Programs for replacing existing high-water using toilets with ultra-low-flush toilets will be developed. The programs might include requiring toilet replacement at time of property resale.

Data for Monitoring and Tracking:

- a. The number of single-family residences and multi-family units in service area constructed prior to 1992.
- b. The average number of toilets per single-family residence; the average number of toilets per multi-family unit.
- c. The average persons per household for single-family residences; the average persons per household for multi-family residences.
- d. The housing resale rate for single-family residences in service area; the housing resale rate for multi-family residences in service area.
- e. The number of ULFT (ultra low flow toilets) installations credited to the agency's replacement program, by year.
- f. Estimated cost per ULFT replacement.
- g. Estimated water savings per ULFT replacement.

ULFT Replacement Program Budget:

Task:	Time	Cost
Water Conservation Specialist Time	40 hours per year	\$ 18.43 per hour
Toilet or Rebate Offered	10 toilet purchased per year. 10 rebates offered per year.	\$1,000.00 per year \$1,000.00 per year

Appendix G
Supply Reliability Data Provided by CCWA



March 29, 2011

Richard Sweet
City of Santa Maria
2065 East Main
Santa Maria, CA 93454

Subject: Central Coast Water Authority
2010 Urban Water Management Plan Update

Dear Richard:

The California Urban Water Management Planning Act requires every urban water supplier to prepare and adopt an Urban Water Management Plan (UWMP). An urban water supplier is defined as a public water system supplying 3,000 customers or delivering 3,000 acre-feet annually. The Central Coast Water Authority (CCWA) is classified as a wholesale urban water supplier. As such, CCWA is required to prepare an UWMP and is also required to provide projections of the volume of water to be delivered in the future to the retail urban water suppliers for a range of water-year types.

CCWA staff has reviewed the Department of Water Resources (DWR) report entitled "The State Water Project Delivery Reliability Report 2009" and obtained reliability data from DWR that is specific to Santa Barbara County. Following the estimation protocol described in the UWMP Guidelines and the DWR Reliability Report, CCWA prepared an estimated projection for future water deliveries for a variety of water-year types. This estimate is attached for your use. An excel file will also be emailed to you separately for your use in developing your own projections, if you need to utilize different scenarios than provided in the CCWA estimate.

Also, as required by the UWMP Act, retail urban water suppliers that rely upon a wholesale agency for a source of water supply must provide the wholesale water agency with water use projections for that source of water in five-year increments for 20 years. Accordingly, we would appreciate your agency providing this information by April 15, 2011.

If you have any question, please call me at 805-688-2292, ext 228.

Sincerely,

A handwritten signature in black ink, appearing to read "John Brady".

John Brady
Operations Manager/Engineer

L. J. Lavagnino
Chairman

Richard Shaikewitz
Vice Chairman

William J. Brennan
Executive Director

Brownstein Hyatt
Farber Schreck
General Counsel

Member Agencies

City of Buellton

Carpinteria Valley
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water
Conservation District,
Improvement District #1

Associate Member

La Cumbre Mutual
Water Company

255 Industrial Way
Buellton, CA 93427-9565
(805) 688-2292
FAX: (805) 686-4700

36826



Table 1 CCWA Table A Reliability Estimate

Year	Long Term Average	Single Dry Year 1977	2-year drought 1991-1992	2-year drought 1990-1991	4-year drought 1929-1932	4-year drought 1989-1992	6-year drought 1929-1934	6-year drought 1987-1992
2010	63%	6%	26%	35%	34%	36%	34%	38%
2015	63%	7%	26%	32%	34%	35%	34%	36%
2020	62%	8%	26%	30%	35%	34%	35%	34%
2025	61%	9%	26%	27%	35%	34%	35%	33%
2030	61%	10%	26%	24%	36%	33%	36%	31%
2035	60%	11%	26%	21%	36%	32%	36%	29%

Table 2 Maximum Table A Amount in Selected Drought Conditions

Drought Condition	2010	2015	2020	2025	2030	2035
Long Term Average	11,254	11,143	11,032	10,922	10,811	10,700
Single Dry Year 1977	995	1,171	1,348	1,524	1,701	1,877
2-year drought 1991-1992	4,708	4,696	4,684	4,672	4,660	4,648
2-year drought 1990-1991	6,272	5,764	5,257	4,750	4,243	3,736
4-year drought 1929-1932	6,004	6,092	6,179	6,267	6,354	6,442
4-year drought 1989-1992	6,375	6,241	6,107	5,972	5,838	5,703
6-year drought 1929-1934	6,036	6,110	6,184	6,258	6,332	6,406
6-year drought 1987-1992	6,733	6,437	6,141	5,845	5,549	5,253

City of Santa Maria

Contractor Table A Amount: 17,820

Appendix H
Santa Maria Valley Groundwater Basin Stipulation

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

SANTA MARIA VALLEY WATER
CONSERVATION DISTRICT,

Plaintiff,

v.

CITY OF SANTA MARIA, et al.,

Defendants.

) SANTA MARIA GROUNDWATER
) LITIGATION
) Lead Case No. CV 770214
) (CONSOLIDATED FOR ALL PURPOSES)

) [Consolidated With Case Numbers:
) CV 784900; CV 785509; CV 785522;
) CV 787150; CV 784921; CV 785511;
) CV 785936; CV 787151; CV 784926;
) CV 785515; CV 786791; CV 787152;
) CV 036410]

AND RELATED CROSS-ACTIONS AND
ACTIONS CONSOLIDATED FOR ALL
PURPOSES

) San Luis Obispo County Superior Court Case
) Nos. 990738 and 990739

) [Assigned to Judge Jack Komar for All
) Purposes]

STIPULATION (JUNE 30, 2005 VERSION)

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1 **I. INTRODUCTION -- ALL MANAGEMENT AREAS**

2 The Stipulating Parties hereby stipulate and agree to entry of judgment containing the
3 terms and conditions of this Stipulation.

4 **A. Parties and Jurisdiction**

5 1. Plaintiff and Cross-Defendant Santa Maria Valley Water Conservation District
6 (“District”) is a water conservation district organized under California Water Code section 74000,
7 *et seq.* The District does not pump Groundwater from the Basin.

8 2. Defendants, Cross-Complainants and Cross-Defendants the City of Santa Maria
9 (“Santa Maria”), City of Guadalupe (“Guadalupe”), Southern California Water Company
10 (“SCWC”), Nipomo Community Services District (“NCSD”), Rural Water Company (“RWC”),
11 City of Arroyo Grande (“Arroyo Grande”), City of Pismo Beach (“Pismo Beach”), City of Grover
12 Beach (“Grover Beach”) and Oceano Community Services District (“Oceano”) rely, in part, on
13 Groundwater to provide public water service to customers within the Basin.

14 3. Cross-Defendant County of San Luis Obispo (“San Luis Obispo”) is a subdivision
15 of the State of California. Cross-Defendant San Luis Obispo County Flood Control and Water
16 Conservation District (“SLO District”) is a public entity organized pursuant to the laws of the
17 State of California. Neither San Luis Obispo nor SLO District pumps Groundwater from the
18 Basin.

19 4. Cross-Defendant County of Santa Barbara (“Santa Barbara”) is a subdivision of
20 the State of California. Santa Barbara does not pump Groundwater from the Basin.

21 5. Numerous other Cross-Defendants and Cross-Complainants are Overlying
22 Owners. Many of these Overlying Owners pump Groundwater from the Basin, while others do
23 not currently exercise their Overlying Rights. Those Overlying Owners who are Stipulating
24 Parties are identified on Exhibit “A”.

25 6. This action presents an *inter se* adjudication of the claims alleged between and
26 among all Parties. This Court has jurisdiction over the subject matter of this action and over the
27 Parties herein.

28 ///

1 **B. Further Trial**

2 The Stipulating Parties recognize that not all Parties have entered into this Stipulation and
3 that a trial will be necessary as to all non-Stipulating Parties. No Stipulating Party shall interfere
4 or oppose the effort of any other Stipulating Party in the preparation and conduct of any such
5 trial. All Stipulating Parties agree to cooperate and coordinate their efforts in any trial or hearing
6 necessary to obtain entry of a judgment containing the terms and conditions of this Stipulation.
7 No Stipulating Party shall have any obligation to contribute financially to any future trial.

8 **C. Definitions**

9 As used in this Stipulation, the following terms shall have the meanings herein set forth:

- 10 1. Annual or Year – That period beginning January 1 and ending December
11 31.
- 12 2. Annual Report – The report prepared and filed with the Court annually for
13 each Management Area.
- 14 3. Appropriative Rights – The right to use surplus Native Groundwater for
15 reasonable and beneficial use.
- 16 4. Available State Water Project Water – The amount of SWP Water an
17 Importer is entitled to receive in a given Year based upon the California Department of Water
18 Resources final Table A allocation.
- 19 5. Basin - The groundwater basin described in the Phase I and II orders of the
20 Court, as modified, and presented in Exhibit “B”.
- 21 6. Developed Water – Groundwater derived from human intervention as of
22 the date of this Stipulation, which shall be limited to Twitchell Yield, Lopez Water, Return
23 Flows, and recharge resulting from storm water percolation ponds.
- 24 7. Groundwater – Twitchell Yield, Lopez Water, Return Flows, storm water
25 percolation, Native Groundwater and all other recharge percolating within the Basin.
- 26 8. Importer(s) – Any Party who brings Imported Water into the Basin. At the
27 date of this Stipulation, the Importers are Santa Maria, SCWC, Guadalupe, Pismo Beach, and
28 Oceano.

1 9. Imported Water – Water within the Basin, originating outside the Basin
2 that absent human intervention would not recharge or be used in the Basin.

3 10. Lopez Project – Lopez Dam and Reservoir located on Arroyo Grande
4 Creek, together with the associated water treatment plant, delivery pipeline and all associated
5 facilities, pursuant to State Water Resources Control Board permit No. 12814 (A-18375) and
6 pending application No. A-30826.

7 11. Lopez Water – Groundwater within the Basin derived from the operation of
8 the Lopez Project.

9 12. Management Areas – The three areas within the Basin that have sufficient
10 distinguishing characteristics to permit the water resources and facilities of each area to be
11 individually managed. The Management Areas are: the Northern Cities Management Area, the
12 Nipomo Mesa Management Area, and the Santa Maria Valley Management Area, as shown on
13 Exhibit "C".

14 13. Management Area Engineer – The individual(s) or consulting firm(s) that
15 are hired to prepare the Monitoring Plan(s) and Annual Report(s) for one or more of the
16 Management Areas.

17 14. Monitoring Parties – Those Parties responsible for conducting and funding
18 each Monitoring Program.

19 15. Monitoring Program – The data collection and analysis program to be con-
20 ducted within each Management Area sufficient to allow the preparation of the Annual Report.

21 16. Native Groundwater – Groundwater within the Basin, not derived from
22 human intervention, that replenishes the Basin through precipitation, stream channel infiltration,
23 tributary runoff, or other natural processes.

24 17. New Developed Water – Groundwater derived from human intervention
25 through programs or projects implemented after the date of this Stipulation.

26 18. New Urban Uses – Municipal and industrial use which may occur on land
27 that, as of January 1, 2005, was located: 1) within the boundaries of a municipality or its sphere of
28 influence, or within the process of inclusion in its sphere of influence; or 2) within the certificated

1 service area of a publicly regulated utility. The New Urban Use areas are identified in Exhibit
2 “D”. New Urban Uses does not include the current DJ Farms development within Guadalupe
3 City limits (including Santa Barbara County APN 113-080-18, 113-080-24).

4 19. Nipomo Mesa Management Area or NMMA – That Management Area
5 shown on Exhibit “C”.

6 20. Nipomo Mesa Management Area Technical Group – The committee
7 formed to administer the relevant provisions of the Stipulation regarding the Nipomo Mesa
8 Management Area.

9 21. Northern Cities Management Area – That Management Area which is part
10 of Zone #3 of the San Luis Obispo County Flood Control and Water Conservation District as
11 shown on Exhibit “C”.

12 22. Northern Cities – Arroyo Grande, Pismo Beach, Grover Beach and
13 Oceano.

14 23. Northern Parties – The Northern Cities, the Overlying Owners within the
15 Northern Cities Management Area, San Luis Obispo and the SLO District.

16 24. Overlying Right – The appurtenant right of an Overlying Owner to use
17 Native Groundwater for overlying, reasonable and beneficial use.

18 25. Overlying Owner(s) – Owners of land overlying the Basin who hold an
19 Overlying Right.

20 26. Party – Each Person in this consolidated action, whether a Stipulating
21 Party or a non-Stipulating Party.

22 27. Person – Any natural person, firm, association, organization, joint venture,
23 partnership, business, trust, corporation, or public entity.

24 28. Public Hearing – A hearing after notice to all Parties and to any other
25 person legally entitled to notice.

26 29. Return Flows – Groundwater derived from use and recharge within the
27 Basin of water delivered through State Water Project facilities.

28 ///

1 30. Santa Maria Valley Management Area – That Management Area shown on
2 Exhibit “C”.

3 31. Severe Water Shortage Conditions – Those conditions, as separately
4 defined in a Severe Water Shortage Response Plan for each Management Area, that trigger
5 certain discretionary and mandatory responses by the Stipulating Parties upon order of the Court.

6 32. Severe Water Shortage Response Plan – The discretionary and mandatory
7 responses for each Management Area that are to be implemented when Severe Water Shortage
8 Conditions exist.

9 33. State Water Project Water or SWP Water – Water imported through the
10 State of California State Water Resources Development System pursuant to Division 6, Part 6,
11 Chapter 8, of the California Water Code.

12 34. Stipulating Party – A Party that has signed this Stipulation, as listed in
13 Exhibit “A”, or its heirs, executors, administrators, trustees, successors, assigns, and agents.

14 35. Storage Space – The portion of the Basin capable of holding water for sub-
15 sequent reasonable and beneficial uses.

16 36. SWP Contract(s) – Those series of contracts that entitle the Importers to
17 use SWP facilities to bring Imported Water into the Basin.

18 37. Twitchell Management Authority or TMA – The committee formed to
19 administer the relevant provisions of the Stipulation regarding the Santa Maria Valley Manage-
20 ment Area.

21 38. Twitchell Participants – Those Stipulating Parties holding rights to
22 Twitchell Yield.

23 39. Twitchell Project – Dam and reservoir authorized by Congress as the
24 “Santa Maria Project” on September 3, 1954 (Public Law 774, 83d Congress, ch. 1258, 2d
25 session, 68 Stat. 1190) and located on the Cuyama River, approximately six miles upstream from
26 its junction with the Sisquoc River, pursuant to that certain License For Diversion And Use of
27 Water, License No. 10416, issued by the State Water Resources Control Board.

28 ///

1 40. Twitchell Water – Groundwater derived from operation of the Twitchell
2 Project.

3 41. Twitchell Yield – The total amount of Groundwater allocated annually to
4 the Twitchell Participants.

5 **II. EXHIBITS**

6 The following Exhibits are attached to this Stipulation and incorporated herein:

7 1. *Exhibit "A"*, list identifying the Stipulating Parties and the parcels of land
8 bound by the terms of this Stipulation.

9 2. *Exhibit "B"*, Phase I and II Orders, as modified, and the attached map
10 depicting the Santa Maria Basin.

11 3. *Exhibit "C"*, map of the Basin and boundaries of the three Management
12 Areas.

13 4. *Exhibit "D"*, map identifying those lands as of January 1, 2005: 1) within
14 the boundaries of a municipality or its sphere of influence, or within the process of inclusion in its
15 sphere of influence; or 2) within the certificated service area of a publicly regulated utility; and a
16 list of selected parcels that are nearby these boundaries which are excluded from within these
17 areas.

18 5. *Exhibit "E"*, 2002 Settlement Agreement between the Northern Cities and
19 Northern Landowners.

20 6. *Exhibit "F"*, the agreement among Santa Maria, SCWC and Guadalupe
21 regarding the Twitchell Project and the TMA.

22 7. *Exhibit "G"*, the Court's Order Concerning Electronic Service of Pleadings
23 and Electronic Posting of Discovery Documents dated June 27, 2000.

24 8. *Exhibit "H"*, the form of memorandum of agreement to be recorded.

25 **III. DECLARATION OF RIGHTS -- ALL MANAGEMENT AREAS**

26 The terms and conditions of this Stipulation set forth a physical solution concerning
27 Groundwater, SWP Water and Storage Space, consistent with common law water rights priorities.

28 ///

1 **A. Recognition of Priority of Overlying Rights**

2 Except as expressly modified by the settlement agreement among the Northern Parties
3 (Exhibit “E”), all Overlying Owners that are also Stipulating Parties have a prior and paramount
4 Overlying Right, whether or not yet exercised.

5 **B. Prescriptive Rights**

6 As to the Stipulating Parties, no Party has proved prescriptive rights to any Native
7 Groundwater. Future use by the Stipulating Parties will not be adverse and will not ripen into a
8 prescriptive right as between the Stipulating Parties.

9 **C. Appropriative Rights**

10 Consistent with the specific provisions governing each Management Area, the Stipulating
11 Parties owning and exercising Appropriative Rights have the right to the reasonable and bene-
12 ficial use of Native Groundwater that is surplus to the reasonable and beneficial uses of the
13 Stipulating Parties that are Overlying Owners. New appropriative uses shall be subordinate to
14 existing appropriations and shall be prioritized on a first in time, first in right basis.

15 **D. Developed Water Rights**

16 The Stipulating Parties owning Developed Water or New Developed Water have the right
17 to its reasonable and beneficial use, consistent with the specific provisions governing each
18 Management Area. The right to use Developed Water is a right to use commingled Groundwater
19 and is not limited to the corpus of that water.

20 **E. Rights to Storage Space**

21 The Court shall reserve jurisdiction over the use of the Storage Space, and any Party may
22 apply to the Court for the approval of a project using Storage Space. The Court must approve any
23 project using Storage Space before any Party can claim a right to stored water from that project.
24 The Stipulating Parties agree that Groundwater derived from Developed Water is exempt from
25 the Court approval requirements of this Paragraph.

26 **F. Other Surface Water Rights**

27 Nothing in this Stipulation affects or otherwise alters common law riparian rights or any
28 surface water rights, unless expressly provided in this Stipulation.

1 **IV. PHYSICAL SOLUTION – ALL MANAGEMENT AREAS**

2 **A. Authority**

3 Pursuant to Article X, section 2 of the California Constitution, the Stipulating Parties
4 agree that the Court has the authority to enter a judgment and physical solution containing the
5 terms and conditions of this Stipulation. Unless the Court imposes this physical solution, poten-
6 tial changes in water use could affect Basin adequacy and integrity. The Declaration of Rights is
7 a component of this physical solution.

8 **B. Purposes and Objectives**

9 The terms and conditions of this Stipulation are intended to impose a physical solution
10 establishing a legal and practical means for ensuring the Basin’s long-term sustainability. This
11 physical solution governs Groundwater, SWP Water and Storage Space, and is intended to ensure
12 that the Basin continues to be capable of supporting all existing and future reasonable and
13 beneficial uses. This physical solution is: 1) a fair and equitable basis for the allocation of water
14 rights in the Basin; 2) in furtherance of the mandates of the State Constitution and the water
15 policy of the State of California; and 3) a remedy that gives due consideration to applicable
16 common law rights and priorities to use Groundwater and Storage Space, without substantially
17 impairing any such right.

18 **C. Basin Management Areas**

19 Development and use of Groundwater, SWP Water and Storage Space have historically
20 been financed and managed separately in three Management Areas. For example, only the
21 Northern Parties have paid for, managed, and benefited from the Lopez Project; whereas only
22 Santa Maria Valley parties have paid for, managed, and benefited from the Twitchell Project. In
23 contrast, the Nipomo Mesa parties have not been involved in the funding or management of either
24 the Twitchell or Lopez Projects.

25 The Stipulating Parties agree that Groundwater, SWP Water and Storage Space can be
26 more efficiently allocated and managed in three Management Areas, given the physical, geo-
27 graphical, political, economic, and historic conditions. The three Management Areas, as shown
28 on Exhibit “C,” are as follows: Northern Cities Management Area; Nipomo Mesa Management

1 Area; and Santa Maria Valley Management Area. The Stipulating Parties intend that manage-
2 ment through three Management Areas will preserve the Basin's integrity.

3 **D. Groundwater Monitoring**

4 1. Monitoring Program. A Monitoring Program shall be established in each
5 of the three Management Areas to collect and analyze data regarding water supply and demand
6 conditions. Data collection and monitoring shall be sufficient to determine land and water uses in
7 the Basin, sources of supply to meet those uses, groundwater conditions including groundwater
8 levels and quality, the amount and disposition of Developed Water supplies, and the amount and
9 disposition of any other sources of water supply in the Basin. The Northern Cities Management
10 Area shall not be required to include in its Monitoring Program or Annual Reports quantification
11 of groundwater recharge from the Lopez Project or storm water percolation ponds, unless the
12 Court orders inclusion of this information.

13 Within one hundred and eighty days after entry of judgment, representatives of the Moni-
14 toring Parties from each Management Area will present to the Court for its approval their
15 proposed Monitoring Program. The Management Area Engineers shall freely share available well
16 data, groundwater models, and other products and tools utilized in monitoring and analysis of
17 conditions in the three Management Areas, consistent with the confidentiality provisions of this
18 Stipulation.

19 Absent a Court order to the contrary, all Stipulating Parties shall make available relevant
20 information regarding groundwater elevations and water quality data necessary to implement the
21 Monitoring Program approved for their respective Management Area. The Monitoring Parties
22 shall coordinate with the Stipulating Parties to obtain any needed data on reasonable terms and
23 conditions. Metering may only be imposed on Stipulating Parties upon a Court order following a
24 showing that such data is necessary to monitor groundwater conditions in the Basin, and in the
25 case of an Overlying Owner, that Overlying Owner has failed to provide information comparable
26 to that provided by other Overlying Owners. The confidentiality of well data from individual
27 owners and operators will be preserved, absent a Court order or written consent.

28 ///

1 3. The Stipulating Parties who desire to claim New Developed Water supplies
2 must bring a motion, and obtain an order from the Court, quantifying and allocating the rights to
3 the New Developed Water, before they have the prior right to the New Developed Water.

4 **F. Severe Water Shortage Response**

5 This physical solution sets forth a Severe Water Shortage Plan for each Management Area
6 which is intended to provide an effective response to Severe Water Shortage Conditions that may
7 develop within each or all of the Management Areas. The specific Severe Water Shortage Plans
8 for each Management Area are incorporated herein and made a part of the physical solution.

9 **V. PHYSICAL SOLUTION: PROVISIONS SPECIFIC TO SANTA MARIA VALLEY**
10 **MANAGEMENT AREA**

11 As supplemented by the provisions of this Stipulation that apply to all Management Areas,
12 the following terms govern rights to Groundwater, SWP Water and Storage Space in the Santa
13 Maria Valley Management Area.

14 **A. Water Rights to Sources of Supply**

15 1. *Overlying Rights.* The Stipulating Parties who are Overlying Owners
16 within the Santa Maria Valley Management Area each have the prior and paramount right to use
17 Native Groundwater. Subject to Paragraph V(C)(2)(b)(vi), all Overlying Rights are appurtenant
18 to the overlying land and cannot be assigned or conveyed separate or apart from those lands.

19 2. *Appropriative Rights.* The Parties listed in Exhibit "A" are the owners of
20 Appropriative Rights exercised in the Santa Maria Valley Management Area. Each Appropriative
21 Right is limited to Native Groundwater that is surplus to reasonable and beneficial uses of the
22 Stipulating Parties that are Overlying Owners in the Santa Maria Valley Management Area. New
23 appropriative uses shall be subordinate to existing Appropriative Rights and shall be prioritized
24 on a first in time, first in right basis.

25 3. *Developed Water.* The Stipulating Parties owning Developed Water have
26 the right to its reasonable and beneficial use, subject only to the Severe Water Shortage Plan. On
27 an annual basis, the Stipulating Parties shall have the right to the reasonable and beneficial use of
28 Developed Water that is surplus to the reasonable and beneficial uses of the owners of that

1 Developed Water. The right to use Developed Water is a right to use commingled Groundwater
2 and is not limited to the corpus of that water.

3 (a) New Developed Water. The ownership and use of New Developed
4 Water shall be subject to Court order.

5 (b) Twitchell Water.

6 (i) *Amount*. The Twitchell Project annually provides a variable
7 amount of Developed Water that augments the Groundwater in the Santa Maria Valley Manage-
8 ment Area. Twitchell Yield is thirty-two thousand acre-feet per year (“afy”).

9 (ii) *Division of Twitchell Yield*. Twitchell Yield shall be
10 divided as follows: 80% to Santa Maria, SCWC and Guadalupe, and 20% to the Overlying
11 Owners within the District who are Stipulating Parties.

12 a. The Twitchell Yield allocated to Santa Maria,
13 SCWC and Guadalupe is suballocated pursuant to the agreement among Santa Maria, SCWC and
14 Guadalupe, as attached and incorporated herein as Exhibit “F”.

15 b. The Twitchell Yield allocated to the Overlying
16 Owners who are Stipulating Parties within the District shall be equally allocated to each acre of
17 land within the District owned by these Stipulating Parties. Concurrently with the execution of
18 this Stipulation, each of these Stipulating Parties shall report their acreage of overlying land
19 within the District on a parcel specific basis. Within one hundred and twenty days of the effec-
20 tive date of this Stipulation, the Management Area Engineer shall create a list of all the Stipu-
21 lating Parties and their respective allocation of the Twitchell Yield.

22 (iii) *Recapture of Twitchell Yield*. The right to use Twitchell
23 Yield is a right to use commingled Groundwater and is not limited to the corpus of that water.

24 (iv) *Transfer of Twitchell Yield*. Twitchell Yield may be trans-
25 ferred, temporarily or permanently, only between Stipulating Parties and the transfer market shall
26 be as open and competitive as practical. A memorandum of agreement summarizing each transfer
27 shall be filed with the Court and provided to the TMA. Any such memorandum of agreement
28 shall state the Parties to the transfer, the amount of Twitchell Yield transferred, the price per acre-

1 foot, and the Party responsible for the financial obligation associated with the Twitchell Yield.

2 (v) *Carryover.* Any portion of Twitchell Yield that is not used
3 in a given Year shall not be carried over into the following Year.

4 (c) State Water Project Water.

5 (i) *Import and Use of State Water Project Water.* Santa Maria,
6 SCWC and Guadalupe all have SWP Contracts. Santa Maria will import and use within the Santa
7 Maria Valley Management Area not less than 10,000 acre-feet each Year of Available SWP
8 Water, or the full amount of Available SWP Water if the amount physically available is less than
9 10,000 acre-feet in a given Year under Santa Maria's SWP Contract. Guadalupe will import and
10 use within the Santa Maria Valley Management Area a minimum of 75% of its Available SWP
11 Water. SCWC will import and use within the Basin all its Available SWP Water. Santa Maria,
12 SCWC and Guadalupe will not voluntarily relinquish or terminate their current SWP Contracts,
13 and shall seek renewal of these SWP Contracts.

14 (ii) *Return Flows.*

15 a. *Fixed Amount.* The Return Flows available to each
16 Importer is fixed based on a percentage of the annual amount of SWP Water the Importer uses
17 within the Basin. The fixed percentage for each importer is as follows: (a) Santa Maria 65%; (b)
18 SCWC 45%; and (c) Guadalupe 45%. The percentage provided to SCWC and Guadalupe shall
19 be adjusted through a Court order if: a) either entity increases its use of water imported into the
20 Basin, b) the applicable method of wastewater treatment and discharge to the Basin is altered, or
21 c) good cause is shown.

22 b. *Recapture.* The right to use Return Flows does not
23 attach to the corpus of SWP water deliveries or the treated SWP wastewater discharged into the
24 Basin but is a right to use the commingled Groundwater. The Importer's right to Return Flows is
25 assignable in whole or in part, subject to necessary accounting.

26 c. *Quantification of Return Flows.* Return Flows equal
27 the total amount of SWP Water used by the Importer in the prior five Years, divided by five, and
28 then multiplied by the Importer's percentage as provided in Paragraph V(A)(3)(c)(ii)(a) above.

1 d. Carryover. Any portion of Return Flows that is not
2 used in a given Year shall not be carried over into the following Year.

3 **B. Monitoring and Management**

4 1. Status of Management Area. Current Groundwater and SWP Water sup-
5 plies are sustaining existing water uses. Changes in land and water use and demographic con-
6 ditions can be expected to occur, possibly resulting in changes in water supply or demand
7 requirements.

8 2. Need for Monitoring. Monitoring and reporting of changes in land and
9 water use and demographic conditions are necessary to ensure that water supplies continue to be
10 sufficient to support water uses.

11 3. Monitoring Program.

12 (a) Annual Report: Content and Processing.

13 The Annual Report shall include an analysis of the relationship between projected water demands
14 and projected water supplies.

15 (i) The Annual Report shall be prepared and signed by the
16 Management Area Engineer, and shall be simultaneously submitted to the Court and the TMA.

17 (ii) Within forty-five days of submission, the TMA shall hold a
18 noticed public hearing to take comments on and consider for adoption the Annual Report. No
19 later than forty-five days from the date of the public hearing, the TMA shall submit to the Court
20 its recommendations regarding the Annual Report.

21 (iii) Within one hundred and twenty days of the date of the
22 submission of the Annual Report to the Court, it shall conduct a noticed hearing on the Annual
23 Report. Any Party may submit comments on the Annual Report. After the hearing, the Court
24 shall accept the Annual Report or direct its modification.

25 (b) Management Area Engineer

26 (i) Absent the unanimous consent of the TMA, the Manage-
27 ment Area Engineer shall not concurrently be employed by any Party holding rights to use
28 Groundwater in the Santa Maria Valley Management Area.

1 (ii) The Management Area Engineer shall initially be the engin-
2 eering firm of Luhdorff & Scalmanini. Luhdorff & Scalmanini shall be the Management Area
3 Engineer for a minimum of the shorter of five years from the date of this Stipulation or the date
4 upon which Mr. Joseph Scalmanini discontinues full time work for that firm.

5 (iii) The TMA shall employ the following process to replace the
6 Management Area Engineer:

7 a. The TMA shall solicit candidates for Management
8 Area Engineer through a public process. All submissions and candidate materials shall be avail-
9 able to any Party upon request. The TMA shall conduct its interview through a public process to
10 the extent practical, and include District and Overlying Owner representatives in the candidate
11 review process.

12 b. Once a short list of candidates (less than five) for
13 Management Area Engineer is obtained, the TMA shall hold a noticed public hearing to take
14 comments on and consider the candidates for Management Area Engineer. The TMA shall make
15 a reasonable effort to select the Management Area Engineer with a unanimous vote. If the TMA
16 unanimously endorses a candidate, that nominee shall be recommended to the Court. Otherwise,
17 the short list of candidates shall be submitted.

18 c. The Court shall appoint the Management Area
19 Engineer following a noticed hearing.

20 4. Funding. The TMA shall pay for the Monitoring Program for the Santa
21 Maria Valley Management Area, which includes the cost of the Management Area Engineer and
22 the Annual Report. The cost of the Monitoring Program shall be divided among the Twitchell
23 Participants on the same basis as the allocation of their Twitchell Yield.

24 **C. Response to Varying Conditions**

25 1. Early Response to Avoid Severe Water Shortage Conditions. If the Man-
26 agement Area Engineer determines that projected demands are expected to materially exceed
27 projected water supplies, then the Management Area Engineer may recommend programs and
28 projects to augment the Management Area's water supplies. The Stipulating Parties will collabo-

1 rate on a response based upon current conditions, but absent Severe Water Shortage Conditions,
2 implementation of programs and projects will not be mandated.

3 The Stipulating Parties may voluntarily participate in any recommended program or
4 project, either through financial or other contributions. The Stipulating Parties that contribute to
5 such a program or project shall have a priority to the water supplies generated by that program or
6 project with Court approval. The Stipulating Parties agree to aggressively pursue New
7 Developed Water sources, including necessary funding.

8 2. Severe Water Shortage Conditions and Response.

9 (a) Determination. Severe Water Shortage Conditions shall be found
10 to exist when the Management Area Engineer, based on the results of the ongoing Monitoring
11 Program, finds the following: 1) groundwater levels in the Management Area are in a condition of
12 chronic decline over a period of not less than five Years; 2) the groundwater decline has not been
13 caused by drought; 3) there has been a material increase in Groundwater use during the five-Year
14 period; and 4) monitoring wells indicate that groundwater levels in the Santa Maria Valley
15 Management Area are below the lowest recorded levels.

16 (b) Response.

17 (i) If the Management Area Engineer determines that Severe
18 Water Shortage Conditions exist within the Santa Maria Valley Management Area, the Manage-
19 ment Area Engineer shall file and serve, as part of its Annual Report, findings and recommen-
20 dations to alleviate such shortage conditions or the adverse effects caused by such water shortage.

21 (ii) Upon the filing of the Annual Report, the Court shall hold a
22 noticed hearing regarding the existence and appropriate response to the Severe Water Shortage
23 Conditions. If, after that hearing, the Court finds that Severe Water Shortage Conditions exist in
24 the Santa Maria Valley Management Area, the Court shall first order all use of Groundwater to be
25 limited to: (a) for Guadalupe, Santa Maria and SCWC, their Developed Water; (b) entitled
26 Stipulating Parties to their New Developed Water; and (c) for the Overlying Owners, the Native
27 Groundwater plus any Developed Water to which individual Overlying Owners are entitled.

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1 (iii) The Court may also order Stipulating Parties to address
2 specific adverse effects caused by the Severe Water Shortage Conditions. The responses may
3 include, but are not limited to: (a) measures recommended in the Annual Report and the related
4 Court proceedings; and (b) other measures intended to address localized problems in the Santa
5 Maria Valley Management Area directly related to the Severe Water Shortage Conditions.

6 (iv) The Court may adjust the Groundwater use limitations
7 imposed on any Stipulating Party(ies) who implement programs or projects providing additional
8 water supplies within the Santa Maria Valley Management Area.

9 (v) If the Court finds that Management Area conditions have
10 deteriorated since it first found Severe Water Shortage Conditions, the Court may impose further
11 limitations on Groundwater use. If the Court imposes further limitations on Groundwater use, a
12 Stipulating Party shall be exempt from those limitations to the extent: (a) the Stipulating Party can
13 demonstrate that it has already implemented limitations in its Groundwater use, equivalent to
14 those ordered by the Court; or (b) the Stipulating Party can demonstrate that further limitations
15 would not avoid or reduce the deteriorating conditions.

16 (vi) During Severe Water Shortage Conditions, the Stipulating
17 Parties may make agreements for temporary transfer of rights to pump Native Groundwater,
18 voluntary fallowing, or the implementation of extraordinary conservation measures. Transfers of
19 Native Groundwater must benefit the Management Area and be approved by the Court.

20 **D. Management and Administration of the Twitchell Project**

21 1. Operational Parameters. All Twitchell Project operations (operation and
22 maintenance and capital projects) will be performed consistent with the following parameters
23 (Operational Parameters):

24 (a) Maximize recharge of the Santa Maria Valley Management Area
25 from Twitchell Water, including without limitation, the avoidance of impacts on recharge
26 resulting from ongoing accumulation of silt to the maximum extent practical.

27 (b) Operate the Twitchell Project in accordance with the requirements
28 of applicable law including, without limitation, the requirements of the Bureau of Reclamation

1 and Army Corps of Engineers.

2 (c) Operate the Twitchell Project in accordance with industry standards
3 and best management practices.

4 2. Twitchell Project Manual.

5 (a) The TMA will hire and pay for a professional engineering con-
6 sulting firm with expertise in dam and reservoir operations and maintenance, acceptable to the
7 District and the TMA, to develop an integrated operation and maintenance procedure manual
8 (“Twitchell Project Manual”) and provide recommendations for capital and maintenance projects
9 that are consistent with the Operational Parameters.

10 (b) The District shall hold one or more public hearings to solicit input
11 regarding the content of the Twitchell Project Manual.

12 (c) Within eighteen months of entry of the judgment, the TMA and the
13 District shall adopt a final Twitchell Project Manual.

14 (d) Any disagreement between the District and the TMA regarding the
15 content of the final Twitchell Project Manual shall be presented for Court review and determina-
16 tion pursuant to the judicial review provisions provided in this Stipulation.

17 (e) The District will exercise its discretionary authority to conduct all
18 its operation and maintenance activities for the Twitchell Project in accordance with the Twitchell
19 Project Manual.

20 3. Twitchell Project Funding.

21 (a) District will maintain its current operation and maintenance (O&M)
22 assessments. These funds will be used for District staff salaries, property, equipment, rent,
23 expenses, and other day-to-day operations, and will be expended consistent with the Twitchell
24 Project Manual to the extent it is applicable.

25 (b) The TMA will separately fund, administer, construct and manage
26 any additional Twitchell Project expenses or projects, including Capital Improvement Projects
27 (see below) and O&M, (Extraordinary Project Operations) consistent with the Twitchell Project
28 Manual. The TMA and the District will make reasonable efforts to work cooperatively to imple-

1 ment Extraordinary Project Operations.

2 (c) Consistent with the provisions of this Paragraph V(D), the District
3 and the TMA shall be responsible for ensuring the ongoing operational integrity of the Twitchell
4 Project and the maintenance of the Twitchell Yield. The Stipulating Parties expect that this
5 ongoing responsibility may involve significant expenditures. Within 120 days of the effective
6 date of this Stipulation, and annually thereafter, the Twitchell Participants shall establish an
7 operating budget for the TMA to fund its responsibilities set forth in this Stipulation. For the first
8 five years following the PUC approval as provided below, the TMA's annual budget shall be
9 established at an amount between \$500,000 to \$700,000. Following the initial budgeting period,
10 the TMA shall set its budget in three- to five-year increments, as it deems necessary to meet its
11 obligations to preserve the Twitchell Yield. Any unused revenues shall be segregated into a
12 reserve account, for future funding needs of the Twitchell Project. The Stipulating Parties agree
13 to cooperate and coordinate their efforts to enable the TMA to fulfill its responsibilities as pro-
14 vided in this Stipulation.

15 4. Twitchell Management Authority.

16 (a) The TMA shall be comprised of one representative of each of the
17 following parties: Santa Maria, Guadalupe, Southern California Water Company, the District, and
18 Overlying Landowners holding rights to Twitchell Yield.

19 (b) Only those parties holding an allocation of Twitchell Yield shall be
20 voting members of the TMA. Voting shall be based on each party's proportionate allocation of
21 Twitchell Yield.

22 (c) The TMA shall be responsible for all the Extraordinary Project
23 Operations.

24 (d) The TMA shall be responsible for developing proposals for Capital
25 Improvement Projects relating to the Twitchell Project. Capital Improvement Projects shall mean
26 projects involving the expenditure of funds for the improvement or enhancement of the Twitchell
27 Project, but shall not include normal operation, maintenance or repair activities.

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1 (e) Upon the development of a proposal for a Capital Improvement
2 Project, the TMA shall, in cooperation with the District, hold one or more public hearings to
3 solicit input.

4 (f) Following the public hearing process, the TMA may vote on
5 whether to implement the Capital Improvement Project.

6 (g) The cost of TMA-sponsored Extraordinary Project Operations and
7 Capital Improvement Projects shall be divided among Twitchell Participants on the same basis as
8 the allocation of their Twitchell Yield.

9 (h) The District shall assume operation and maintenance responsibility
10 for any TMA sponsored Capital Improvement Project to the extent practical within the District's
11 day-to-day operations.

12 5. Regulatory Compliance. The TMA or the District shall provide advance
13 notice to the Court and all Parties of the initiation of any regulatory proceeding relating to the
14 Twitchell Project.

15 6. Existing Contracts. The Twitchell Reservoir Project will continue to be
16 governed by and subject to the terms and conditions of the December 1955 agreement between
17 the District and the Santa Barbara County Water Agency and nothing in this Stipulation is
18 intended to modify the rights or obligations provided in that agreement. To the extent that the
19 approval of Santa Barbara County Water Agency or the United States Bureau of Reclamation is
20 required in connection with the implementation of this Stipulation, the Stipulating Parties agree to
21 work cooperatively to obtain such approval(s).

22 **E. New Urban Uses – Santa Maria Valley Management Area**

23 1. New Urban Uses shall obtain water service from the local public water
24 supplier. The local public water supplier shall provide water service on a reasonable and non-
25 discriminatory basis.

26 2. New municipal and industrial uses on land adjacent to or within one-
27 quarter mile of the boundary line depicted in Exhibit D shall comply with any applicable Cor-
28 porations Code provisions and negotiate in good faith to obtain water service from the local

1 public water supplier, before forming a mutual water company to provide water service.

2 3. No modification of land use authority. This Stipulation does not modify
3 the authority of the entity holding land use approval authority over the proposed New Urban
4 Uses.

5 4. New Urban Uses shall provide a source of supplemental water to offset the
6 water demand associated with that development. For the purposes of this section, supplemental
7 water shall include all sources of Developed Water, except: i) Twitchell Water, ii) storm water
8 percolation ponds existing as of the date of entry of the judgment, or iii) Overlying Owners' right
9 to use of surplus Developed Water.

10 **VI. PHYSICAL SOLUTION: PROVISIONS SPECIFIC TO NIPOMO MESA MAN-**
11 **AGEMENT AREA**

12 As supplemented by the provisions of this Stipulation that apply to all Management Areas,
13 the following terms shall apply to the Nipomo Mesa Management Area.

14 **A. Supplemental Water**

15 1. MOU. NCS D has entered into a Memorandum of Understanding
16 ("MOU") with Santa Maria which contemplates the wholesale purchase and transmission from
17 Santa Maria to the NMMA of a certain amount of water each Year (the "Nipomo Supplemental
18 Water"). All water delivered pursuant to the MOU for delivery by NCS D to its ratepayers shall
19 be applied within the NCS D or the NCS D's sphere of influence as it exists at the time of the
20 transmission of that water.

21 2. The NCS D agrees to purchase and transmit to the NMMA a minimum of
22 2,500 acre-feet of Nipomo Supplemental Water each Year. However, the NMMA Technical
23 Group may require NCS D in any given Year to purchase and transmit to the NMMA an amount
24 in excess of 2,500 acre-feet and up to the maximum amount of Nipomo Supplemental Water
25 which the NCS D is entitled to receive under the MOU if the Technical Group concludes that such
26 an amount is necessary to protect or sustain Groundwater supplies in the NMMA. The NMMA
27 Technical Group also may periodically reduce the required amount of Nipomo Supplemental
28 Water used in the NMMA so long as it finds that groundwater supplies in the NMMA are not

1 endangered in any way or to any degree whatsoever by such a reduction.

2 3. The Stipulating Parties agree to support (and, conversely, not to oppose in
3 any way or to encourage or assist any other Person or party in opposing or challenging) the imple-
4 mentation of the MOU, which includes environmental and regulatory permits and approvals, the
5 approval of a wholesale water supply agreement between Santa Maria and NCSD, and the
6 alignment and construction of a pipeline and related infrastructure necessary to deliver the
7 Nipomo Supplemental Water from Santa Maria to the NMMA (“Nipomo Supplemental Water
8 Project”). ConocoPhillips retains the right to object to or provide input on the alignment of any
9 pipelines associated with the Nipomo Supplemental Water Project if they might interfere with the
10 location of existing ConocoPhillips pipelines. The Stipulating Parties retain their rights to be
11 compensated for any interest or property acquired in implementing the Nipomo Supplemental
12 Water Project.

13 4. NCSD and Santa Maria shall employ their best efforts to timely implement
14 the Nipomo Supplemental Water Project, subject to their quasi-judicial obligations specified for
15 administrative actions and in the California Environmental Quality Act.

16 5. The enforcement of the provisions of Paragraph VI(D) below is condi-
17 tioned upon the full implementation of the Nipomo Supplemental Water Project, including the
18 Yearly use of at least 2,500 acre-feet of Nipomo Supplemental Water (subject to the provisions of
19 Paragraph VI(A)(2) above) within the NMMA. In the event that Potentially Severe Water
20 Shortage Conditions or Severe Water Shortage Conditions are triggered as referenced in Para-
21 graph VI(D) before Nipomo Supplemental Water is used in the NMMA, NCSD, SCWC,
22 Woodlands and RWC agree to develop a well management plan that is acceptable to the NMMA
23 Technical Group, and which may include such steps as imposing conservation measures, seeking
24 sources of supplemental water to serve new customers, and declaring or obtaining approval to
25 declare a moratorium on the granting of further intent to serve or will serve letters. In the event
26 that it becomes apparent that the Nipomo Supplemental Water will not be fully capable of being
27 delivered, any Stipulating Party may apply to the Court, pursuant to a noticed motion, for appro-
28 priate modifications to this portion of the Stipulation and the judgment entered based upon the

1 terms and conditions of this Stipulation, including declaring this Paragraph VI to be null and void,
2 and of no legal or binding effect.

3 6. Once the Nipomo Supplemental Water is capable of being delivered, those
4 certain Stipulating Parties listed below shall purchase the following portions of the Nipomo
5 Supplemental Water Yearly:

6 NCS D - 66.68%

7 Woodlands Mutual Water Company - 16.66%

8 SCWC - 8.33%

9 RWC - 8.33%

10 **B. Rights to Use Groundwater**

11 1. ConocoPhillips and its successors-in-interest shall have the right to the
12 reasonable and beneficial use of Groundwater on the property it owns as of the date of this Stipu-
13 lation located in the NMMA (“ConocoPhillips Property”) without limitation, except in the event
14 the mandatory action trigger point (Severe Water Shortage conditions) described in Paragraph
15 VI(D) (2) below is reached. Further, any public water supplier which provides water service to
16 the ConocoPhillips Property may exercise that right subject to the limitation described in Para-
17 graph VI(D)(2).

18 2. Overlying Owners that are Stipulating Parties that own land located in the
19 NMMA as of the date of this Stipulation shall have the right to the reasonable and beneficial use
20 of Groundwater on their property within the NMMA without limitation, except in the event the
21 mandatory action trigger point (Severe Water Shortage Conditions) described in Paragraph
22 VI(D)(2) below is reached.

23 3. The Woodlands Mutual Water Company shall not be subject to restriction
24 in its reasonable and beneficial use of Groundwater, provided it is concurrently using or has made
25 arrangements for other NMMA parties to use within the NMMA, the Nipomo Supplemental
26 Water allocated to the Woodlands in Paragraph VI(A)(5). Otherwise, the Woodlands Mutual
27 Water Company shall be subject to reductions equivalent to those imposed on NCS D, RWC and
28 SCWC, as provided in Paragraph VI(D)(1-2).

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2 **C. NMMA Technical Group**

3 1. The NMMA Technical Group shall include representatives appointed by
4 NCSD, SCWC, ConocoPhillips, Woodlands Mutual Water Company and an agricultural Over-
5 lying Owner who is also a Stipulating Party.

6 2. The NMMA Technical Group shall develop a Monitoring Program for the
7 NMMA (“NMMA Monitoring Program”), which shall be consistent with the Monitoring
8 Program described in Paragraph IV(D). The NMMA Monitoring Program shall also include the
9 setting of well elevation and water quality criteria that trigger the responses set forth in Paragraph
10 D below. The Stipulating Parties shall provide monitoring and other production data to the
11 NMMA Technical Group at no charge, to the extent that such data has been generated and is
12 readily available. The NMMA Technical Group shall adopt rules and regulations concerning
13 measuring devices and production reports that are, to the extent feasible, consistent with the
14 Monitoring Programs for other Management Areas. If the NMMA Technical Group is unable to
15 agree on any aspect of the NMMA Monitoring Program, the matter may be resolved by the Court
16 pursuant to a noticed motion.

17 3. The NMMA Technical Group meetings shall be open to any Stipulating
18 Party. NMMA Technical Group files and records shall be available to any Stipulating Party upon
19 written request. Notices of the NMMA Technical Group meetings, as well as all its final work
20 product (documents) shall be posted to groups.yahoo.com/group/NipomoCommunity/

21 4. The NMMA Technical Group functions shall be funded by contribution
22 levels to be negotiated by NCSD, SCWC, RWC, ConocoPhillips, and Woodlands Mutual Water
23 Company. In-lieu contributions through engineering services may be provided, subject to agree-
24 ment by those parties. The budget of the NMMA Technical Group shall not exceed \$75,000 per
25 year without prior approval of the Court pursuant to a noticed motion.

26 5. Any final NMMA Technical Group actions shall be subject to *de novo*
27 Court review by motion.

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2 **D. Potentially Severe and Severe Water Shortage Conditions**

3 1. Caution trigger point (Potentially Severe Water Shortage Conditions)

4 (a) Characteristics. The NMMA Technical Group shall develop
5 criteria for declaring the existence of Potentially Severe Water Shortage Conditions. These
6 criteria shall be approved by the Court and entered as a modification to this Stipulation or the
7 judgment to be entered based upon this Stipulation. Such criteria shall be designed to reflect that
8 water levels beneath the NMMA as a whole are at a point at which voluntary conservation
9 measures, augmentation of supply, or other steps may be desirable or necessary to avoid further
10 declines in water levels.

11 (b) Responses. If the NMMA Technical Group determines that Poten-
12 tially Severe Water Shortage Conditions have been reached, the Stipulating Parties shall coordi-
13 nate their efforts to implement voluntary conservation measures, adopt programs to increase the
14 supply of Nipomo Supplemental Water if available, use within the NMMA other sources of
15 Developed Water or New Developed Water, or implement other measures to reduce Groundwater
16 use.

17 2. Mandatory action trigger point (Severe Water Shortage Conditions)

18 (a) Characteristics. The NMMA Technical Group shall develop the
19 criteria for declaring that the lowest historic water levels beneath the NMMA as a whole have
20 been reached or that conditions constituting seawater intrusion have been reached. These criteria
21 shall be approved by the Court and entered as a modification to this Stipulation or the judgment to
22 be entered based upon this Stipulation.

23 (b) Responses. As a first response, subparagraphs (i) through (iii) shall
24 be imposed concurrently upon order of the Court. The Court may also order the Stipulating
25 Parties to implement all or some portion of the additional responses provided in subparagraph (iv)
26 below.

27 (i) For Overlying Owners other than Woodlands Mutual Water
28 Company and ConocoPhillips, a reduction in the use of Groundwater to no more than 110% of

1 the highest pooled amount previously collectively used by those Stipulating Parties in a Year,
2 prorated for any partial Year in which implementation shall occur, unless one or more of those
3 Stipulating Parties agrees to forego production for consideration received. Such forbearance shall
4 cause an equivalent reduction in the pooled allowance. The base Year from which the calculation
5 of any reduction is to be made may include any prior single Year up to the Year in which the
6 Nipomo Supplemental Water is transmitted. The method of reducing pooled production to 110%
7 is to be prescribed by the NMMA Technical Group and approved by the Court. The quantifica-
8 tion of the pooled amount pursuant to this subsection shall be determined at the time the manda-
9 tory action trigger point (Severe Water Shortage Conditions) described in Paragraph VI(D)(2) is
10 reached. The NMMA Technical Group shall determine a technically responsible and consistent
11 method to determine the pooled amount and any individual's contribution to the pooled amount.
12 If the NMMA Technical Group cannot agree upon a technically responsible and consistent
13 method to determine the pooled amount, the matter may be determined by the Court pursuant to a
14 noticed motion.

15 (ii) ConocoPhillips shall reduce its Yearly Groundwater use to
16 no more than 110% of the highest amount it previously used in a single Year, unless it agrees in
17 writing to use less Groundwater for consideration received. The base Year from which the calcu-
18 lation of any reduction is to be made may include any prior single Year up to the Year in which
19 the Nipomo Supplemental Water is transmitted. ConocoPhillips shall have discretion in deter-
20 mining how reduction of its Groundwater use is achieved.

21 (iii) NCSD, RWC, SCWC, and Woodlands (if applicable as
22 provided in Paragraph VI(B)(3) above) shall implement those mandatory conservation measures
23 prescribed by the NMMA Technical Group and approved by the Court.

24 (iv) If the Court finds that Management Area conditions have
25 deteriorated since it first found Severe Water Shortage Conditions, the Court may impose further
26 mandatory limitations on Groundwater use by NCSD, SCWC, RWC and the Woodlands. Manda-
27 tory measures designed to reduce water consumption, such as water reductions, water restrictions,
28 and rate increases for the purveyors, shall be considered.

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2 (v) During Severe Water Shortage Conditions, the Stipulating
3 Parties may make agreements for temporary transfer of rights to pump Native Groundwater,
4 voluntary fallowing, or the implementation of extraordinary conservation measures. Transfer of
5 Native Groundwater must benefit the Management Area and be approved by the Court.

6 **E. New Urban Uses**

7 1. Within the sphere of influence or service area. New Urban Uses shall
8 obtain water service from the local public water supplier. The local public water supplier shall
9 provide water service on a reasonable and non-discriminatory basis.

10 2. Outside the sphere of influence or service area. New municipal and indus-
11 trial uses on land adjacent to or within one quarter mile of the boundary line depicted in Exhibit D
12 shall comply with any applicable Corporations Code provisions, including good faith negotiations
13 with the local water purveyor(s), prior to forming a mutual water company to provide water
14 service.

15 3. The ConocoPhillips property, owned as of the date of this Stipulation and
16 located within the NMMA, is not in the sphere of influence or service area, nor is it in the process
17 of being included in the sphere of influence, of a municipality or within the certificated service
18 area of a publicly regulated utility as of the date of this Stipulation, nor is it adjacent to or in close
19 proximity to the sphere of influence of a municipality or the certificated service area of a publicly
20 regulated utility as of the date of this Stipulation, as those terms are used in Paragraphs VI(E)(1
21 and 2).

22 4. No modification of land use authority. This Stipulation does not modify the
23 authority of the entity holding land use approval authority over the proposed New Urban Uses.

24 5. New Urban Uses as provided in Paragraph VI(E)(1) above and new muni-
25 cipal and industrial uses as provided in Paragraph VI(E)(2) above shall provide a source of
26 supplemental water, or a water resource development fee, to offset the water demand associated
27 with that development. For the purposes of this Paragraph, supplemental water shall include all
28 sources of Developed Water or New Developed Water.

1 **VII. PHYSICAL SOLUTION: PROVISIONS SPECIFIC TO NORTHERN CITIES**
2 **MANAGEMENT AREA**

3 These terms, supplemented by the provisions of this Stipulation that apply to all
4 Management Areas, govern water rights and resources in the Northern Cities Management Area.

5 1. Groundwater Monitoring. Groundwater monitoring in the Northern Cities
6 Management Area will be conducted by the Northern Cities in the manner described above.

7 2. Lopez Project. The Lopez Project will continue to be managed by the SLO
8 District. The Northern Cities and Landowners will continue to bear costs of the Lopez Reservoir
9 and no costs of the Twitchell Reservoir.

10 3. Independent Management Per Settlement Agreement.

11 (a) Existing Groundwater, SWP Water and Storage Space in the
12 Northern Cities Management Area will continue to be allocated and independently managed by
13 the Northern Parties in accordance with the Northern Cities and Northern Landowners' 2002
14 Settlement Agreement (Exhibit "E") for the purpose of preserving the long-term integrity of water
15 supplies in the Northern Cities Management Area. That Settlement Agreement initially allocates
16 57% of the safe yield of groundwater in Zone 3 to the farmers and 43% to the cities; and it
17 provides *inter alia* that any increase or decrease in the safe yield will be shared by the cities and
18 landowners on a pro rata basis. That Settlement Agreement is reaffirmed as part of this Stipula-
19 tion and its terms are incorporated into this Stipulation, except that the provisions regarding con-
20 tinuing jurisdiction (§ 4), groundwater monitoring, reporting, and the Technical Oversight
21 Committee (§§ 7-20) are canceled and superseded by the provisions of this Stipulation dealing
22 with those issues.

23 (b) Without the written agreement of each of the Northern Cities, no
24 party other than Northern Parties shall have any right to:

25 (i) pump, store, or use Groundwater or surface water within the
26 Northern Cities Management Area; or

27 (ii) limit or interfere with the pumping, storage, management or
28 usage of Groundwater or surface water by the Northern Parties within the Northern Cities

1 Management Area.

2 (c) For drought protection, conservation, or other management pur-
3 poses, the Northern Parties may engage in contractual transfers, leases, licenses, or sales of any of
4 their water rights, including voluntary fallowing programs. However, no Groundwater produced
5 within the Northern Cities Management Area may be transported outside of the Northern Cities
6 Management Area without the written agreement of each of the Northern Cities.

7 4. Current and future deliveries of water within the spheres of influence of the
8 Northern Cities as they exist on January 1, 2005 shall be considered existing uses and within the
9 Northern Cities Management Area.

10 **VIII. INJUNCTION – ALL MANAGEMENT AREAS**

11 **A. Use Only Pursuant to Stipulation**

12 Each and every Stipulating Party, their officers, agents, employees, successors and
13 assigns, are enjoined and restrained from exercising the rights and obligations provided through
14 this Stipulation in a manner inconsistent with the express provisions of this Stipulation.

15 **B. Injunction Against Transportation From the Basin**

16 Except upon further order of the Court, each and every Stipulating Party and its officers,
17 agents, employees, successors and assigns, is enjoined and restrained from transporting Ground-
18 water to areas outside the Basin, except for those uses in existence as of the date of this Stipula-
19 tion; provided, however, that Groundwater may be delivered for use outside the Basin as long as
20 the wastewater generated by that use of water is discharged within the Basin, or agricultural
21 return flows resulting from that use return to the Basin.

22 **C. No Third Party Beneficiaries**

23 This Stipulation is intended to benefit the Stipulating Parties and no other Parties. Only a
24 Stipulating Party may enforce the terms of this Stipulation or assert a right to any benefits of, or
25 enforce any obligations contained in this Stipulation.

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1 **IX. RESERVED JURISDICTION – ALL MANAGEMENT AREAS**

2 **A. Reserved Jurisdiction; Modifications, Cancellations, Amendments**

3 Jurisdiction, power and authority are retained by and reserved to the Court as set forth in
4 this Paragraph. Nothing in the Court's reserved jurisdiction shall authorize modification, cancel-
5 lation or amendment of the rights provided under Paragraphs III; V(A, E); VI(A, B, D); VII(2, 3);
6 VIII(A); IX(A, C); and X(A, D) of this Stipulation. Subject to this limitation, the Court shall
7 make such further or supplemental orders as may be necessary or appropriate regarding the
8 following:

- 9 1. enforcement of this Stipulation;
- 10 2. claims regarding waste/unreasonable use of water;
- 11 3. disputes between Stipulating Parties across Management Area boundaries;
- 12 4. interpretation and enforcement of the judgment;
- 13 5. consider the content or implementation of a Monitoring Program;
- 14 6. consider the content, conclusions, or recommendations contained in an
15 Annual Report;
- 16 7. consider Twitchell Project operations, including, but not limited to: i) the
17 content of the Twitchell Project Manual; ii) TMA or District compliance
18 with the Twitchell Project Manual; iii) decisions to implement Extraor-
19 dinary Project Operations; or iv) the maintenance of Twitchell Yield;
- 20 8. claims of localized physical interference between the Stipulating Parties in
21 exercising their rights pursuant to this Stipulation; provided, however,
22 rights to use Groundwater under this Stipulation shall have equal status;
23 and
- 24 9. modify, clarify, amend or amplify the judgment and the Northern Parties
25 Settlement Agreement; Provided, however, that all of the foregoing shall
26 be consistent with the spirit and intent of this Stipulation.

27 ///

28 ///

1 **B. Water Quality**

2 Nothing in the Stipulation shall be interpreted as relieving any Stipulating Party of its
3 responsibilities to comply with state or federal laws for the protection of water quality or the
4 provisions of any permits, standards, requirements, or orders promulgated thereunder.

5 **C. Duty to Cooperate**

6 The Stipulating Parties agree not to oppose, or in any way encourage or assist any other
7 party in opposing or challenging, any action, approval, or proceeding necessary to obtain
8 approval of or make effective this Stipulation or the judgment to be entered on terms consistent
9 with this Stipulation.

10 **D. Stipulating Parties Under Public Utilities Commission Regulation**

11 1. To the extent allowed by law, SCWC and RWC shall comply with this
12 Stipulation, prior to obtaining California Public Utilities Commission (“PUC”) approval. If the
13 PUC fails to approve SCWC’s and RWC’s participation or fails to provide approval of the neces-
14 sary rate adjustments so that SCWC and RWC may meet their respective financial obligations,
15 including the participation in Developed Water projects, Monitoring Programs, TMA and as
16 otherwise provided in this Stipulation, shall render the entirety of the Stipulation and those terms
17 of any judgment based on this Stipulation invalid, void and unenforceable, as to any Stipulating
18 Party who files and serves a notice of rescission within sixty days of notice by SCWC or RWC of
19 a final PUC Order.

20 2. Any Party, or its successors or assigns, agreeing to become a new customer
21 of SCWC or RWC, or an existing customer proposing to increase its water use through a change
22 in land use requiring a discretionary land use permit or other form of land use entitlement, that
23 has not executed reservation contracts for supplemental water as specified in Exhibit F will
24 provide the following, once approved by the PUC:

25 (a) If in the Santa Maria Valley Management Area, a water resource
26 development fee as specified in Exhibit F or a source of supplemental water sufficient to offset
27 the consumptive demand associated with the new use as provided in Paragraph V(E); or

28 ///

1 (b) If in the NMMA, a water resource development fee, or a source of
2 supplemental water sufficient to offset the consumptive demand associated with the new use.

3 3. Any Person who is not engaged in a New Urban Use and who agrees to
4 become a customer of SCWC or RWC shall retain its right to contest the applicable water
5 resource development fee, should that fee ever become applicable to that Person.

6 **E. Designation of Address, for Notice and Service**

7 Each Stipulating Party shall designate the name, address and e-mail address, if any, to be
8 used for purposes of all subsequent notices and service, either by its endorsement on the Stipula-
9 tion for entry of judgment or by a separate designation to be filed within thirty days after execu-
10 tion of this Stipulation. This designation may be changed from time to time by filing a written
11 notice with the Court. Any Stipulating Party desiring to be relieved of receiving notices may file
12 a waiver of notice on a form approved by the Court. The Court shall maintain at all times a
13 current list of Parties to whom notices are to be sent and their addresses for purposes of service.
14 The Court shall also maintain a full current list of names, addresses, and e-mail addresses of all
15 Parties or their successors, as filed herein. Copies of such lists shall be available to any Person.
16 If no designation is made, a Stipulating Party's designee shall be deemed to be, in order of
17 priority: i) the Party's attorney of record; ii) if the Party does not have an attorney of record, the
18 Party itself at the address specified.

19 **F. No Loss of Rights**

20 Nothing in this Stipulation shall be interpreted to require or encourage any Stipulating
21 Party to use more water in any Year than is actually required. As between the Stipulating Parties,
22 failure to use all of the water to which a Stipulating Party is entitled hereunder shall not, no matter
23 how long continued, be deemed or constitute an abandonment or forfeiture of such Stipulating
24 Party's rights, in whole or in part.

25 **G. Intervention After Judgment**

26 Any Person who is not a Party or successor to a Party, who proposes to use Groundwater
27 or Storage Space, may seek to become a Party to the judgment through a petition for intervention.
28 The Court will consider an order confirming intervention following thirty days notice to the

1 Parties. Thereafter, if approved by the Court, such intervenor shall then be a Party bound by the
2 judgment as provided by the Court.

3 **H. Stipulation and Judgment Binding on Successors, Assigns, etc.**

4 The Stipulating Parties agree that all property owned by them within the Basin is subject
5 to this Stipulation and the judgment to be entered based upon the terms and conditions of this
6 Stipulation. This Stipulation and the judgment will be binding upon and inure to the benefit of
7 each Stipulating Party and their respective heirs, executors, administrators, trustees, successors,
8 assigns, and agents. This Stipulation and the judgment to be entered based the terms and condi-
9 tions of this Stipulation shall not bind the Stipulating Parties that cease to own property within the
10 Basin, or cease to use Groundwater. As soon as practical after the effective date of this Stipula-
11 tion, a memorandum of agreement referencing this Stipulation shall be recorded in Santa Barbara
12 and San Luis Obispo Counties by Santa Maria, in cooperation with the Northern Cities and
13 SCWC. The document to be recorded shall be in the format provided in Exhibit "H".

14 **I. Costs**

15 No Stipulating Party shall recover any costs or attorneys fees from another Stipulating
16 Party incurred prior to the entry of a judgment based on this Stipulation.

17 **J. Non-Stipulating Parties**

18 It is anticipated that the Court will enter a single judgment governing the rights of all
19 Parties in this matter. The Stipulating Parties enter into this Stipulation with the expectation that
20 the Court will enter, as a part of the judgment, the terms and conditions of this Stipulation. This
21 Stipulation shall not compromise, in any way, the Court's legal and equitable powers to enter a
22 single judgment that includes provisions applicable to the non-Stipulating Parties that may
23 impose differing rights and obligations than those applicable to the Stipulating Parties. As against
24 non-Stipulating Parties, each Stipulating Party expressly reserves and does not waive its right to
25 appeal any prior or subsequent ruling or order of the Court, and assert any and all claims and
26 defenses, including prescriptive claims. The Stipulating Parties agree they will not voluntarily
27 enter into a further settlement or stipulation with non-Stipulating Parties that provides those non-
28 Stipulating Parties with terms and conditions more beneficial than those provided to similarly

1 situated Stipulating Parties.

2 **K. Counterparts**

3 This Stipulation may be signed in any number of counterparts, including counterparts by
4 facsimile signature, each of which shall be deemed an original, but all of which shall together
5 constitute one and the same instrument. The original signature pages shall be filed with Court.

6 **L. Effective Date**

7 This Stipulation shall be effective when signed by the Stipulating Parties listed on Exhibit
8 “A” and accepted by the Court.

Party	Signature, title, and date	Parcels Subject to Stipulation
Attorney of Record	Approved as to form: By: _____ Date: _____	

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PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is HATCH & PARENT, 21 E. Carrillo Street, Santa Barbara, California 93101.

Pursuant to the Court's Order dated June 28, 2000, I, Gina Lane, did the following:

- Posted the following document at approximately 4:30 p.m. on June 30, 2005.

STIPULATION (JUNE 30, 2005 VERSION)

- Mailed a Notice of Availability to all parties (designating or defaulting to mail service) on the current website's service list.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 30, 2005, at Santa Barbara, California.



GINA M. LANE

Appendix I
City of Santa Maria 2010 Water Quality Report

WATER QUALITY REPORT



This report provides information regarding the quality of water for the City of Santa Maria during 2010. Included are details about where your water comes from, what it contains, and how it compares to State standards. Your health, safety, and environment are our number one priority.

CITY OF SANTA MARIA



Utilities Department
(805) 925-0951 ext. 7270

2065 E. Main Street - Santa Maria, CA 93454
TDD 800-735-2929 (English) • 800-855-3000 (Spanish)
www.ci.santa-maria.ca.us

Este informe contiene información muy importante sobre su agua para beber. Tradúzcalo ó hable con alguien que lo entienda bien.

WATER SUPPLY: The City of Santa Maria is committed to producing the highest quality drinking water from our two sources of supply: City water wells located in the Santa Maria Airport area, and State Water treated at the Polonio Pass Water Treatment Plant by the Central Coast Water Authority and delivered to the City of Santa Maria via the Coastal Branch Aqueduct. In 2010, the City received about 77 percent of its water from the State Water Project.

WATER QUALITY: The City of Santa Maria routinely checks water quality from the source right to your home. Please see the other side of this sheet, which summarizes test results dating from 2007 through 2010, and shows that the **City of Santa Maria met all State and Federal drinking water standards in 2010.**

All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the U.S. Environmental Protection Agency Safe Drinking Water Hotline at 1-800-426-4791.

In order to ensure that tap water is safe to drink, the U.S. Environmental Protection Agency and the California Department of Public Health (CDPH) prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. CDPH regulations also establish limits for contaminants in bottled water that provide the same protection for public health.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons, such as people undergoing chemotherapy, people who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline at 1-800-426-4791.

SOURCE WATER ASSESSMENT: A drinking water source assessment for the City of Santa Maria was completed in January 2003. The City's water sources were considered most vulnerable to the following activities: runoff and leaching from fertilizer use, septic tanks, and sewage, and erosion of natural deposits. You may request a summary of the assessment at the City of Santa Maria Utilities Department, 2065 E. Main Street, Santa Maria, CA 93454, or by contacting the City of Santa Maria at (805) 925-0951 extension 7270.

WATER SYSTEM SECURITY: Multiple levels of safety are implemented to protect the City of Santa Maria's drinking water system. These measures are part of our ongoing operation, and ensure the safe treatment and delivery of water. Rest assured that a system is in place to protect your drinking water.

CONTAMINANTS: Sources of drinking water (both tap water and bottled water) include rivers, streams, lakes, reservoirs, springs, and wells. As water travels over the surface of the land or

through the ground, it dissolves naturally-occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

Microbial contaminants, such as viruses and bacteria that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife;

Inorganic contaminants, such as salts and metals that can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming;

Pesticides and herbicides that may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses;

Organic chemical contaminants, including synthetic and volatile organic chemicals that are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems; and

Radioactive contaminants that can be naturally occurring or the result of oil and gas production and mining activities.

ABOUT LEAD: If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The City of Santa Maria is responsible for providing high quality drinking water, but cannot control the variety of materials used in household plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 20 seconds to two minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline, 1-800-426-4791, or at <http://www.epa.gov/safewater/lead>.

ABOUT NITRATE: Nitrate in drinking water at levels above 45 ppm is a health risk for infants of less than six months of age. Such nitrate levels in drinking water can interfere with the capacity of an infant's blood to carry oxygen, resulting in a serious illness. Symptoms include shortness of breath and blueness of the skin. Nitrate levels above 45 ppm may also affect the ability of the blood to carry oxygen in other individuals, such as pregnant women and those with certain specific enzyme deficiencies. If you are caring for an infant, or you are pregnant, you should ask advice from your health care provider.

COMMENTS? Your comments are important to us and may be heard at any regular meeting of the Santa Maria City Council, which meets the first and third Tuesday of each month at 6:30 p.m. in the City Hall Council Chambers, 110 E. Cook Street, Santa Maria. For more information about this report, or for any questions related to your drinking water, please call the Water Resources Manager or the Regulatory Compliance Coordinator at (805) 925-0951 extension 7270. ■

2010 WATER QUALITY INFORMATION

PRIMARY DRINKING WATER STANDARDS--Mandatory Health-Related Standards

Parameter	Units	State MCL	PHG (MCLG)	PURCHASED STATE PROJECT WATER		LOCAL GROUNDWATER (f)		MAJOR SOURCES
				RANGE	AVERAGE	RANGE	AVERAGE	
Turbidity (a)	NTU	TT = 0.3		0.03-0.12	100% < 0.3	NA	NA	Soil runoff
Aluminum (b)	ppb	1000	600	ND-180	90	ND	ND	Residue from water treatment; erosion of natural deposits

DISTRIBUTION SYSTEM MONITORING

Total Chlorine Residual	ppm	MRDL = 4.0	MRDLG = 4.0	Average = 2.1 (Range = 0.7-2.8)				Measure of the disinfection of the water
Total Coliform Bacteria (c)	NA	see note (c)	(0)	0-2.5%	0.2%	0-1.0%	0.8%	Naturally present in the environment
Fluoride (treated water) (d)	ppm	2	1	Average = 0.94 (Range = 0.69-1.18)				Erosion of natural deposits; additive to promote strong teeth
Total Trihalomethanes (e)	ppb	80	NA	Average = 38 (Range = 19-51)				Byproduct of drinking water chlorination
Haloacetic Acids (e)	ppb	60	NA	Average = 13 (Range = 9-18)				Byproduct of drinking water chlorination
Nitrate as NO ₃	ppm	2	2	Average = 5 (Range = 2-28)				Leaching from fertilizers; erosion of natural deposits

SECONDARY DRINKING WATER STANDARDS--Aesthetic Standards

Chloride	ppm	500	NA	43-162	83	29-64	52	Runoff/leaching from natural deposits; seawater influence
Odor Threshold	Units	3	NA	1	1	1-2	1	Naturally-occurring organic materials
Specific Conductance	µS/cm	1600	NA	Average = 605 (Range = 358-795)				Substances that form ions when in water; seawater influence
Sulfate	ppm	500	NA	93	93	320-530	431	Runoff/leaching from natural deposits; industrial wastes
Total Dissolved Solids	ppm	1000	NA	200-615	328	720-1000	881	Runoff/leaching from natural deposits
Turbidity	NTU	2	NA	Average = 0.1 (Range: <0.1-0.45)				Soil runoff

ADDITIONAL PARAMETERS (Unregulated)

Alkalinity (Total) as CaCO ₃	ppm	NA	NA	Average = 91 (Range = 65-124)				Runoff/leaching from natural deposits; seawater influence
Boron	ppb	NL = 1000	NA	ND	ND	120-200	153	Runoff/leaching from natural deposits; seawater influence
Calcium	ppm	NA	NA	Average = 38 (Range = 18-61)				Runoff/leaching from natural deposits; seawater influence
Hardness (Total) as CaCO ₃	ppm	NA	NA	70-170	107	470-830	653	Leaching from natural deposits
Magnesium	ppm	NA	NA	17	17	50-79	66	Runoff/leaching from natural deposits; seawater influence
pH	pH units	NA	NA	Average = 7.7 (Range = 7.5-7.8)				Runoff/leaching from natural deposits; seawater influence
Potassium	ppm	NA	NA	3.2	3.2	3.0-3.9	3.3	Runoff/leaching from natural deposits; seawater influence
Sodium	ppm	NA	NA	82	82	57-76	64	Runoff/leaching from natural deposits; seawater influence
Vanadium	ppb	NL = 50	NA	ND	ND	3.8-7.7	4.95	Runoff/leaching from natural deposits; combustion of fossil fuels

LEAD AND COPPER SAMPLING PROGRAM - SAMPLING OCCURRED IN JULY 2010

Parameter	Units	Samples Collected	90th Percentile Level Detected	Number of Sites Exceeding AL	AL	PHG	MAJOR SOURCES
Copper	ppm	30	NA	0	1.3	0.3	Plumbing system corrosion; erosion of natural deposits
Lead	ppb	30	NA	0	15	0.2	Plumbing system corrosion; erosion of natural deposits

ABBREVIATIONS, DEFINITIONS, AND NOTES

Notes:

- Turbidity (NTU) measures the cloudiness of the water and is a good indicator of the effectiveness of State Water filtration. The performance standard is less than 0.3 NTU in 95% of measurements taken every 15 minutes and not to exceed 1.0 NTU at any time. Turbidity as delivered is listed in the Secondary Standards.
- Aluminum also has a Secondary MCL of 200 ppb.
- Total coliform MCL: No more than 5.0% of the monthly samples may be Total Coliform positive.
- Fluoride is added to the water to help prevent cavities. Target fluoride levels are set by California Department of Public Health.
- Compliance based on the running quarterly annual average of distribution system samples.
- Water quality information from individual wells includes samples collected from 2007-2010.

Abbreviations

- AL = Regulatory Action Level
 NA = Not Applicable
 ND = Not Detected
 NL = Notification Level
 NTU = Nephelometric Turbidity Units
 ppb = parts per billion, or micrograms per liter (µg/L)
 ppm = parts per million, or milligrams per liter (mg/L)
 TT = Treatment Technique
 µS/cm = microsiemens per centimeter (unit of specific conductance of water)

Definitions:

Maximum Contaminant Level (MCL): The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs are set to protect the odor, taste, and appearance of drinking water.

Maximum Contaminant Level Goal (MCLG): The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency.

Maximum Residual Disinfectant Level (MRDL): The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG): The level of a drinking water disinfectant below which there is no known or expected risk to health.

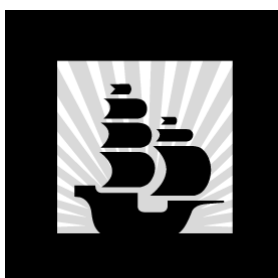
Primary Drinking Water Standard (PDWS): MCLs and MRDLs for contaminants that affect health along with their monitoring and reporting requirements, and water treatment requirements.

Public Health Goal (PHG): The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency.

Regulatory Action Level (AL): The concentration of a contaminant which, if exceeded, triggers the monitoring requirements of a drinking water system.

Secondary Drinking Water Standards (SDWS): MCLs for contaminants that affect taste, odor, or appearance of the drinking water. Contaminants with SDWSs do not affect your health at the MCL level.

Appendix J
City of Santa Maria Draft Water Shortage
Contingency Plan and Draft Resolution



DRAFT
Water Shortage Contingency Plan – City of Santa Maria

May 2011

City of Santa Maria

Utilities Department

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Chapter 1 - Introduction

Introduction

The Urban Water Management Planning Act, which is contained within Division 6, Part 2.6 of the California Water Code, sections 10610 through 10656 as last amended by Senate Bill 318, requires an urban water shortage contingency analysis which includes the following elements:

- (a) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.
- (b) An estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply.
- (c) Actions to be undertaken by the urban water supplier to prepare for, and implement during a catastrophic interruption of water supplies including California Urban Water Management Planning Act Page 9 August 1, 2003, but not limited to, a regional power outage, an earthquake, or other disaster.
- (d) Additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning.
- (e) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.
- (f) Penalties or charges for excessive use, where applicable.
- (g) An analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f) inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.
- (h) A draft water shortage contingency resolution or ordinance
- (i) A mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency analysis.

This document fulfills the requirements of this section of the Urban Water Management Act and provides a concrete mechanism for dealing with acute or chronic water shortages, regardless of the cause. The Urban Drought Guidebook, 2008 updated edition, prepared by the State of California Department of Water Resources, Office of Water Use Efficiency and Transfers was used as a resource in preparing this plan.

The City's policy is to maximize use of all of its water resources, each to its best application, to maintain water supply under varying levels of availability, with a focus on ensuring public health and safety.

This plan has been developed in collaboration with a Water Shortage Response Team that consists of City staff from the Utilities and Finance Departments, along with assistance from the City Attorney's Office.

Background

The City of Santa Maria is located in the Santa Maria Valley of Santa Barbara County, about 180 miles north of Los Angeles. The City has cool winters and mild summers with an average annual rainfall of about 13 inches. The rainy season is from November to March and low humidity occurs from the months of May to October. The moderately hot and dry weather during the summer months typically results in moderately high water demand during this time.

The City provides water distribution services to the City and nearby areas outside the city limits. The City's population that is served within the boundaries is estimated at 99,553 in 2010 and is expected to reach 118,900 by 2035. The service area boundary includes developed and undeveloped land to the west, south, and east of the City's center. A portion of the City's service area lies outside the city limits, within unincorporated areas of Santa Barbara County. The service area is primarily characterized by residential and commercial land use.

Chapter 2 – Water Supply

Sources of Supply

Historically, the City has pumped water from the Santa Maria Valley Groundwater Basin (Basin) as its primary water supply. The City began receiving State Water Project (SWP) water from the Central Coast Water Authority (CCWA) in 1997. The SWP water augments local groundwater supplies and is generally higher quality water.

The City's rights to rely on Basin water resources (for pumping and recharge) are governed by a settlement agreement (Stipulation) finalized before the Santa Clara County Superior Court (Santa Maria Valley Water Conservation District vs. City of Santa Maria, et al., Case no. 770214). Groundwater supply information is based on this Stipulation (commonly known as the "Santa Maria Groundwater Adjudication").

Under the Stipulation, the City derives its water supply from (1) imported water from the State Water Project (SWP) and the associated return flows that may be recaptured from the Santa Maria Groundwater Basin, (2) assigned rights to groundwater from the Santa Maria Groundwater Basin, and (3) a share of the yield of Twitchell Reservoir operations.

The imported water supply is obtained from the SWP through a contract with CCWA. Groundwater is pumped from a total of seven active groundwater wells in the Basin. The City's usable wells have a total normal year active capacity of 23,426 acre-feet per year (ac-ft/yr). The average production between 2005 and 2010 was 3,378 ac-ft/yr.

Water supply availability has not in the past nor is expected in the future to be affected by season. For instance, there is no evidence of decreased well field production in the summer months. For State Water, allocation is based on the calendar year. Early predictions of the final allocation are released before the start of the calendar year, but tend to be conservative estimates. The final allocation may not be issued until May. However, careful balancing of water resources, groundwater, carryover water, and State Water allow for the water use to be spread throughout the year.

Table 1 shows the planned water supplies for the City of Santa Maria.

Table 1: Planned Water Supplies for the City of Santa Maria¹

Source	2015	2020	2025	2030	2035
Purchased Water from SWP ²	11,227	11,048	10,870	10,870	10,692
Groundwater ³	12,795	12,795	12,795	12,795	12,795
Twitchell Yield/Commingled Groundwater ⁴	14,300	14,300	14,300	14,300	14,300
Return Flows from SWP water ⁵	7,297	7,181	7,066	7,066	6,950
Recycled Water	0	0	0	0	0
Total	45,619	45,324	45,031	45,031	44,737

1. Unit of measure ac-ft/yr
2. Volumes shown in 2015, 2020, 2025, 2030, and 2035 are based on the long term reliability factor of 63%, 62%, 61%, 61%, and 60%, respectively from the State Water Project Delivery Reliability 2009 Report.
3. Groundwater supplies are based on appropriate rights in Santa Maria Groundwater Basin as defined in the Stipulation. Pursuant to the Court's Phase 5 Tentative Decision, the City has been assigned 5,100 ac-ft/yr prescriptive rights, which are included in this figure.
4. Further details can be found in Exhibit F of the Groundwater Stipulation
5. Pursuant to the Stipulation, the City is entitled to recapture 65% of its SWP use in the basin.

Table 2 shows the water wells available to meet water demand in the City. Total production capability out of the City's active production wells is 23,426 ac-ft/yr.

Table 2: City of Santa Maria Groundwater Wells

Well	Capacity, gpm	Alternate Power?	Quality Issues?
5H	600	Capable	Yes – Nitrate above MCL, irrigation only
9S	1,800	No	Yes – Nitrate above MCL
10S	2,500	Capable	No
11S	2,150	Yes	No
12S	2,500	Capable	No
13S	2,500	Yes	No
14S	2,500	Yes	No

Supply Availability

The City’s water supply portfolio under various scenarios is presented in Table 3. This table shows maximum water rights, and the impacts of the long-term expected yield, a multi-year drought, and a worst case single-year drought.

Table 3: City of Santa Maria Water Supply Portfolio

Description	State Water Project		Groundwater		Total
	CCWA	Return	Appropriative	Twitchell	
Water Rights/Contracts	17,820	11,583	12,795	14,300	56,498
	100%	65%	100%	100%	100%
Long-Term Yield	10,692	6,950	12,795	14,300	44,737
	60%	65%	100%	100%	58%
Multi-Year Drought	6,059	3,938	9,596	14,300	33,893
	34%	65%	75%	100%	44%
Worst Case Drought	1,247	3,938 ¹	6,398	14,300	22,756
	7%	65%	50%	100%	35%

1. Return flows are based on the total amount of SWP water used by the City in the prior five years, divided by five and then multiplied by 0.65.

Upon development, agricultural prescriptive rights are unable to be assigned or conveyed separate or apart from these lands. As a result, the reduction in the amount of irrigated agriculture increases the reliability of the City’s appropriative rights, as these rights are limited to water that is surplus to the reasonable and beneficial uses of the overlying landowners. In addition, as agricultural interests choose to sell their Twitchell rights, the City may be in a position to purchase them.

The Groundwater Settlement Stipulation requires that the Management Area Engineer prepare an annual report that summarizes the results of the Monitoring Program, changes in groundwater supplies, and any threats to Groundwater Supplies. The 2010 annual report indicates that there is no severe water shortage in the Santa Maria Valley Management Area as of 2009.

Minimum Supply

The Urban Water Management Act requires an estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the City of Santa Maria’s water supply.

Table 4 summarizes the minimum volume of water available from each source during the next three years based on the lowest single year historical allocation of State Water in 2011, return flows based on 65% of the average of the last five years of State Water delivery, and 100 percent reliability of developed supply (Twitchell Yield).

The City of Santa Maria’s supply is expected to exceed water demand from 2012 to 2014

Table 4: Water Supply Availability - 2012-2014

	2012	2013	2014
SWP	6,059	6,059	6,059
Twitchell Yield	14,300	14,300	14,300
Groundwater	12,795	12,795	12,795
Return Flows	3,938	3,938	3,938
Total	37,092	37,092	37,092
Anticipated Demand	13,617	13,654	13,781

Recent Improvements in Supply and Reliability

The City has taken several steps in recent years to bolster its ability to supply local groundwater. Well 11S was previously not connected to the well header that delivers groundwater to the City's Blending and Disinfection Facility. As a result, Well 11S was not considered available for normal daily supply because its water did not receive the benefit of blending and chemical addition that would make its supply consistent with the remainder of the domestic supply. In 2008, a pipeline was constructed to connect Well 11S to the well header, and now Well 11S supply can be blended and chemically treated through the blender. Well 11S is now considered equivalent to the other major production wells in terms of its availability for normal water supply.

The City has rehabilitated and reactivated Well 5H, which was an old production well that was removed from service because of high nitrate and hardness. The well has been repurposed as an untreated groundwater supply to irrigate large landscaped areas in the vicinity of the Civic Center. Although this water supply is not available for domestic purposes, it helps to alleviate the demand for potable supply, particularly in the high demand summer months, when irrigation demands peak. Work is underway to extend this secondary water system to additional large irrigation areas at schools and parks to further alleviate demand on the potable water supply.

The City has begun installing a fixed base meter reading system. This new meter reading system reduces water demand by identifying customer side leaks.

The City is working to procure additional State Water through San Luis Obispo or Santa Barbara counties to augment its existing allocation, using existing infrastructure. This additional allocation will bolster imported water supply in low allocation years, helping the City to provide a higher quality water supply even in years when State Water supply is low.

The City continues to work with the community to encourage water conservation on a voluntary basis. Water conservation activities include bus ads, water conservation kits, soil moisture meters, shower timers, toilet tank banks, and other promotional items.

These projects and programs increase the number of wells available for groundwater production, maximize groundwater production to its best use, reduce reliance on any one pipeline, electrical system, or well, and assist in allowing the City of Santa Maria to successfully meet municipal water needs in acute or chronic water shortage conditions.

Chapter 3 Water Demand

Historical Water Demand

Water demand in the City of Santa Maria has gradually increased as population has increased. However, as a result of conservation measures, the per capita water use has dropped considerably over time. Per capita water use has dropped from over 200 gallons per capita per day before the year 1990 to under 140 gallons per capita per day in 2009.

Future Water Demand

Future water demand is expected to increase due to an increase in population and an expansion of service area, but per capita use is expected to decrease as a result of the Governor’s 20 by 2020 initiative to reduce the State’s urban water use by 20 percent by the year 2020.

Population increase was derived from the Santa Barbara County Association of Governments’ Regional Growth Forecast from 2005 through 2040. Table 5 shows the population increase through 2035 for the City of Santa Maria.

The Governor’s 20 by 2020 initiative includes a per capita water use target for 2020 of 122 gallons per capita per day with an interim goal of 138 gallons per capita per day by the year 2015. This initiative is a major driver in the potable water demand for the City. Using the anticipated population growth for the City and the 20 by 2020 target per capita water use, an anticipated water use has been determined for the City of Santa Maria. Table 5 also shows the anticipated potable water demand through 2035, taking into account the 20 by 2020 initiative goals.

Table 5: City of Santa Maria Projected Population and Water Demand

Year	2015	2020	2025	2030	2035
Population	102,300	109,500	116,700	118,300	118,900
Potable Water Demand, AF	12,983	13,922	14,437	15,041	15,117

Other impacts to the City’s water portfolio include groundwater sales to the Orcutt area, interagency potable water exchanges with Golden State Water Company, and water sales to the Nipomo Community Services District. Orcutt groundwater sales are a sale of groundwater rights and are not impacted by the City’s water supply infrastructure. Except for the first 20 AF per year, Golden State’s potable water exchanges involve an exchange of Golden State’s State Water allocation for the City’s potable water supply.

Nipomo water sales, however, involve potable water delivery and utilize the City’s water supply infrastructure. The agreement between Nipomo and the City requires that the City deliver and Nipomo pay for a minimum 2,000 AF for the first 10 years of delivery, 2,500 AF for years 11 through 19, and 3,000 AF for deliveries from year 20 through the end of the agreement. Using these numbers, Table 6 shows the water demand taking into account all of the obligations of the City for potable water supply.

Table 6: Total Water Demand

	2015	2020	2025	2030	2035
City of Santa Maria Demand	12,983	13,922	14,437	15,041	15,117
Nipomo CSD Demand	2,000	2,000	2,500	2,500	3,000
Golden State Demand	20	20	20	20	20
Orcutt Water Sales (Return Flows)	473	600	800	900	900
System Losses	623	668	712	722	725
Total	16,099	17,210	18,469	19,183	19,762

Chapter 4 Supply and Demand Assessment

The City has a healthy water supply portfolio that is sufficient to meet projected demands through 2035, even in a worst-case drought year. However, the City’s use of its available groundwater for domestic supply can be impacted by nitrate. In the event that drinking water standards cannot be met with the use of available wells, the City may need to take action to reduce water demand to assure a safe drinking water supply until water treatment can be implemented.

A review of water use by customer class shows a consistent seasonal demand by industrial customers, a slight increase in summer months by multi-family customers, and a large seasonal difference between summer and winter months for both commercial and single-family customers. As expected, meters dedicated to landscape irrigation also show higher water demand during warmer months.

Landscape irrigation would be considered less critical than other water uses, including public health and safety, basic sanitation, and domestic supply. For the year 2009, demand during the months of January through March was used to calculate an average essential water demand for single-family, multi-family, and commercial accounts. The remainder, which is assumed to be landscape irrigation in the warmer months, is considered to be non-essential watering.

Table 7: Comparison of Essential and Non-essential Water Demand

Customer Class	Amount	
	Essential	Non-Essential
Single Family	5,804	1,231
Multi-Family	2,016	304
Commercial	2,100	662
Industrial	334	0
Landscape	0	1,037
Total	10,254	3,234

A 24 percent reduction in use can be realized by cutting out non-essential water use, which in this case is defined as landscape watering.

Chapter 5 Supply Augmentation

Additional State Water Supply

Several mechanisms exist for augmenting the State Water supply, including dry year water purchases from local purveyors in the Santa Barbara/San Luis Obispo area or from other State Water Contractors. During particularly dry years, available supplies are limited, and the pricing structure is dependent on the number of interested buyers, making State Water more expensive as additional buyers are interested. State Water purchases are most cost effective when necessary to meet water quality requirements. The City maintains a dry-year water reserve fund of \$200,000 per year for State Water purchases to be used when the State Water allocation is low. Unspent funds in wet years are allowed to accumulate so that sufficient funds are available in dry years for necessary water purchases.

In addition, the City continues to work to secure additional Table A supply. While this water has no additional pipeline capacity associated with it, and cannot be delivered when the City receives its full allocation of State Water, it does bolster State Water availability when the allocation is low.

The City has an interconnection with Golden State Water Company, which serves the Orcutt community to the south of the City. In emergencies, the City can request water from Golden State Water Company to address a short term water shortage or water quality issue.

Additional Groundwater Supply

As the City grows, development will occur in areas that were previously agricultural properties. Agricultural fields have prescriptive rights to groundwater that cannot be assigned or conveyed separate or apart from these lands. As a result, the reduction in the

amount of irrigated agriculture increases the reliability of the City's appropriative rights, as these rights are limited to water that is surplus to the reasonable and beneficial uses of the overlying landowners.

The City of Santa Maria has not been in a position to need additional groundwater supplies, but as development occurs the City may find it beneficial to work with other local groundwater users, namely agricultural interests, to secure additional water rights.

Groundwater Treatment

As the City continues to grow, groundwater treatment may become necessary to ensure that the water supply meets drinking water standards. Several studies have evaluated the feasibility and cost of groundwater treatment for the City's groundwater supply.

Chapter 6 Demand Reduction

The City of Santa Maria has numerous mechanisms for encouraging conservation and reducing demand. These mechanisms are described below.

Tiered Rates

The City's existing four-tier water rate structure promotes conservation. The first 5 units are available at the base rate. The cost of the next 5 units is an additional 19%. The cost of the next 5 units is an additional 17%, and the cost of any water used over 15 units is at the highest tier, at an additional 14%.

Landscape Irrigation

The supply and demand assessment in Chapter 4 discusses the relationship between landscape irrigation and other water uses. An evaluation of water demand patterns indicates that landscape irrigation comprises over 20 percent of the metered water used. The City's fixed base water meter reading program enables the City to evaluate landscape irrigation trends to identify customers whose water use is out of the typical range for irrigation. Audits of these customers provide an opportunity for water conservation.

Customer Side Leak Detection

Fixed base meter reading, which allows water meters to be read hourly, provide the City with a mechanism for identifying customer leaks. Based on results from the City's initial three months of meter reading on 2,500 installed fixed base meters, the City was able to reduce water waste through customer leaks by 2.5 AF. Extrapolated out to full City

deployment over an entire year, the City anticipates that it can reduce demand by 87 AF per year in leaked water.

Water Conserving Fixtures

Since 1992, new homes have been installed with low-flow toilets. Installation of water conserving fixtures in newer housing developments has played a major role in the drop in the per capita water demand from 1992 to the present. Replacement of old fixtures with newer water conserving fixtures continues to occur, since non-water conserving toilets are no longer available. As additional development occurs, the per capita water demand will continue to drop, which will help the City meet the 20 x 2020 initiative.

Public Media Campaigns

The City of Santa Maria Utilities Department regularly produces public media campaigns to encourage City residents to conserve water. In the past three years, public media campaigns have included bus ads, water awareness campaigns, and participation in local community events.

Water Waste Ordinance

The City's municipal code contains language that prohibits water waste. The language is provided below:

Section 8-10.32. Waste: Leaking facilities.

- (a) Each and every consumer shall maintain in good repair all his water pipes, faucets, valves, plumbing fixtures or any other appliances, at all times to prevent waste of water.
- (b) Where any consumer willfully neglects to make such necessary repairs, the water shall be shut off and sealed by the Utilities Department and shall not be turned on again until repairs have been made to the satisfaction of the Department, and a turn-on fee as provided in the Schedule of Fees and Charges within this Code is paid by the consumer to the City. (Prior Code § 20-47 (part); Ord. 2005-01, eff. 3/3/05)

Section 8-10.33. Waste: Sprinkling.

Where any consumer willfully and negligently wastes water through the misuse of sprinklers or any other facilities, the water may be shut off and sealed by the Utilities Department, and shall not be turned on again until a turn-on fee as provided in the Schedule of Fees and Charges within this Code is paid by the consumer to the City.

Water Shortage Allotments

Because of the City's semi-arid Mediterranean climate, a significant amount of the City's water demand is associated with landscape irrigation. Water use during the winter months is indicative of essential water use, such as for bathing, cooking, and sanitary purposes, whereas the water use in summer in excess of the essential water use calculated

from the winter months is indicative of landscape watering. An allotment can be calculated based on the average water use for the winter months. The most restrictive allotment would be calculated from January through March, when little landscape irrigation is expected. To create less restrictive allotments, additional months on either side of this three month period can be added to provide more latitude. Assuming a single family residence has four occupants, a per capita allotment is established for variance purposes.

The fixed base meter reading program database enables the City to watch water use on a weekly basis to ensure that residences are staying within their water allotment. Accounts that exceed their allotment for the week can be flagged, enabling the City to identify the accounts and notify the residents that they have exceeded their allotment. The notification can include information on how to obtain a variance for households with extra members. Households with five or more members can apply for and receive a per capita increase in their allotment for any person who is a dependent of the head of household or can prove residency

Chapter 7 Water Shortage Contingency Plan

Defining a shortage

Chronic shortages can be determined by calculating the difference between anticipated demand and available supply. Groundwater rights and Twitchell yield are considered to be 100 percent available in years when the annual report of hydrogeologic conditions indicates that there is no water shortage in the Santa Maria Valley management area. In years when the annual report indicates a shortage, a percentage available will be determined based on the report findings. Anticipated demand will be determined, to demonstrate the necessary level of reduction to ensure sufficient supply for the demand. If the total demand is less than the available supply, then no chronic shortage exists, and no demand reduction is necessary. Otherwise, the City Council will announce a chronic water shortage and implementation of the Water Shortage Contingency portion of this plan. Table 8 shows an example calculation for the current year.

Table 8: Calculating Available Supply and Demand

2011	State Water¹	Return Flow²	Appropriative³	Twitchell⁴	Total
Available	14,082	9,593	12,795	14,300	50,770
	City⁵	Nipomo⁶	GSWC⁷	Orcutt⁸	Total
Demand	13,366	0	20	166	14,863

1. State Water availability is the sum of the allocation plus any carryover from the previous year
2. Return flows are calculated as 65% of last five years' average State Water delivered
3. In years with no groundwater shortage, the total is 12,795 ac-ft/yr
4. In years with no groundwater shortage, the total is 14,300 ac-ft/yr
5. Calculate the City's anticipated demand by multiplying last year's production by 1.02%
6. Request this figure from Nipomo Community Services District.
7. The Water Exchange Agreement between the City of Santa Maria and Golden State Water Company allows for 20 ac-ft/yr of the City's State Water supply to be delivered through the interconnection before the exchange arrangement takes place.
8. Orcutt water sales are documented through Business Services

Short term shortages occur when the water supplies cannot be delivered to meet demand, either because of electrical or mechanical failures of production or delivery equipment, excess demand such as fire flows or because of water quality issues. These can be caused by equipment failure, or as a result of a catastrophic event, such as an earthquake, wind or rain storm, terrorist activity, or water quality issues. To determine if a short term shortage exists, calculate the difference between the capacity of the available production facilities and the latest water demand figures available. Taking into consideration the blended water nitrate concentration, available reservoir storage, and the anticipated equipment outage, determine if the water demand can be met. If not, refer to the Summary of Actions for Catastrophic events for actions to be considered to address the situation.

Action Stages

The City of Santa Maria has developed actions to be undertaken during chronic water supply shortages, including up to a 80 percent reduction in water supply. Table 9 describes the water supply shortage stages and conditions. The stages will be implemented during water supply shortages according to shortage level, ranging from minimal to 10 percent shortage in Stage I to 50 percent shortage in State IV. The stage determination and declaration during a water supply shortage will be made by the City, as discussed in the section,

Defining a Shortage.

Table 9: Water Supply Shortage Stages

Stage	Water Shortage Supply Conditions	Percent Shortage	Resulting Supply
0	No Risk	0-50	34,133-37,925 AF/yr
1	Minimum Risk	51-60	30,340-34,133 AF/yr
2	Moderate Risk	61-70	26,548-30,340 AF/yr
3	Critical Risk	71-80	18,963-26,548 AF/yr

The resulting supply even at Stage 3 is above the anticipated demand in 2035 of 19,762 ac-ft/yr. As a result, it is not anticipated that the City of Santa Maria will reach the point at which action stages will need to be implemented to address long term drought conditions. However, in the event that a short term or catastrophic failure occurs that limits the City's ability to deliver water, the action stages are available for implementation.

Stage 0

Under Stage 0, no additional conservation action is required due to availability of adequate supplies to meet the demand. The resulting supply at Stage 0 with 50 percent shortage in supply in 2035 (normal year) would result in supply of 24,868 ac-ft/yr, which is above the anticipated demand in 2035 of 19,762 ac-ft/yr. As a result, it is not anticipated that the City of Santa Maria will reach the point at which action stages will need to be implemented to address long term drought conditions. However, in the event that a short term or catastrophic failure occurs that limits the City's ability to deliver water, the action stages are available for implementation.

Stage 1

Options for addressing a 51-60 percent shortfall of demand include increasing enforcement of the water waste ordinance, increasing the public media campaign informing the public of the Stage 1 condition, and making water audits available to customers, especially those whose water use is well outside the normal range for its customer class. In addition, the City will continue to use the reporting options available in its Fixed Base Meter Reading database to identify customers with apparent customer side leaks, and inform them of the potential leak. This combination of steps will help ensure that sufficient supply is available to meet needs with a comfortable margin of safety. Stage 1 conditions do not significantly negatively affect revenues.

Stage 2

At Stage 2, water supply very closely matches water demand, with very little to no margin of safety. Options for addressing a 61-70 percent shortfall include all of the steps in Stage 1, including establishing an allotment for single family residences, and reducing landscape meter use by half. The Stage 2 allotment is based on the average water use from the previous January through July time period. Households and those responsible for landscape meters that exceed their allotments in a given week will be notified. If the account exceeds the allotment a second week, a flow restricting orifice will be installed in the meter to reduce the pressure and restrict flow, both of which aid in water use reduction. Since residential meters account for 67 percent of all water use, and 50 percent of residential water use is landscape, Stage 2 actions are expected to reduce water demand by at least 10 percent. In addition, a dry year water fund has been established to purchase additional water supplies from other SWP contractors to help augment supply and reduce the negative impact on revenue. Revenue impacts that do occur will be addressed using water fund reserves or deferring non-critical capital projects.

Stage 3

Twitchell Yield and Return Flows are two water supplies that are protected in all except the worst of severe water shortage conditions in the Santa Maria Valley, In the Stipulation, these two developed supplies are given priority in severe water shortage years. Stage 3 conditions can occur only if State Water is unavailable for multiple years and no water is released from Twitchell Reservoir for groundwater recharge, both of which are unprecedented conditions by themselves, and highly unlikely to occur simultaneously.

Options for addressing an unlikely 71 to 80 percent shortfall include all of the steps in Stages 1 and 2, except that the Stage 3 allotment is based on the average water use from the previous January through May time period, Accounts that exceed their allotment will have the same notification and flow restricting devices installed as listed in Stage 2. Stage 2 actions are expected to reduce water demand by about an additional 5 percent and additional water supplies will be purchased to augment supplies by 5 percent. Stage 2 conditions can negatively affect revenue and will be addressed using water fund reserves and deferring non-critical capital projects.

Other Mandatory Prohibitions

In addition to the restrictions placed on metered water use, other water use practices that will be prohibited during water shortages include the City's systematic water main flushing. In addition, street sweeping will be prohibited from using the City's domestic supply.

Catastrophic Supply Interruption Plan

A catastrophic supply interruption can occur when the City loses one or both of its main water supplies. The likelihood of experiencing a loss of both supplies simultaneously is low. For instance, local power outages may limit use of groundwater, but will not affect imported water delivery.

If the available supply is insufficient to meet the demand and water quality requirements, an emergency notification will be sent to all water customers, using the City's Blackboard Connect phone system, to inform them of the condition. The message will include the expected duration of the condition, and restrictions on water use for the duration of the condition. For instance, a wind storm that disrupts power for two days may include a request to forego landscape irrigation until power is restored.

Power Outages

The City can continue to supply State Water to its distribution system in the event of a power outage. Even if State Water is not available, the City can supply water from its three largest production wells using generator power, for a total production of 10.8 MGD, which is sufficient to meet essential water demand. Depending on the expected length of the outage, the City will evaluate the amount of storage available, the production with available supplies, and the projected demand to determine whether the existing demands can be met while the outage persists. If not, the City can contact the largest water users, including the City's Recreation and Parks Department, to determine if demand on large meters, such as for large irrigated landscapes like parks and schools, can be reduced sufficiently to last through the expected outage. If not, the City will attempt to call all water users within the City using its Connect CTY system to request that non-essential water use be curtailed until the outage is addressed. As most power outages tend to be localized, the City can request mutual aid from adjacent water agencies for use of portable generators to power two additional production wells to meet higher demands.

Earthquakes

Earthquakes present the greatest threat to the ability to supply water. An earthquake can cause structural or mechanical failure or chemical release at a treatment facility due to containment failure or a rupture of a pipeline in the distribution system with a subsequent drop in system pressure, and the potential for severe localized flooding or contamination. While isolating severed pipelines minimizes the flooding risk, water supply is a critical element of earthquake response, both for maintaining positive pressure to control contamination, and for fire control.

To the extent possible, water production will be maintained. State Water supply may not be impacted by the earthquake and can remain operational unless damage to facilities

prevents its delivery. The City owns three portable emergency power generators to operate three production wells to provide essential water supply to the City.

Distribution system integrity will be checked, starting with the largest transmission lines. Water main breaks will be isolated to the smallest area as soon as possible. Breaks on lines that feed larger areas will be prioritized. Isolations will be mapped, along with known fires, to track how to best maintain operation.

To the greatest extent possible, alternate water supply will be available to customers in affected regions. Water can be pumped from one location and delivered to central areas for distribution by container if the distribution system has failed or is contaminated. Regular communication with the community on the status of its water supply will be necessary to ensure that essential water needs are met.

Prohibitions, Penalties, and Consumption Reduction Methods

The Act requires an analysis of mandatory prohibitions, penalties, and consumption reduction methods against specific water use practices, which may be considered excessive during water shortages.

The City can set forth water use violation fines, charges for removal of flow restrictors, as well as establish the period during which mandatory conservation and rationing measures will be in effect. In addition to the restrictions placed on metered water use, other water use practices that will be prohibited during water shortages include the City’s systematic water main flushing. In addition, street sweeping will be prohibited from using the City’s domestic supply. Table 10 summarizes the various prohibitions and the stages during which the prohibition becomes mandatory.

Table 10: Water Shortage Contingency - Mandatory Prohibition

Examples of Prohibitions	Stage When Prohibition Becomes Mandatory
Using potable water for street washing	3
Using “landscape only” meters	3
Allowing customer side leaks to go unfixed	2
Systematic flushing to clean pipelines	3

Based on the requirements of the Act, Table 11 summarizes the methods that can be used by the City to enforce a reduction in consumption, where necessary. As mentioned earlier, various water conservation programs have been initiated the City and the County to reduce the water demand. Additional measures can be phased in to provide additional demand reductions and increase public awareness of the need to conserve water. Conservation is a permanent and long-term application used within the City at all times. Moreover, the County adopted the Regional Program in 1990 to promote water conservation within Santa Barbara County.

Table 11: Water Shortage Contingency - Consumption Reduction Methods

Consumption Reduction Method	Stage when Method Takes Effect	Projected Reduction (%)
Fix customer side leaks	1	1%
Water use audits	1	2%
Restrict landscape watering based on January-July use	2	10%
Restrict landscape watering based on January-May use	3	5%
Upgrade irrigation systems	All Stages	10%
Reduce irrigation requirements by converting traditional landscape to a water-conserving one	All Stages	15%
Public education/information programs	All Stages	N/A
Demand reduction program	All Stages	N/A
Water conservation kits	All Stages	N/A
Plumbing fixture replacement	All Stages	4%
Install high-efficiency retrofit kits	All Stages	N/A
Conduct audits	All Stages	N/A
Replace antiquated lines, heads, and valves	All Stages	N/A

The City sets forth penalties for violations of prohibited uses mentioned previously. Table 12 summarizes the penalties and charges and the stage during which they take effect. The penalties consist of a written warning and a surcharge for the violation. A flow-restrictor or possible shutoff may be imposed after three violations.

Table 12: Penalties and Charges

Penalties or Charges	Stage When Penalty Takes Effect
Flow restriction orifices for customers not meeting Stage 2 allocations	2
Flow restriction orifices for customers not meeting Stage 3 allocations	3

Revenue Impacts

Revenue reduction due to reduced water usage will cut into reserves during the shortage, and will be reflected in future rate setting discussions in order to re-establish acceptable fund reserve levels after the water shortage period is over. The City's existing pro forma

already reflects the resulting revenue drop associated with past conservation and therefore is already accounted for in establishing future rate adjustments. In addition, the Water Resources annual budget includes a minimum \$200,000 fund for purchasing additional water supplies in dry years. Funds not spent are carried over into future years to build up a reserve for purchasing more water or to help offset the impacts of revenue loss.

Since additional water supplies are either purchased or pumped and require only disinfection or fluoridation, there are little additional operations and maintenance costs to augment water supplies.

Monitoring Plan Effectiveness

Fixed base meter reading facilitates monitoring water use. Hourly meter readings for each account are stored in a database. Reports can be produced with ease and reviewed as often as once a day to observe trends and identify problem accounts. Electronic notification of accounts using the City's Blackboard Connect phone system allows for a cost effective and labor efficient mechanism for informing the customer about their water usage.

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RESOLUTION NO. 20__-

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING
AND ADOPTING THE WATER SHORTAGE CONTINGENCY PLAN**

WHEREAS, Section 10632 of the California Water Code requires the City to maintain a draft water shortage contingency plan as part of its Urban Water Management Plan, for the purpose of having the document prepared to implement in the event of a water supply shortage; and

WHEREAS, the City maintains this draft Water Shortage Contingency Plan to provide a guidance document for management of water shortages within the City; and

WHEREAS, the draft Water Shortage Contingency Plan was previously in draft form in order that it may be adjusted to address a specific shortage if needed prior to adoption; and

WHEREAS, The City offered opportunity for public comment on the draft Water Shortage Contingency Plan as part of its development of the Urban Water Management Plan 2010 update; and,

WHEREAS, City of Santa Maria's current combined water allocation is less than 50 percent of its maximum potential supply, and the City needs to implement the Water Shortage Contingency Plan under these conditions; and,

WHEREAS, The City of Santa Maria has not made substantive changes to Water Shortage Contingency Plan since its preparation and public review,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Maria does hereby:

1. Approve and adopt the Water Shortage Contingency Plan.
2. Authorize the City Manager, and/or his designee, to implement the requirement elements of the plan in order to carry out the effective and equitable allocation of water resources during the current water shortage.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Santa Maria held this (date).

Mayor

ATTEST:

Chief Deputy City Clerk

APPROVED AS TO FORM:

BY: _____

City Attorney

CONTENTS:

BY: _____

Department Head

BY: _____

City Manager