SWEETWATER AUTHORITY
DROUGHT RESPONSE PLAN

SECTION 1. Declaration of Policy. California Water Code Section 375 et seq. permits public entities which supply water at retail to adopt and enforce water conservation programs to reduce the quantity of water used by water customers for the purpose of conserving the water supplies of such public entity. The Governing Board hereby establishes a comprehensive water conservation program, including an allocation-based conservation water pricing structure pursuant to California Water Code Section 375 et seq., based upon the need to conserve water supplies and to avoid or minimize the effects of any future shortage.

SECTION 2. Findings. The Governing Board finds and determines that a water shortage could exist based upon the occurrence of one or more of the following conditions:

A) A general extended water supply shortage due to increased demand or limited supplies.

B) The supply and/or distribution of water by the San Diego County Water Authority or certain other agencies becomes inadequate.

C) A major failure of the supply, storage, and distribution facilities of the Metropolitan Water District of Southern California, the San Diego County Water Authority, or Sweetwater Authority occurs.

The Governing Board also finds and determines that the conditions prevailing in the San Diego region require that the water resources available be put to maximum beneficial use, and that the waste or unreasonable use, or unreasonable method of use of water be discouraged and that the conservation of such water be encouraged to achieve the maximum reasonable and beneficial use thereof in the interest of the customers of Sweetwater Authority and for the public welfare.

SECTION 3. CEQA Exemption. Sweetwater Authority finds that resolution and action taken hereafter pursuant to the Resolution are exempt from the California Environmental Quality Act as specific actions necessary to prevent or mitigate an emergency pursuant to Public Resources Code Section 21080(b) (4) and the California Environmental Quality Act Guidelines Section 15269(c). The General Manager of Sweetwater Authority is hereby authorized and directed to file a Notice of Exemption as soon as possible following the adoption of this Resolution.

SECTION 4. Application. This Resolution shall apply to all persons who use any water provided by Sweetwater Authority.

A) This Resolution is only intended to further the conservation of water. It is not intended to implement any provision of federal, state, or local statutes, ordinances, or regulations relating to the protection of water quality or control of drainage or runoff.

B) Nothing in this Resolution is intended to limit the ability of Sweetwater Authority to declare and respond to an emergency, including an emergency that affects the ability of Sweetwater Authority to supply water.

C) The provisions of this Resolution do not apply to use of water from private wells.

Amended and Adopted by Resolution 09-12

SECTION 5. Authorization. Sweetwater Authority's General Manager or a designated representative, is hereby authorized and directed to implement the provisions of this Resolution.

SECTION 6. Revenue Neutral Water Conservation Pricing Structure. Sweetwater Authority intends to establish a revenue neutral water conservation pricing structure, which will enable Sweetwater Authority to retain current revenue projections and encourage customer conservation by adopting changes to its inclining block rate structure. The pricing structure involves changes in water commodity rates and charges in current block rate tiers or the addition of new block rate tiers, to encourage conservation by water users. Adoption of any such water conservation pricing structure shall be the subject of a Proposition 218 Notice and hearing procedure.

SECTION 7. Reduction Levels. The identified water conservation levels enable Sweetwater Authority to control water use demands, assure reasonable and beneficial use of water, prevent unreasonable use of water within Sweetwater Authority's service area, and plan and implement water management measures in a fair and orderly manner for the benefit of the public.

Water use reduction goals are percentage water reductions from a base ("the Base"). The Base is the annual average of potable water used by all Sweetwater Authority customers during the immediately preceding three consecutive years in which no water use restrictions were implemented. The three-year period is between July 1, 2004 and June 30, 2007.

Customer target water allocations ("Target Water Allocations") will be established for each parcel based upon each parcel's average historic water use between July 1, 2004, and June 30, 2007. Details concerning the method of calculation of Target Water Allocations shall be set forth in the Supplement to the Sweetwater Authority Rates and Rules.

The four levels of drought are defined as:

A) Level 1 - Drought Watch. A Drought Watch condition may occur when a program is initiated by the San Diego County Water Authority and/or Metropolitan Water District of Southern California to reach up to a ten percent (10%) water use reduction goal. Customers of Sweetwater Authority are requested to reduce consumption up to ten percent (10%) from the Base. At this level, the current water pricing structure remains in effect with no imposition of allocation-based conservation water pricing. The General Manager shall declare a Drought Watch condition.

B) Level 2 - Drought Alert. A Drought Alert condition may occur when a program is initiated by the San Diego County Water Authority and/or Metropolitan Water District of Southern California to reach up to a twenty percent (20%) water use reduction goal. Customers of Sweetwater Authority are requested to reduce consumption up to twenty percent (20%) from the Base. At this level, allocation-based conservation water pricing, which includes drought penalties for customers using eleven (11) or more units may be implemented as noted in the Supplement to the Sweetwater Authority Rates and Rules. Should allocation-based conservation water pricing be implemented, the Governing Board shall declare a Drought Alert condition in the manner and on the criteria provided in California Water Code Section 350. Also, the Adjustment to Customer's Water Bill policy shall be suspended.

C) *Level 3 - Drought Critical. A Drought Critical condition may occur when a program is initiated by the San Diego County Water Authority and/or Metropolitan Water District of Southern California to reach up to a forty percent (40%) water use reduction goal. Customers of Sweetwater Authority are requested to reduce consumption up to forty percent (40%) from the Base. At this level, allocation-based conservation water pricing, which includes drought penalties for all customers is implemented as noted in the Supplement to the Sweetwater Authority Rates and Rules. The Governing Board shall declare a Drought Critical condition in the manner and on the criteria provided in California Water Code Section 350. Also, the Adjustment to Customer's Water Bill policy shall be suspended.*

D) *Level 4 - Drought Emergency. A Drought Emergency condition may occur when a program is initiated by the San Diego County Water Authority and/or Metropolitan Water District of Southern California to reach in excess of a forty percent (40%) water use reduction goal. Customers of Sweetwater Authority are requested to reduce consumption by more than forty percent (40%) from the Base. At this level, allocation-based conservation water pricing, which includes drought penalties for all customers is implemented as noted in the Supplement to the Sweetwater Authority Rates and Rules. The Governing Board shall declare a Drought Emergency condition in the manner and on the criteria provided in California Water Code Section 350. Also, the Adjustment to Customer's Water Bill policy shall be suspended.*

SECTION 8. Water Conservation Guidelines. These guidelines are established to encourage all customers to ensure that they use available water wisely and take all reasonable steps to reduce their water use and are designed to increase the efficiency of water use throughout the service area. Sweetwater Authority customers are encouraged to carefully manage indoor and outdoor water use and eliminate water waste. "Use Water Wisely" is the underlying theme designed to encourage a voluntary water conservation ethic for all customers, which is especially important during the drought.

The following measures shall apply at all times:

1. *Water should be used reasonably and productively at all times.*

2. *Customers are to keep water from draining onto adjacent properties, public or private roadways, and streets.*

3. *Customers are to repair major water leaks immediately and minor water leaks within twenty-four (24) hours of discovery.*

4. *Customers are encouraged to restrict hose washing of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas to periods of immediate safety or sanitary hazards.*

5. *Customers are encouraged to use drip methods or hand-irrigation whenever possible and prudent, and to restrict sprinkler operation to the hours of 4:00 p.m. to 9:00 a.m. the following morning, except for the first thirty (30) days necessary to establish a new lawn.*

6. *Customers are encouraged to use an automatic shut-off nozzle when using a hand-held hose for spraying, lawn watering, vehicle washing, or structure washing.*

7. *Customers are encouraged to use re-circulating systems for decorative fountains and landscape water features.*

8. *Serve and refill water in restaurants and other food service establishments only upon requests.*

9. *Offer guests in hotels, motels and other commercial lodging establishments the option of not laundering towels and linens daily.*

These additional measures are encouraged during a Drought Alert – Level 2:

1. *Customers are encouraged to limit residential and commercial landscape irrigation to no more than three (3) days per week.*

2. *Customers are encouraged to limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per day. This recommendation does not apply to landscape irrigation systems using water efficient devices, including but not limited to weather-based controllers, drip/micro-irrigation systems and stream rotor sprinklers.*

3. *Customers are encouraged to only use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs that are not irrigated by a landscape irrigation system.*

4. *Customers are encouraged to stop operating ornamental fountains or similar decorative water features unless recycled water is used.*

These additional measures are encouraged during a Drought Critical – Level 3:

1. *Customers are encouraged to stop filling or re-filling pools, ornamental lakes and/or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level under this ordinance.*

2. *Customers are encouraged to stop washing vehicles except at commercial carwashes that re-circulate (reclaim) water onsite, or by high pressure/low volume wash systems.*

3. *No new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:*

    a. *A valid, unexpired building permit has been issued for the project; or*

    b. *The project is necessary to protect the public's health, safety, and welfare; or*

c. *The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of Sweetwater Authority.*

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one (1) year or less.

These additional measures are encouraged during a Drought Emergency – Level 4:

1. *Customers are encouraged to stop all landscape irrigation, except:*

    a. *Crops and landscape products of commercial growers and nurseries*

    b. *Maintenance of existing landscaping necessary for fire protection as specified by the fire marshal of the local fire protection agency having jurisdiction over the property to be irrigated*

    c. *Maintenance of existing landscaping for erosion control*

    d. *Maintenance of plant materials identified to be rare or essential to the well-being of rare animals*

    e. *Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week*

    f. *Watering of livestock*

    g. *Public works projects and actively irrigated environmental mitigation projects*

SECTION 9. Mandatory Restrictions. When customers of Sweetwater Authority can no longer meet water use reduction goals as defined for any drought level through voluntary efforts, or when the amount of water supply available to Sweetwater Authority for service to customers is determined to be inadequate to the extent that there would be insufficient water for human consumption, sanitation and fire protection, and this condition is likely to exist until precipitation and inflow dramatically increases, the Governing Board may activate by resolution mandatory water use reductions and/or conditions in accordance with California Water Code 350.

During such mandatory water use reductions, any time a Drought Alert, Drought Critical, or Drought Emergency level is declared, no customer account shall use more than the Target Water Allocation for that parcel. This Target Water Allocation is the average historic water use between July 1, 2004 and June 30, 2007 for the same billing period for the same parcel, less the percentage reduction goal of the particular drought Level. The Target Water Allocation will be printed on each bill for both the current and next billing period. This will allow all customers to see their Target Water Allocation for the next billing cycle.

SECTION 10. Violations and Penalties. Customers using more than the Target Water Allocation, will be notified of their overage and given one (1) full billing cycle to bring their usage below Target Water Allocation. Failure to do so may result in the implementation of drought penalties as shown in the Supplement and/or other measures that Sweetwater Authority may determine at a later date.

Should mandatory water use reductions and/or conditions be activated by resolution, any person who used, causes to be used, or permits the use of water in violation of such resolution is guilty of an offense punishable as provided herein.

1. *Each violation of this Resolution may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding one thousand dollars ($1,000) (U.S.A. currency), or by both, as provided in California Water Code Section 377.*

2. *Willful violations of mandatory conservation measures which may be put into place during any drought level may be enforced by discontinuing service to the property at which the violation occurs, as provided by California Water Code Section 356.*

3. *All remedies provided herein, both civil and criminal, shall be cumulative, and not exclusive.*

SECTION 11. Exemptions and Appeals. In order to encourage the efficient use of water for sanitary, health care, and conservation benefit purposes, specific customer classes are exempted from the water use reduction penalties as noted in the Supplement to the Sweetwater Authority Rates and Rules.

Any customer desiring to initiate a Target Water Allocation Appeal may do so at any time. Any customer desiring to appeal a penalty may do so within two (2) weeks of receipt of the bi-monthly or monthly bill. Any such request must be in writing utilizing the appeal form and filed with the General Manager, or their designee. Customers shall have the right to appeal the decision of the General Manager or their designee to the Governing Board by filing a written appeal within seven days of receipt of the written decision of the General Manager, or their designee. The Governing Board may delegate to a committee of its members the authority to consider and rule upon the written appeal.

SECTION 12. Activation and Deactivation. The Governing Board of Sweetwater Authority hereby directs the General Manager to implement this Plan by making appropriate declarations, determinations and findings necessary and establishing Level 1 conditions set forth in this Resolution. The declaration of any change in Level 1 shall be reported to the Governing Board at its next Regular Meeting. The establishment of Level 2, Level 3 and Level 4 conditions shall be made by the Governing Board, in accordance with the provisions hereof.

Following the establishment of Levels pursuant to this Resolution, the General Manager shall implement the Drought Response Plan and make appropriate public announcements and notices. The Level designated shall become effective immediately upon announcement, unless otherwise stated at the time of resolution by the Governing Board.

When the shortage of water is no longer declared, the requirements for reduction shall be deactivated by resolution of the Governing Board.

SECTION 13. Effective Date and Publication. This Resolution shall become effective as of the date of adoption and shall be published within ten days of adoption, pursuant to California Water Code Section 376.

SECTION 14. Replacement of Prior Resolutions. All previous water conservation measures including Resolution 08-19 under which prior water conservation and drought response programs were established are hereby rescinded and replaced by this Resolution.