

Water Shortage Contingency Plan



Desert Water Agency

DRAFT

June 2021

Table of Contents

| | |
|--|----|
| Introduction..... | 1 |
| 1.0 Water Supply Reliability Analysis..... | 1 |
| 2.0 Annual Water Supply and Demand Assessment Procedures | 2 |
| 2.1 Decision Making Process..... | 2 |
| 2.2 Data and Methodologies | 3 |
| 2.2.1 Evaluation Criteria..... | 3 |
| 2.2.2 Water Supply..... | 3 |
| 2.2.3 Unconstrained Customer Demand..... | 3 |
| 2.2.4 Planned Water Use for Current Year Considering Dry Subsequent Year | 3 |
| 2.2.5 Infrastructure Considerations | 3 |
| 2.2.6 Other Factors | 3 |
| 3.0 Six Standard Water Shortage Levels..... | 3 |
| 4.0 Shortage Response Actions..... | 4 |
| 4.1 Supply Augmentation | 4 |
| 4.2 Demand Reduction Actions and Mandatory Use Restrictions | 5 |
| 4.3 Operational Changes | 8 |
| 4.4 Additional Mandatory Restrictions..... | 8 |
| 4.5 Emergency Response Plan..... | 8 |
| 4.6 Seismic Risk Assessment and Mitigation Plan | 8 |
| 5.0 Communication Protocols | 9 |
| 6.0 Compliance and Enforcement..... | 11 |
| 6.1 Penalties..... | 11 |
| 6.2 Appeals and Exemption Process | 11 |
| 7.0 Legal Authorities | 11 |
| 8.0 Financial Consequences of WSCP | 13 |
| 9.0 Monitoring and Reporting..... | 13 |
| 10.0 WSCP Refinement Procedures..... | 13 |
| 11.0 Special Water Feature Distinction..... | 14 |
| 12.0 Plan Adoption, Submittal, and Availability..... | 14 |

Appendix A. Legal Authority

Appendix B. Resolution of Adoption

Introduction

This document represents the Water Shortage Contingency Plan (WSCP) adopted by the Desert Water Agency (DWA). The document follows the structure recommended in guidance documents prepared by the California Department of Water Resources (DWR).

DWA is one of six agencies in the Coachella Valley participating in the development of a 2020 Regional Urban Water Management Plan (RUWMP). Each agency is adopting the RUWMP to meet its reporting requirements under the Urban Water Management Planning Act. Each agency is also adopting its own WSCP. The agencies have sought to align their shortage levels and shortage response actions to the extent possible, with the intent of reducing confusion for neighboring customers during a shortage. However, each agency will adopt its own WSCP with slight variations (e.g. penalty processes and amounts) for flexibility in the event that future changes are necessary.

As individual agencies make updates or enhancements to their WSCP, each will be able to make modifications and re-adopt an amended WSCP without triggering a requirement for the other participating agencies to take similar steps. The update process is described in later sections of this WSCP.

1.0 Water Supply Reliability Analysis

This section provides a summary of the supply reliability analysis presented in the RUWMP and highlights key issues that could create a shortage condition.

The supplies of the agencies in the Coachella Valley generally have a high degree of reliability. The RUWMP participating agencies meet most of their urban demands with groundwater produced from the Indio (also known as Whitewater River) and Mission Creek Subbasins of the Coachella Valley Groundwater Basin. The groundwater basin is large enough to provide storage that allows continued production during dry periods. Because production exceeds the recharge provided by precipitation and return flows, the agencies use imported water to recharge the groundwater basin. These sources of imported water for recharge include:

- Colorado River water that Coachella Valley Water District (CVWD) receives through the Coachella Canal.
- State Water Project (SWP) water that CVWD and DWA have rights to receive. Because the SWP infrastructure does not extend into the Coachella Valley, CVWD and DWA have an exchange agreement with the Metropolitan Water District of Southern California (MWD). The agreement allows MWD to deliver water from its Colorado River Aqueduct (CRA) to the Coachella Valley to recharge the local aquifer. In return, MWD receives SWP water through the SWP infrastructure based on the annual allocations to CVWD and DWA.

Drought conditions are not expected to affect CVWD's Colorado River water supply due to the District's high priority allocation. Colorado River water is not a direct source of urban water supply; it is used for groundwater replenishment and non-potable uses. If a reduction in Colorado River water supply occurred, CVWD would initially reduce deliveries to groundwater replenishment projects. Subsequent reductions in delivery would be applied to users following the priorities in CVWD's Canal Water Shortage Contingency Plan. These priorities are defined in CVWD's Canal Water Shortage Contingency Plan, which is Chapter 3.10, Article XII of CVWD's administrative code.

Drought conditions in the Sierra Nevada would have an effect on the SWP water allocation; thus reducing the SWP Exchange water received by CVWD and DWA. This water is used for replenishment of the groundwater basin and is not a direct source of urban water supply. Consequently, water use restrictions due to drought involving the SWP water supply would likely be implemented only as a result of a prolonged drought.

During dry periods when less imported water is available, groundwater production will exceed the amount of recharge, and the volume in storage will be reduced. However, these reductions can be reversed in years when additional imported water is available. The Coachella Valley Groundwater Basin is a large basin which provides a buffer during dry periods, thus allowing the agencies to develop long-term plans and programs to manage regional water supplies.

The reliability analysis for DWA is presented in Section 7 of DWA’s chapter of the RUWMP. Although that analysis demonstrates that the region’s urban water supply is reliable, there are potential issues that could create a shortage condition. These include:

- An extended drought more severe than historic events, possibly impacted by climate change.
- A natural disaster or a malevolent act that leads to prolonged disruption of imported water delivery from the Colorado River or the SWP.
- A natural disaster or malevolent act that affects DWA’s distribution system.
- Reductions in imported water supply due to environmental restrictions related to endangered species or habitat protection.
- Identification of a currently unregulated contaminant that has widespread effects on the region’s groundwater supply.
- Regulatory mandates to reduce water use.

Water shortage contingency planning provides a way to plan for these risks and anticipate actions that can be implemented to manage the impacts. This plan describes how DWA intends to respond to such shortage events. We have aligned our responses to those of other RUWMP participating agencies to the extent possible.

2.0 Annual Water Supply and Demand Assessment Procedures

DWA will be required to prepare an Annual Water Supply and Demand Assessment (Annual Assessment) and submit it to DWR each year, beginning July 1, 2022. The Annual Assessment is intended to meet requirements of Water Code Section 10632.1 and present an assessment of the likelihood of a water shortage occurring during the next 12 months. This section of the WSCP outlines the procedures that DWA will use to prepare the Annual Assessment. The procedures defined in this section will allow DWA to follow a consistent annual procedure for making the determination of whether to activate the WSCP.

2.1 Decision Making Process

DWR requires a defined decision-making process for performing the Annual Assessment. The process and anticipated timeline are presented in Table 1.

Table 1. Annual Assessment Decision-Making Process

| Anticipated Timeline of Each Year | Activities |
|-----------------------------------|--|
| February | DWA staff will review available data related to anticipated supplies and demands. |
| March | The six agencies participating in the Coachella Valley RUWMP will review the data and determine whether a consistent region-wide determination on water supply reliability can be made. If needed, individual agencies may elect to activate their WSCP at different shortage levels than other participating agencies. |
| April | DWA staff will make a determination whether to recommend implementation of shortage response actions. |
| May | If shortage response actions are to be implemented, DWA management will present the recommendation to the governing board for consideration. If the governing board decides to implement the WSCP, it will provide public notice of a hearing to consider changes in the implementation of the shortage response actions. |
| June | DWA staff will prepare the Annual Assessment and submit it to DWR by July 1 st . |

2.2 Data and Methodologies

This section describes the data and methodologies that will be used to evaluate water system reliability for the coming year, while considering that the year to follow could be dry.

2.2.1 Evaluation Criteria

DWA will rely on locally applicable criteria for each Annual Assessment. This includes findings of the annual reports prepared for the Indio Subbasin and the Mission Creek Subbasin for compliance with the Sustainable Groundwater Management Act. The annual Engineer's Report on Water Supply and Replenishment Assessment will also be incorporated along with both applicable reports and data.

2.2.2 Water Supply

DWA's anticipated supplies will be quantified for the near-term future, and descriptive text will be used to note any anticipated reductions in supply.

2.2.3 Unconstrained Customer Demand

DWA will prepare an estimate of unconstrained demand (as the term is used in Water Code Section 10632(a)(2)(B)(i)). The estimated demand will be calculated using the demand projection approach described in Section 4 of each agency's chapter of the RUWMP, in combination with updated data for connections, climate, changes in land use, and recent water usage history.

2.2.4 Planned Water Use for Current Year Considering Dry Subsequent Year

DWA will describe the anticipated use of water supplies for the coming year, with the anticipation that the following year will be dry. The supplies will be characterized in a manner consistent with the RUWMP, in combination with updated data for climate and recent observations.

2.2.5 Infrastructure Considerations

DWA will describe any potential infrastructure constraints on the ability to deliver adequate supplies to meet expected customer demands in the coming year. DWA will verify that its system of wells, pipelines, pump stations, storage tanks and related infrastructure have adequate capacity to deliver the anticipated demands. DWA will describe any anticipated capital projects that are intended to address constraints in production, treatment, or distribution.

2.2.6 Other Factors

DWA will describe any specific locally applicable factors that could influence or disrupt supplies. DWA will also describe unique local considerations that are considered as part of the Annual Assessment.

3.0 Six Standard Water Shortage Levels

The RUWMP participating agencies have elected to use the six standard shortage levels included in guidance documents prepared by DWR. The six standard water shortage levels correspond to progressively increasing estimated shortage conditions (up to 10-, 20-, 30-, 40-, 50- percent, and greater than 50-percent shortage compared to the normal reliability condition). These levels are identified in Table 2.

Table 2. Water Shortage Contingency Plan Levels

| Shortage Level | Percent Shortage Range | Description | Shortage Response Actions |
|----------------|------------------------|--|---|
| 1 | Less than 10% | Normal water supplies | Mandatory prohibitions defined by the state, ongoing rebate programs |
| 2 | Up to 20% | Slightly limited water supplies | Outdoor water use restrictions on time of day, increased water waste patrols |
| 3 | Up to 30% | Moderately limited water supplies | Outdoor water use restrictions on days per week, restrictions on filling swimming pools |
| 4 | Up to 40% | Limited water supplies | Limits on new landscaping, expanded public information campaign |
| 5 | Up to 50% | Significantly limited water supplies | Limits on watering of parks or school grounds |
| 6 | Greater than 50% | Severe shortage or catastrophic incident | No potable water use for outdoor purposes |

Each level in Table 2 represents an anticipated reduction in the supplies that would normally be available to DWA. These supply reductions could be the result of a variety of potential causes including natural forces, system component failure or interruption, regulatory actions, contamination, or any combination of factors. DWA may need to activate shortage levels across its entire service area or within certain areas that are impacted by an event.

The levels involve voluntary and mandatory conservation measures and restrictions, depending on the causes, severity, and anticipated duration of the water supply shortage. The locally appropriate shortage response actions that would be taken at each level to address the resulting gap between supplies and demands are described in the following section.

4.0 Shortage Response Actions

This section describes the shortage response actions that would be taken by DWA at each shortage level. These actions have been grouped into categories including:

- Supply Augmentation Actions
- Demand Reduction Actions and Mandatory Use Restrictions
- Operational Changes

4.1 Supply Augmentation

For long-range planning, DWA continues to evaluate opportunities for transfers, exchanges, and other purchases of imported water to increase supply reliability. CVWD and DWA collaborate to replenish the groundwater aquifer with imported water, creating a stored supply that can be used for emergencies or longer-term shortages. CVWD and DWA are also making investments in increasing supply reliability from the SWP through the Delta Conveyance Facility and in securing new supplies like Sites Reservoir. Additionally, the RUWMP participating agencies continue to implement water conservation measures and increase use of recycled water usage to reduce groundwater demand. These programs are described in Chapter 3 of the RUWMP.

In its WSCP, DWA has the option of identifying short-term supply augmentation actions that would be taken during a shortage. These actions are intended to be separate from the long-range planning efforts to sustainably manage the groundwater basin. The short-term supply augmentation measures that could be implemented are presented in Table 3.

Table 3. Supply Augmentation Actions

| Shortage Level | Supply Augmentation Methods and Other Actions by Water Supplier | Expected Relative Impact | Additional Explanation or Reference |
|----------------|---|--------------------------|--|
| 1 - 6 | Exchanges | Medium | Emergency connections with neighboring agencies could be activated or constructed to help exchange water with adjoining systems. |
| 5 | New recycled water | Medium | In areas where recycled water supply is available, customers could be mandated to use recycled water and cease use of potable water. |
| 6 | Other actions | Medium | Additional non-potable water sources such as new shallow groundwater wells or expanded use of non-potable water sources. |

4.2 Demand Reduction Actions and Mandatory Use Restrictions

The RUWMP participating agencies have aligned their demand reduction actions to the greatest extent possible, while allowing each agency flexibility needed to address unique characteristics. The agencies conducted public workshops to gather input on actions that could be taken during a water shortage. The input from stakeholders was used to select and prioritize actions that reflected the values of the community. Key elements of the input included:

- The importance of recognizing the conservation efforts that many customers have already made and not imposing requirements for all customers to meet the same percentage reduction in water use.
- The importance of involving Homeowner Associations (HOAs) to help implement and communicate response actions to individuals.
- A balanced program should include incentives (such as expanded rebates for turfgrass removal) as well as penalties (such as drought rates).
- A range of approaches is needed to communicate with customers and end users, including social media, web sites, bill inserts, presentations, and virtual tours, ideally in multiple languages.

The demand reduction actions that could be implemented at each shortage level are shown in Table 4. During a shortage, DWA may implement some or all of the actions as needed, depending on actual conditions.

Table 4. Demand Reduction Actions

| Shortage Level | ID | Demand Reduction Actions | Expected Relative Impact | Penalty or Enforcement |
|----------------|------|--|--------------------------|------------------------|
| 1 | 1.1 | Water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or parking structures is prohibited. | Low | Yes |
| | 1.2 | Using any water in a fountain or other decorative water feature is prohibited, unless the water recirculates. | Low | Yes |
| | 1.3 | Applying water to driveways, sidewalks, concrete or asphalt is prohibited unless to address immediate health and safety needs. Reasonable pressure washer or water broom use is permitted. | Low | Yes |
| | 1.4 | Spray irrigation of outdoor landscapes during and within 48 hours after rainfall of 0.10 inches is prohibited. | Low | Yes |
| | 1.5 | Using a hose to wash a vehicle, windows, or solar panels is prohibited unless an automatic shut-off nozzle or pressure washer is used. | Low | Yes |
| | 1.6 | Broken sprinklers shall be repaired within five business days of notification by agency, and leaks shall be repaired as soon as practical. | Low | Yes |
| | 1.7 | Hotels will provide guests the option of choosing not to have towels and linens laundered daily. | Low | Yes |
| | 1.8 | Draining and refilling of private swimming pools is discouraged, unless necessary for health and safety or repairs. | Low | No |
| | 1.9 | The Agency will discourage overseeding. | Low | No |
| | 1.10 | The Agency will provide rebates for landscape efficiency. | High | No |
| | 1.11 | The Agency will provide rebates for indoor water use efficiency. | Medium | No |
| | 1.12 | The Agency shall offer water use surveys/audits. | Medium | No |
| 2 | 2.1 | Outdoor water use is prohibited during daylight hours for spray irrigation except for leak checks or with an agency approved conservation alternative plan. | Medium | Yes |
| | 2.2 | Restaurants and other eating establishments shall not provide drinking water to patrons, except upon request. | Low | Yes |
| | 2.3 | The Agency will actively discourage overseeding. | Medium | No |
| | 2.4 | Agency shall expand public information campaign. | Medium | No |
| | 2.5 | Agency shall increase water waste patrols. | Medium | Yes |
| | 2.6 | Agency shall reduce hydrant and dead-end line flushing. | Low | No |
| 3 | 3.1 | Outdoor water use is allowed only three days a week for spray irrigation (Monday, Wednesday, and Friday). | High | Yes |
| | 3.2 | Drip or subterranean irrigation is allowed seven days per week, during non-daylight hours. | Medium | Yes |
| | 3.3 | Commercial nurseries are to use water only on alternate days during non-daylight hours for outside operations. | Low | Yes |

Water Shortage Contingency Plan

| Shortage Level | ID | Demand Reduction Actions | Expected Relative Impact | Penalty or Enforcement |
|----------------|------|--|--------------------------|------------------------|
| | 3.4 | Decorative ponds, non-irrigation system golf course water hazards, fountains, and other waterscape features are not to be filled or replenished. | Low | Yes |
| | 3.5 | No filling of swimming pools or landscaping ponds unless necessary for health and safety or leak repair. | Low | Yes |
| | 3.6 | Commercial car washes must use recycled water or recirculating water systems. | Medium | Yes |
| | 3.7 | Spray irrigation of medians and parkways is prohibited. | Medium | Yes |
| | 3.8 | The Agency will encourage counties, cities, Homeowners Associations (HOAs) and other enforcement agencies to suspend code enforcement and fines for brown turfgrass areas. | Low | No |
| | 3.9 | The Agency will strengthen customer billing messages with use comparisons. | Medium | No |
| | 3.10 | The Agency will implement water use audits targeted to key customers to ensure compliance with directives. | Medium | No |
| | 3.11 | The Agency will expand rebate programs. | Medium | No |
| 4 | 4.1 | Turfgrass landscapes may not be watered except where subterranean or non-potable water systems are used. | High | Yes |
| | 4.2 | No new turf landscaping shall be installed. | N/A | Yes |
| | 4.3 | The Agency shall consider implementing its drought rate surcharge. | High | Yes |
| | 4.4 | The Agency will expand public information campaign. | Medium | No |
| 5 | 5.1 | Watering turfgrass is prohibited. | High | Yes |
| | 5.2 | The use of misting systems is prohibited. | Medium | Yes |
| | 5.3 | Turfgrass at parks and school grounds may water with recycled water or not at all. | Medium | Yes |
| | 5.4 | Golf course greens and tees may be watered no more than two times per week during non-daylight hours with recycled water, or not at all. | Medium | Yes |
| | 5.5 | Trees, desert plants and shrubs may be watered only with drip, subterranean or non-adjustable bubbler irrigation systems during non-daylight hours. | High | Yes |
| | 5.6 | Outdoor water use for grading or development is prohibited. | High | Yes |
| | 5.7 | The Agency will impose moratorium or net zero demand on new connections. | N/A | Yes |
| | 5.8 | The Agency will not issue new construction meters, and water service through construction meters will not be available. | N/A | Yes |
| 6 | 6.1 | The Agency will implement mandatory rationing. | High | Yes |
| | 6.2 | Outdoor water use is prohibited. | High | Yes |
| | 6.3 | Restaurants must use disposable cups, plates, and utensils. | High | Yes |
| | 6.4 | Commercial nurseries shall discontinue all use of potable water for watering and irrigation. | Low | Yes |
| | 6.5 | Watering of livestock is permitted as necessary. | N/A | No |

4.3 Operational Changes

DWA has identified potential operational changes that could be made to help address a short-term gap between demands and available supplies. These include improved monitoring and analysis of customer water usage, reductions in flushing of hydrants and dead-end lines, and use of emergency connections with neighboring water agencies. Some of the potential actions are included in Table 4. DWA may also expedite planned system improvement projects that include reduction in water loss (e.g., replacement of water mains that are experiencing higher rates of leaks and breaks).

4.4 Additional Mandatory Restrictions

DWA has identified a series of restrictions that could be implemented at different shortage levels. These restrictions are included in the demand reduction actions in Table 4.

4.5 Emergency Response Plan

The Water Code requires that an agency's WSCP address catastrophic water shortages and plans to address them. This information can be addressed in the agency's Emergency Response Plan (ERP). DWA's ERP contains sensitive information related to potential vulnerabilities or impacts of natural disasters or malevolent acts. Therefore, these documents are not typically made publicly available. DWA's plan outlines specific disaster-related procedures to guide staff in responding efficiently to catastrophic interruptions of water supply.

DWA collaborates on planning efforts, including emergency response, through the Coachella Valley Regional Water Management Group (CVRWVG). In addition, CVWD, DWA, IWA, and MSWD are members of the California Water/Wastewater Agency Response Network (CalWARN), which supports and promotes emergency preparedness. More information about CalWARN is available at their web site at www.calwarn.org.

The region's imported water supplies from the Colorado River and the SWP could be disrupted by an earthquake. Because the agencies use local groundwater to meet urban demands, the agencies could continue to meet short term urban demands with groundwater production. The agencies have installed backup generators at key water production facilities to allow continued operation during a power outage.

DWR has plans in place to make emergency repairs to the SWP, and MWD has plans in place to make emergency repairs to the CRA. CVWD has plans to make emergency repairs to the Coachella Canal. CVWD staff receives regular Incident Command System (ICS) training through the Federal Emergency Management Agency (FEMA), and drills are conducted routinely. CVWD remotely monitors the status of most key facilities at CVWD headquarters, which enables it to detect areas affected by disasters. RUWMP participating agencies also participate in ICS training and regularly monitor key water facilities remotely.

If imported water supplies were disrupted for an extended period, it would reduce the water supply available for replenishment of the groundwater basin. DWA would implement levels of this WSCP as needed if pumping needed to be decreased while imported water supplies were interrupted.

4.6 Seismic Risk Assessment and Mitigation Plan

Water Code Section 10632.5 requires the RUWMP participating agencies to assess seismic risk to water supplies as part of their WSCP. The code also requires a mitigation plan for managing seismic risks. In lieu of conducting their own seismic risk assessment, which can be a lengthy process, suppliers can comply with the Water Code requirement by submitting the relevant local hazard mitigation plan or multi-hazard mitigation plan.

The Riverside County Local Hazard Mitigation Plan (LHMP) was updated in 2018. The Riverside County LHMP is available on the Riverside County web site at <https://rivcoemd.org/LHMP>. The Riverside County

LHMP includes an assessment of the region's vulnerability to a broad range of hazards, including earthquakes. It also describes mitigation strategies and actions to reduce the impacts of a seismic event. The RUWMP participating agencies continue to include seismic risk assessment in their planning process for system improvements.

5.0 Communication Protocols

Timely and effective communication is a key element of WSCP implementation. DWA will need to inform customers, the general public, and other government entities of WSCP actions taken during a water shortage (either one determined by the Annual Assessment, an emergency, catastrophic, or other event). An overview of planned communication approaches is provided in Table 5. These protocols have been aligned between the RUWMP participating agencies where possible, but some are tailored to the needs of DWA's service area. DWA will adjust its communication strategy as needed to address issues that are impacting the entire service area or limited areas.

DRAFT

Table 5. Communication Plan Outline

| At all times | Level 1 Up to 10% Voluntary Conservation | Level 2 Up to 20% Mandatory Conservation | Levels 3 and 4 Up to 30% or 40% Mandatory Conservation | Levels 5 and 6 Up to 50% or Over 50% Mandatory Conservation |
|---|--|--|--|---|
| Standard outreach efforts in effect (media relations, social media, website) | Update message platform to reflect conditions, DWA's response, and needed actions from public | Update campaign and messages to generate immediate actions/behaviors by public, include information on enforcement actions | Update campaign and messages to raise awareness for more severe water-saving actions/behaviors by public, highlight need for reduced outdoor water use | Update campaign and messages to reflect extreme or emergency condition and likely need to focus water use on health/safety needs |
| Promote ongoing Water Use Efficiency (WUE) programs and tools and partnerships designed to achieve long-term water management goals | Announce status change to key stakeholders and general public (e.g., News release, social media, etc.) | Announce status change to key stakeholders and general public (e.g., News release, social media, etc.) | Announce status change to key stakeholders and general public (e.g., News release, social media, etc.) | Announce emergency status to key stakeholders and general public (e.g., News release, social media, etc.) |
| Standard coordination with MWD and regional partners | Include increased conservation messages on website and in standard outreach efforts; provide regular condition updates to stakeholders/media | Supplement Level 1 activities with additional tactics as needed; provide regular condition updates to stakeholders/media | Supplement Level 2 outreach with additional tactics as needed; provide regular updates to stakeholders/media on conditions | Supplement Level 3-4 outreach with additional tactics as needed; provide regular condition updates to stakeholders/media on conditions |
| Board reports on public communication and water-use efficiency outreach activities at least annually | Enhance promotion of ongoing WUE programs/tools; deploy targeted advertising | Conduct issue briefings with elected officials, other key civic and business leaders | Conduct specialized outreach to HOAs and local organizations | Suspend promotion of long-term WUE programs/tools to focus on imminent needs |
| | Initiate regular Board reports on campaign efforts | Increase promotion of ongoing WUE programs/tools | Promote available water assistance resources for vulnerable populations; specialized outreach to impacted industries | Continue enhanced coordination with neighbor agencies and local/state/federal policy makers as needed (e.g. daily or weekly briefings or email updates, etc.) |

6.0 Compliance and Enforcement

This section describes how DWA will ensure compliance with and enforce provisions of the WSCP. The RUWMP participating agencies have worked together to align their policies where possible, but each agency implements its compliance and enforcement actions within its service area.

6.1 Penalties

The penalties that could be imposed for non-compliance are summarized in Table 6.

Table 6. Enforcement Actions

| Water Shortage Level | First Violation | Second Violation (within 12 months) | Third Violation (within 12 months) | Subsequent Violations | Additional Information |
|----------------------|--|--|--|--|---|
| All | <p>Single-family residence: \$50 civil penalty</p> <p>All others: \$100 civil penalty</p> <p>First penalties may be removed through participation in an incentive program at staff discretion.</p> | <p>Single-family residence: \$100 civil penalty</p> <p>All others: \$200 civil penalty</p> | <p>Single-family residence: \$250 civil penalty</p> <p>All others: \$500 civil penalty</p> | <p>Single-family residence: \$250 civil penalty</p> <p>All others: \$500 civil penalty</p> | <p>DWA staff is authorized to discontinue water service for water waste violations.</p> <p>DWA could pursue criminal charges for violation.</p> <p>Severe or persistent violations may be considered a misdemeanor. Conviction of a violation of could result in imprisonment in the County jail for up to 30 days, a fine of up to \$1000, or both such fine and imprisonment.</p> |

6.2 Appeals and Exemption Process

This section describes the appeals and exemption processes. Where feasible, specific exemptions can be identified and defined. Where not feasible, the process to appeal or obtain an exemption should be detailed.

Any water user violating the regulations and restrictions on water use may receive a written notice for the violation. The water user shall have seven days from receipt of the notice to submit a written request for a hearing. If no hearing is requested, or at the hearing it is determined that the water user has committed a violation, a civil penalty may be levied.

The government codes and ordinances that are used to implement these policies and processes are discussed in Section 7.

7.0 Legal Authorities

This section describes the legal authorities that DWA relies upon to implement the shortage response actions and the associated enforcement actions.

DWA's Ordinance No. 65 establishes its Water Conservation Plan and was adopted March 1, 2016.

Water Shortage Contingency Plan

DWA is in the process of updating the ordinance to reflect the contents of this WSCP.

A copy of the legal authority is included in Appendix A.

In accordance with Water Code Chapter 3 (commencing with Section 350) of Division 1 general provisions regarding water shortage emergencies, DWA shall declare a water shortage emergency in the event of a catastrophic interruption in supply.

DWA shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency under California Government Code, California Emergency Services Act (Article 2, Section 8558). Including a list of and contacts for all cities or counties for which the RUWMP participating agencies provide service in the WSCP, along with developed coordination protocols, can facilitate compliance with this section of the Water Code in the event of a local emergency as defined in subpart (c) of Government Code Section 8558.

These cities and counties are summarized in Table 7.

Table 7. City and County Coordination on Proclamation of Emergencies

| City or County | Contact | CVWD | CWA | DWA | IWA | MDMWC | MSWD |
|----------------------------|----------------------------------|------|-----|-----|-----|-------|------|
| Imperial County | Office of Emergency Services | X | | | | | |
| Riverside County | Emergency Management Department | X | X | X | X | X | X |
| City of La Quinta | Emergency Management Division | X | | | X | X | |
| City of Indio | Emergency Services Coordinator | X | X | | X | | |
| City of Coachella | Emergency Services Coordinator | X | X | | X | | |
| City of Palm Desert | Emergency Services Coordinator | X | | | | | |
| City of Cathedral City | Emergency Manager | X | | X | | | |
| City of Indian Wells | Emergency Services Coordinator | X | | | | | |
| City of Rancho Mirage | Emergency Services Coordinator | X | | | | | |
| City of Palm Springs | Emergency Management Coordinator | | | X | | | X |
| City of Desert Hot Springs | Emergency Services Coordinator | | | X | | | X |

8.0 Financial Consequences of WSCP

This section describes the anticipated financial consequences to DWA of implementing the WSCP. The description includes potential reductions in revenue due to lower water sales and increased expenses associated with implementing the shortage response actions.

Potential financial impacts of implementing the WSCP could include:

- Reduced revenue from reduced water use
- Increased staff costs for tracking, reporting, patrolling, and enforcing restrictions
- Economic impacts associated with water-dependent businesses in the service area

Potential mitigation measures include:

- Triggering of drought rate structures or surcharges
- Using financial reserves
- Reducing operation and maintenance expenses (expenses related to source of supply and pumping will fall due to reduced water production)
- Deferring capital improvement projects
- Reducing future projected operation and maintenance expenses
- Increasing fixed readiness-to-serve charge
- Increasing commodity charge and water adjustment rates to cover revenue shortfalls
- Seeking alternative source of funding, such as state or federal grants or loans
- Other financial management mechanisms

DWA will monitor financial conditions during a water shortage and take appropriate actions as needed. DWA maintains financial reserves that can be used to continue operations during a period of reduced water sales. DWA has the ability to increase water rates or implement a surcharge to increase revenues from water sales.

9.0 Monitoring and Reporting

This section describes how DWA will monitor and report on implementation of the WSCP. DWA will gather data on key water use metrics and use the data to evaluate the effectiveness of response actions in achieving their intended water use reduction purposes. DWA will also gather data on customer compliance to evaluate the effectiveness of enforcement actions. DWA will gather and report data at frequencies adequate to meet reporting requirements established by the State Water Resources Control Board and other government agencies. The specific reporting requirements are expected to change over the next five years.

DWA will monitor water use by customers using billing systems and operational control systems to monitor production and consumption. Each customer is metered, and billing records will be compiled and used to observe trends in water consumption. Each groundwater well and water connection point is also metered, and production records will be used to observe trends in water production. Levels in reservoirs can be monitored using the operational control systems to help identify potential high usage or leaks. DWA staff may also perform field visits and record observations to monitor water use and identify potential issues for follow-up.

The consumption records will be aggregated by customer class to evaluate response actions and identify potential additional measures.

10.0 WSCP Refinement Procedures

DWA will monitor the implementation of this plan to evaluate its effectiveness as an adaptive management tool. The monitoring and reporting program described in Section 9 will provide information

on the effectiveness of the shortage response actions during any shortage levels that may be invoked. If DWA determines that the shortage response actions are not effective in producing the desired results, DWA will initiate a process to refine the WSCP. DWA will consider the addition of new shortage response actions, or changing the levels when shortage response actions are implemented. Suggestions for refinements will be collected from DWA staff, customers, industry experts, and the general public. The RUWMP participating agencies will share data and suggestions for refinement to identify opportunities to increase the effectiveness of the WSCP while maintaining alignment with other agencies in the region when possible.

11.0 Special Water Feature Distinction

The RUWMP participating agencies have distinguished swimming pools and spas as recreational water features, while non-pool and non-spa water features are considered decorative water features. This distinction is used in the shortage response actions because decorative water features have the potential to use recycled water, while most pools and spas (recreational water features) use potable water for health and safety considerations. However, this distinction does not apply to the hot mineral spring pools and spas throughout the Desert Hot Springs area; while they are recreational, they also do not rely on potable water.

12.0 Plan Adoption, Submittal, and Availability

DWA adopted this WSCP with the 2020 RUWMP. The RUWMP and WSCP were made available for public review during May and June of 2021. A public hearing was held on June 15, 2021 to allow public input on the draft RUWMP and the WSCP.

DWA's governing board adopted the RUWMP and the WSCP at a meeting on June 15, 2021. The resolution of adoption is included as Appendix B.

This WSCP was submitted to DWR through the WUEData portal before the deadline of July 1, 2021. This WSCP was made available to the public on DWA's web site. Notice was provided to cities and counties in the service area that the WSCP was available on DWA's web site.

If DWA identifies the need to amend this WSCP, it will follow the same procedures for notification to cities, counties and the public as used for the RUWMP and for initial adoption of the WSCP. The draft amended WSCP will be made available for public review, and DWA's governing board will hold a public hearing to receive comments on the draft amended WSCP. Once DWA's governing board adopts the amended WSCP, the amended plan will be submitted to DWR and the California State Library, and it will be made available to the public and the cities and counties in the service area through placement on DWA's web site.

DRAFT

Appendix A. Legal Authority

Appendix B. Resolution of Adoption