



Water Department

Water Commission Agenda
Regular Meeting
7:00 p.m. – Monday, November 3, 2014
Council Chambers
809 Center Street, Santa Cruz

Agenda

Call to Order

Roll Call

Presentation *Organized groups may make presentations to the Water Commission. Presentations that require more than three minutes should be scheduled in advance with Water Department staff.*

Statements of Disqualification *Section 607 of the City Charter states that “...All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made.”*

The City of Santa Cruz has adopted a Conflict of Interest Code, and Section 8 of that Code states that no person shall make or participate in a governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect distinguishable from its effect on the public generally.

Oral Communications No action shall be taken on this item.

Announcements No action shall be taken on this item.

Approval of Minutes ☆ (Pages 1-4)

Recommendation: Motion to approve the October 6, 2014 Water Commission Minutes.

Consent Agenda (Pages 5-8)

Items on the consent agenda are considered to be routine in nature and will be acted upon in one motion. Specific items may be removed by members of the advisory body or public for separate consideration and discussion.

1. City Council Items Affecting Water ☆ (accept info) (Pages 5-6)
2. 2015 Water Commission Calendar ☆ (accept info) (Pages 7-8)

Items Removed from the Consent Agenda

General Business (Pages 9-40)

Any document related to an agenda item for the General Business of this meeting distributed to the Water Commission less than 72 hours before this meeting is available for inspection at the Water Administration Office, 212 Locust Street, Suite A, Santa Cruz, California. These documents will also be available for review at the Water Commission meeting with the display copy at the rear of the Council Chambers.

1. Recommended Revisions to the Santa Cruz Municipal Code Chapter 16.04, Water Services and (WT)☆ (Pages 9-40)

Recommendation: That the Water Commission recommend that City Council adopt an ordinance repealing Chapter 16.04 and adding new Chapters 16.30, 16.35, 16.40, 16.41, and 16.45 to the Santa Cruz Municipal Code pertaining to water services and charges.

Subcommittee/Advisory Body Oral Reports No items.

1. WSAC Update (Oral Report)

Director's Oral Report No action shall be taken on this item.

1. Monthly Status of Water Supply (to be distributed at meeting)

Information Items No action shall be taken on this item.

1. Attitudinal Survey ☆ (Pages 41-64)
2. Modeling and Forecasting Working Group Schedule ☆ (Pages 65-70)
3. Regional Groundwater Initiatives, Legislation and Opportunities for City Participation ☆ (Pages 71-87)

Documents for Future Meetings No action shall be taken on this item.

The following document is being included in this agenda packet in order to provide ample review time. It will be an item of business and will include a staff report at a future meeting.

Items Initiated by Members for Future Agendas

Adjournment The next meeting of the Water Commission is scheduled for December 1, 2014 at 7:00 p.m. in Council Chambers.

☆Denotes written materials included in packet

APPEALS - Any person who believes that a final action of this advisory body has been taken in error may appeal that decision to the City Council. Appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk.

Other - Appeals must be received by the City Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a fifty dollar (\$50) filing fee.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, please attend the meeting fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call Water Administration at 831-420-5200 at least five days in advance so that arrangement can be made. The Cal-Relay system number: 1-800-735-2922.

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Water Department

Water Commission
DRAFT
7:00 p.m. – Monday, October 6th, 2014
Council Chambers
809 Center Street, Santa Cruz

Minutes of a Water Commission Meeting

Call to Order –Chair Baskin called the meeting to order at 7:03 p.m. in the City Council Chambers.

Roll Call

Present: D. Baskin, A. Schiffrin, D. Schwarm, D. Stearns, W. Wadlow, and L. Wilshusen.

Absent: G. Mead (with notification)

Staff: R. Menard, Water Director; T. Goddard, Administrative Services Manager; N. Dennis Principal Management Analyst; G. Rudometkin, Administrative Assistant III.

Others: Approx. 6 members of the public.

Presentation –There were no presentations.

Statements of Disqualification – There were no statements of disqualification.

Oral Communications –There were no oral communications.

Announcements –There were no announcements.

Approval of Minutes

Commissioner D. Schwarm moved approval of July 7 and August 25, 2014 Water Commission minutes. Commissioner D. Baskin seconded.

VOICE VOTE: MOTION CARRIED for the July 7 meeting

AYES: ALL

NOES: None.

ABSTAINED: None.

VOICE VOTE: MOTION CARRIED for the August 25 meeting

AYES: D. Baskin, A. Schiffrin, D. Schwarm, D. Stearns, and L. Wilshusen.

NOES: None.

ABSTAINED: W. Wadlow due to absence from the July 25 meeting.

Consent Agenda

1. City Council Items Affecting Water
2. Water Commission Bylaws Update
3. Correspondence from Gary Patton dated 8/5/2014

Commissioner A. Schiffrin pulled item 2 off the Consent Agenda. Commissioner L. Wilshusen moved the Consent Agenda as amended. Commissioner A. Schiffrin seconded.

VOICE VOTE: MOTION CARRIED

AYES: ALL

NOES: None.

Items Removed from the Consent Agenda

Item 2: Water Commission Bylaws Update

Commissioner A. Schiffrin moved the approved proposed Bylaws amendments presented by the subcommittee and the City staff for recommendation to City Council at their October 28 meeting. Commissioner W. Wadlow seconded.

VOICE VOTE: MOTION CARRIED

AYES: ALL

NOES: None.

General Business

1. Long Term Conservation Master Plan

Presentation introduced to by Water Director, R. Menard and provided by T. Goddard; Administrative Services Manager and responded to commission question.

Public Comments: Oral Comments made by S. Holt.

Commissioner L. Wilshusen recommends this Technical Memorandum for the Conservation Master Plan, with readability improvements as noted, to the City Council as the interim plan for budgeting purposes and refer this Technical Memorandum as well to the Water Supply Advisory Committee for its review and comment. Commissioner D. Schwarm seconded.

VOICE VOTE: MOTION CARRIED

AYES: D. Baskin, D. Schwarm, D. Stearns, L. Wilshusen, and W. Wadlow.

NOES: A. Schiffrin.

2. Drought Update

Presentation provided by T. Goddard; Administrative Services Manager and responded to commission question.

Public Comments: Oral Comments made by R. Longinotti.

Commissioner A. Schiffrin recommended that the Commission recommend to the City Council to adopt the resolution extending the Stage 3 Water Shortage Emergency on a month to month basis and at that time that staff provide the Council with information regarding criteria for lifting the rationing requirements at least on a temporary basis.

Commissioner D. Stearns seconded.

VOICE VOTE: MOTION CARRIED

AYES: ALL

NOES: None.

3. System Development Charges Policy Framework Discussion

Presentation introduced to by Water Director, R. Menard and provided by S. Gaur of Raftelis Consulting and responded to commission question.

Public Comments: Oral Comments made by R. Longinotti.

Subcommittee/Advisory Body Oral Reports No items.

1. WSAC Update (Oral Report)

Director's Oral Report No action shall be taken on this item.

1. Monthly Status of Water Supply

Documents for Future Meetings No action shall be taken on this item.

1. None

Information Items No action shall be taken on this item.

1. Work plan for Cost of Service Analysis, Rate Redesign and System Development Charges
2. Modeling and Forecasting Working Group

Items Initiated by Members for Future Agendas

Adjournment Meeting adjourned at 9:41 pm, the next meeting of the Water Commission is scheduled for November 3, 2014.

Respectfully submitted,

Gloria
Rudometkin

Digitally signed by Gloria Rudometkin
DN: cn=Gloria Rudometkin, o=City of
Santa Cruz, ou=Water,
email=grudometkin@cityofsantacruz.c
om, c=US
Date: 2014.02.10 09:12:05 -0800

Staff

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WATER COMMISSION REPORT

DATE: November 3, 2014
TO: Water Commission
FROM: Rosemary Menard
Water Director
SUBJECT: City Council Items Affecting Water

City Council Meeting of October 14, 2014:

Recoating of DeLaveaga Tank No. 1 (West) Project – Notice of Completion (WT)

Motion to accept the work of Farr Synthetic Coatings, (Sparks, NV) as complete per the plans and specifications and authorize the filing of a Notice of Completion for the Recoating of DeLaveaga Tank No. 1 (West) Project.

Summary Vacation of Unneeded Water Pipeline Easements from High Street to River Street (WT)

Resolutions to vacate the following: 1) a water pipeline easement at 57 Ortolon Avenue, 58 Ortolon Avenue, 281 Sheldon Avenue, and 524 Spring Street granted by Emmet L. and Hazel V. Rittenhouse and Cyril E. and Marjorie Deane in 1958; 2) a water pipeline easement at 401 Spring Street, 409 Spring Street, 116 Kalkar Drive, 120 Kalkar Drive, and 850 High Street granted by Fred W. and M. M. Johnson in 1951; 3) a water pipeline easement at 416 Spring Street granted by indenture dated 1947 by Alvin L. Weymouth and Lois A. Weymouth and Ottobert V. Axton and Marcelle F. Axton; 4) a water pipeline easement at 283, 282, 274, 227 and 239 Meadow Road, 298 Harvey West Boulevard, 375 Encinal Street/280 Harvey West Boulevard, 350 Encinal Street and 326 Evergreen Street granted by Mary E., Anita P., John D. and James A. Barrett in 1931; 5) a water pipeline easement at 330 and 350 Encinal Street granted by Agostino Puccinelli in 1931; 6) a water pipeline easement at 335 Golf Club Drive granted by G. and Rose Puccinelli in 1931; 7) a water pipeline easement at 209 Golf Club Drive granted by Charles L. and Roberta H. Davis in 1931; 8) a water pipeline easement at 120 Golf Club Drive granted by Catherine S. Brochon in 1931; 9) a water pipeline easement at 120 Golf Club Drive granted by James B. and Edith Denny in 1931; 10) a water pipeline easement at 120 Golf Club Drive granted by P. L. and Fern R. Wilson in 1931; 11) a water pipeline easement at 1217 River Street granted by Geo. P. Dennett in 1931; 12) a water pipeline easement at 1519 Laurent Street, 1525 Laurent Street, 248 Ross Street and 244 Ross Street granted by Emmet L. and Hazel V. Rittenhouse and Cyril E. and Marjorie Deane Barrett in 1950.

North Coast System Rehabilitation Project – Phase 3 Coast Segment and Mitigated Negative Declaration (WT)

Resolution adopting a Mitigated Negative Declaration (Exhibit A), Mitigation and Monitoring Reporting Program (Exhibit A), approving the schematic project alignment (Exhibit A), and directing staff to proceed with acquisition of all required regulatory permits and the preparation of final construction bid documents for the North Coast System Rehabilitation Project – Phase 3 Coast Segment.

Approve Agreement with Raftelis Financial Consultants, Inc. System Development Fee and Rate Study - Budget Adjustment (WT)

Motion to approve a new agreement with Raftelis Financial Consultants, Inc. in the amount of \$153,070 and authorize the City Manager to execute the agreement in a form approved by the City Attorney.

Resolution appropriating \$66,565 from System Development Charges, Fund 715 and \$86,505 from the Water Enterprise Fund, Fund 711, to fully fund this agreement in FY 2015 and FY 2016.

Appropriation of Funds to FY 2015 Operating Budget from the Water System Development Charges Fund (Fund 715) to Fund Water Conservation Rebate Programs - Budget Adjustment (WT)

Resolution appropriating funds and amending the FY 2015 budget in the amount of \$250,000 from the Water System Development Fund (Fund 715) to cover the projected costs of a dramatic increase in demand for water conservation rebates related to the drought response.

Extension of Stage 3 Water Shortage Emergency (WT)

Resolution adopting an extension to the Stage 3 Water Shortage Emergency for 2014.

City Council Meeting of October 28, 2014:

Amend Portion of the Water Commission Bylaws (WT)

Approve resolution amending the Water Commission Bylaws regarding meeting minutes, eliminating action agendas, allowing Commissioners to serve on other advisory bodies for more than 13 months when they are appointed to other advisory bodies as representatives of the Water Commission as well as other changes.

Regional Groundwater Initiatives, Legislation and Opportunities for City Participation (WT)

Motion to: 1) Join the Mid-County Basin Implementation Group (BIG) for the Soquel-Aptos Groundwater Management Area as a full financial member, 2) Appoint two City Councilmembers to serve on the Basin Implementation Group, and 3) actively participate at both elected official and staff level in the development and implementation of the Sustainable Groundwater Management Act in northern Santa Cruz County. (This item was originally agendized before the City Council on 10.28.14 and due to the length of the agenda was tabled to 11.18.14)



WATER COMMISSION REPORT

DATE: November 3, 2014
TO: Water Commission
FROM: Water Director
SUBJECT: Water Commission Schedule for 2015

January 2015
(01-05-15)

July 2015
(07-06-15)

February 2015
(02-02-15)

August 2015
(08-24-15)

March 2015
(03-02-15)

September 2015
No meeting

April 2015
(04-06-15)

October 2015
(10-05-15)

May 2015
(05-04-14)

November 2015
(11-02-15)

June 2015
(06-01-15)

December 2015
(12-07-15)

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CITY COUNCIL AGENDA REPORT

DATE:

AGENDA OF:

DEPARTMENT: Water

SUBJECT: Revision of Santa Cruz Municipal Code Chapter 16.04, Water Services and Charges (WT)

RECOMMENDATION: That the Water Commission recommend that City Council adopt an ordinance repealing Chapter 16.04 and adding new Chapters 16.30, 16.35, 16.40, 16.41, and 16.45 to the Santa Cruz Municipal Code pertaining to water services and charges.

BACKGROUND: Municipal Code Title 16, covers Water, Sewers and Other Public Services including stormwater and solar. Chapter 16.04 on Water Services and Charges was originally adopted in 1965 and has been revised six times since then to keep up with changing state regulations and water system needs. The number and scope of changes made within Chapter 16.04 has caused the chapter to become disorganized, difficult to follow, and too long to effectively subdivide further.

DISCUSSION: Water Department staff has developed a comprehensive revision of Chapter 16.04 to improve its organization and clarity, and to remove sections that are more procedural than regulatory.

The proposed revision moves all water-related sections from the single previous Chapter 16.04 into 5 new code sections numbered 16.30, 16.35, 16.40, 16.41 and 16.45. It also consolidates and eliminates outdated or procedural sections, reducing the total number of primary water sections from 64 in the current chapter to 30 in the proposed chapters. These changes, including the expanded numbering structure, have allowed for the reorganization of the material into a more logical order, while also providing room for future additions to the code.

Regulations removed from the Municipal Code and re-established in Department policy, as approved by the Water Director, include criteria and procedures for:

- Use of master meters in multiple unit developments for which there is insufficient room for single unit meters;
- Use of water connections to service more than one parcel;
- Agreements with applicants who must replace a water main or extend a system facility to meet minimum requirements for water service, including the formula used for calculation of reimbursement of their costs by future users of such facilities;
- Moving and/or changing the size of water meters; and

- Installing and moving fire hydrants.

Following is a brief summary of each chapter and its primary functional use.

Chapter 16.30 Water Services defines the service area, types of service, requirements of service, and maintenance of service. This chapter will be referred to by staff to determine if a parcel can be served, the type of service required, any additional improvements needed to supply adequate service, and clarifies responsibility for the various facilities and associated fees.

Chapter 16.35 Water Service Improvements describes the need for replacement of existing facilities or extension of new facilities within the service area. This chapter will be referred to by staff to define the need for either replacement or extension of facilities; size, type and location of these facilities; and ownership and payment for these facilities.

Chapter 16.40 Water Service Accounts defines and describes the methods of establishing, maintaining, and discontinuing a water service account. This chapter will be referred to by staff and in assisting customers with issues regarding a water service including billing, transfer of account holder, and discontinuing of service.

Chapter 16.41 Water Service Charges generally describes rates and fees associated with water services including connection fees (System Development Charges), and the allocation of this revenue. Because the Department is currently evaluating rates and fees, including the System Development Charge, this Chapter may be modified in the near future.

Chapter 16.45 Water Use describes the appropriate use of water generated by the Department and the requirements of Title 17 of the California Code of Regulations regarding cross connection control and backflow prevention.

In addition, the attached table shows the destination of the elements of Chapter 16.04: whether they have been moved into a new chapter or to a Department policy, or eliminated because they are no longer needed, as approved by the City Attorney.

FISCAL IMPACT: There is no fiscal impact of these changes.

POSSIBLE MOTION: The Water Commission recommends the City Council adopt an ordinance repealing Chapter 16.04 and adding new Chapters 16.30, 16.35, 16.40, 16.41, and 16.45 to the Santa Cruz Municipal Code pertaining to water services and charges.

Attachments:

Table summarizing the changes between 16.04, and new chapters.
New Chapters 16.30, 16.35, 16.40, 16.41, and 16.45.

CURRENT SECTIONS		PROPOSED NEW SECTIONS	
16.04	Water Services and Charges	16.30	Water Charges
16.04.010	Definitions	16.30.010	Definitions
16.04.020	Service area	16.30.011	Service Area
16.04.030	Description of service		
	1. Supply	16.30.012	System Supply and Pressure
	2. Types of Service	16.30.013	Types of Service
	3. Large Quantity Water	16.45.012	General Water Use
	4. Availability of water	16.35.011	Main Relacement & System Extension
16.04.040	Application for service		
	Introduction	16.35.011	Main Relacement & System Extension
	(a) - (c)	16.40.011	Application for Service Account
16.04.041	Connection of new water services.	16.41.013	System Development Charges
16.04.050	Installation of services – Eligibility requirements	16.30.016 & 017	Service Connection Requirements & Installation
16.04.051	Minimum standards for service.	16.30.016	Service Connection Requirements
16.04.051A	Main replacement		
	First Sentence	16.35.011	Main Relacement & System Extension
	Remainder	delete	move to Policy on Main Replacement
16.04.052	Conditions imposed on applicant	16.35	water system improvements
16.04.060	Number of services per premises		
	1st sentence	16.30.017(a)	Service Connection Installation

	Remainder	delete	in Backflow policy
16.04.061	Size and location of service connections		
	1st sentence	16.30.017(a)	Service Connection Installation
	Remainder	delete	move to Policy on Service Installation
16.04.065	Conditions for use of master water meters		
	partial	16.30.016(e)	Service Connection Requirements
	partial	delete	move to Policy on Master Water Meters
16.04.070	Resale of Water	16.45.012	General Water Use
16.04.075	Supply to separate premises		
	(a) first sentence	16.30.016 (f)	Service Connection Requirements
	(a) 2nd sentence	16.45.012	General Water Use
	(b) (federal & state agency)	deleted	covered in 16.30.016
16.04.080	Meter installations	16.30.017 (b)	Service Connection Installation - Location
16.04.090	Change in location of meters	16.30.021	Service Connection Changes
16.04.100	Change in size of meter	16.30.021	Service Connection Changes
16.04.110	Ownership	16.30.018	Service Connection Ownership & Maintenance
16.04.120	Maintenance	16.30.018	Service Connection Ownership & Maintenance
16.04.130	Temporary service	16.30.012	Types of Service
16.04.140	Installation charges and deposits	16.30.021	service connection changes
16.04.150	Service through fire hydrants	16.30.012	Types of Service
16.04.160	Charge for water served	16.40.011	Application for Service Account

16.04.170	Responsibility for meters and installation	16.30.018	Service connection ownership and maintenance
16.04.180	Annual permits	16.30.012	Types of Service
16.04.190	Private fire protection service		
	partial	16.30.012	Types of Service
	partial	delete	move to Policy on Fire Hydrants
16.04.200	Public fire protection service		
	partial	16.30.012	Types of Service
	partial	delete	move to Policy on Fire Hydrants
16.04.210	General requirements – Extension of water system	16.35.011	Main Relacement & System Extension
16.04.211	Design of facilities	16.35.011	Main Relacement & System Extension
16.04.212	Installation of facilities	16.35.011	Main Relacement & System Extension
16.04.213	Acreage cost recovery/reimbursement		
	partial	16.35.013	System Extension Agreements
	partial	delete	move to Policy on System Extension Agrmts
16.04.213A	Water system extensions zone-Cost recovery/ reimbursement	16.35.015	System Extension Zones
16.04.214	Distribution main extensions or replacements		
	(a)	delete	move to Policy on Main Replacement or System Ext
	(b)	16.35.013.b4	System Extension Agreements
16.04.215	Applicant-installed facilities	delete	move to Policy on Main Replacement or System Ext
16.04.216	Front-foot cost recovery/reimbursement	delete	Move to Policy on Main Replacement or System Ext (authority in 16.35.013 b1)

16.04.217	Front-foot charge refunds	delete	move to Policy on Main Replacement or System Ext
16.04.220	Notices	16.40.013	Account Notice
16.04.230	Meter readings	16.40.016(a)	Meter Reading & Testing
16.04.240	Billing period	16.40.013(a)	Account Billing
16.04.250	Opening and closing bills	16.40.013(b)	Account Billing and Policy on Billing
16.04.260	Billings	16.40.013(c)	Account Billing
16.04.270	Billing of separate water meters	delete	move to policy on meter size
16.04.280	Batteries of meters	16.40.013(d)	Account Billing
16.04.290	Meter error tests	16.40.014 (b)	Meter Reading & Testing
16.04.300	Adjustment of bills for meter errors	16.40.014 (b)	Meter Reading & Testing - and Policy on Billing
16.04.310	Nonregistering meters	16.40.014 (c)	Meter Reading & Testing
16.04.320	Penalties for delinquency and nonpayment	delete	covered in 16.13 Unified Billing
16.04.330	Discontinuance of service because of unsafe apparatus	16.40.017 (a)	Account Discontinuance - City initiated
16.04.331	Impairment of water service to other customers	16.45.013	Water Use
16.04.340	Discontinuance because of cross-connections	16.40.017 (a)	Account Discontinuance - City initiated
16.04.350	Discontinuance for fraud or abuse	16.40.017 (a)	Account Discontinuance - City initiated
16.04.360	Discontinuance upon vacating premises		
	(a)	16.40.017 (b)	Account Discontinuance - Account Holder
	(b)	delete	move to Policy on Abandonment
16.04.370	Restoration charge	16.40.018	Account Restoration

16.04.380	Fire hydrants		
	(1)	16.30.012	Service Types
	(2)	delete	move to Policy on Fire Hydrants
16.04.390	Responsibility for equipment	16.30.018 (c)	Service Connection Ownership - city owned
16.04.400	Damage to water system facilities	delete?	check with City attorney ???
16.04.410	Control valve	16.30.017 (e)	Service Connection Installation - control valve
16.04.420	Cross-connection control and backflow protection	16.45.015	Cross Connection... and Policy on Cross Connection
16.04.430	Interruptions in service	16.30.013	System Supply and Pressure
16.04.440	Ingress and egress	16.30.018 (d)	Service Connection Ownership - city access
16.04.450	Rates	16.41.012	Service Rates and Fees
16.04.460	Allocation of income from water system	16.41.011	System Income Allocation
16.04.470	Undertaking main replacement or extension improvements	delete	adopt Council policy
16.04.480	Usage of water for agricultural, domestic and other purposes	16.45.011	Authority to Regulate

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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SANTA CRUZ
REPEALING CHAPTER 16.04
AND ADDING CHAPTERS 16.30, 16.35, 16.40, 16.41 AND 16.45
PERTAINING TO WATER SERVICES AND CHARGES

BE IT ORDAINED by the City Council of the City of Santa Cruz as follows:

SECTION 1: Chapter 16.04 of the Santa Cruz Municipal Code is hereby repealed.

SECTION 2: Chapter 16.30 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.30 WATER SERVICES

16.30.010	Definitions
16.30.011	Service Area
16.30.012	Types of Service
16.30.013	System Supply and Pressure
16.30.016	Service Connection Requirements
16.30.017	Service Connection Installations
16.30.018	Service Connection Ownership and Maintenance
16.30.021	Service Connection Changes
16.30.023	Fire Hydrants

16.30.010 DEFINITIONS

- a. “Applicant” means individual, business or organization applying for water service.
- b. “Customer” means any person, business, or organization that uses water from the City water system.
- c. “City” means the City of Santa Cruz.
- d. “Department” or “Water Department” means the City of Santa Cruz Water Department or its duly authorized representatives.
- e. “Director” means the Director of the Water Department of the City of Santa Cruz, or his/her authorized representative.

- f. "Irrigation service" means the provision of water for agricultural, horticultural or landscape irrigation use only.
- g. "Person" means any individual, firm, partnership, association, corporation, or political entity.
- h. "Property" means one parcel of real property and the buildings on it, which is determined by the Department to be a single unit for purposes of receiving, using and paying for water service.
- i. "Service connection" means the pipe, tubing, fittings, valves, meters and meter boxes which convey water from the water main to a served property.
- j. "Water service" or "service" refers to the furnishing of water to a property for domestic, irrigation, or fire service use.
- k. "Water main" or "main" means any pipeline, except for user service lines, within the distribution system.

16.30.011 SERVICE AREA

The City will furnish water service in accordance with these regulations to any property within the corporate limits of the City and to such areas outside the City limits which have been designated by the City Council and approved by the Santa Cruz Local Agency Formation Commission for water service from the City's water system.

The Director shall be responsible for assuring that all water service shall comply with the standards set forth in this chapter wherever water service is provided by the City.

The Director of the City Water Department is authorized to issue such policies and procedures as necessary and appropriate to provide water services throughout the water service area in a safe, efficient and effective manner.

16.30.012 TYPES OF SERVICE

- (a) Regular Water Service is provided to a property through installed piping from a City water main through water meter(s) to the property's water facilities. Such service shall be established and charged for through an active Customer account.
- (b) Bulk Water Service is provided on an occasional or intermittent basis through bulk water stations. Such service shall be authorized and charged for through permits issued by the Water Department.
- (c) Hydrant Meter Service may only be available on a short term basis for non-potable purposes only from a public fire hydrant through a portable meter issued by the Water Department. Such service shall be authorized and charged for by the Water Department.

- (d) Public Fire Protection Service is water service provided through fire hydrants to organized fire protection agencies under agreements entered into between such agency and the City. Fire hydrants are for use by organized fire protection agencies and by the Water Department.
- (e) Private Fire Protection Service is a separate water service provided to property for the specific purpose of fire protection, as permitted by the Water Department and the fire protection agency within whose jurisdiction the property falls.

16.30.013 SYSTEM SUPPLY AND PRESSURE

(a) Supply

The Water Department will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the Customer at sufficient pressure, and to avoid shortages or interruptions in delivery.

(b) Service Interruptions

The City reserves the right to interrupt service while making improvements and repairs required in the operation of the water system. Whenever it is necessary to schedule an interruption to its service, the Department will endeavor to notify all account holders to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. The City shall not be liable for damage which may result from an interruption in service.

(c) Pressure

It is the applicant's responsibility to obtain information from the Department concerning the water pressures that may be expected in their area and to provide and maintain any plumbing and protective devices necessary to use the available water at whatever operating pressure is available in the system. Applicants and Customers shall accept such conditions of pressure and service as are provided by the City's distribution system at the location of the proposed service connection, and hold the City harmless for damage arising out of low, high or fluctuating pressure conditions.

16.30.016 SERVICE CONNECTION REQUIREMENTS

- (a) **Building Permit.** In order to be eligible to receive a Water Service Installation Permit, an Applicant must possess an approved building permit for the parcel on which the service is requested. The application must include evidence of the building permit. If a new service connection is requested for irrigation services, irrigation and landscape plans are required and shall meet water conservation requirements.
- (b) **Particular Property.** Applications for new service connections must be for a particular and identified property. Service is not assignable to other property, nor transferable between properties.
- (c) **Principal Frontage.** A principal part of the property to be served must front on an available water main. In determining whether the portion of an applicant's property lying

directly along the main constitutes principal frontage, the director's decision shall be considered final.

- (d) Elevation. New service connections will not be considered for properties where meter(s) will be located at an elevation of less than one hundred (100) feet below the overflow level of the reservoir supplying water to the main from which the connection will be made.
- (e) Minimum Standards. Water connection permits may be granted only if the Water Department determines that the property can be connected to a water main of adequate size to provide sufficient pressure and flow to meet the applicant's needs without directly or indirectly causing service to any existing account holder to fall below the following minimum service standards:
 - (1) Water pressure must not fall below thirty-five pounds per square inch (35 p.s.i.) during peak hour demand for the City's system.
 - (2) Minimum flow at anticipated peak hour demand must be sufficient for safe, dependable supply of all existing domestic, commercial and industrial users.
 - (3) Fireflow requirements as determined by the fire protection district in which the property is located must be met.
- (f) Multiple Units. Service to multiple residential or commercial units located on the same or adjoining parcels will generally be provided through separately metered connections. Use of a master meter is prohibited when each unit can be plumbed independently and sold separately. However, when the size and/or shape of the property create practical difficulties for (or severely limit) such a development, the Director may approve use of a master meter to serve all units, in accordance with Department policies and procedures.
- (g) One Parcel. Not more than one parcel of real property shall be served from a single service connection. The Director may allow for the continuation of a cross-parcel service in certain limited circumstances in accordance with Department policies and procedures.
- (h) Private Fire Protection.
 - a. There shall be no connections between a fire protection system and any other water distribution system on the property. There shall be no water used through the fire protection service except to extinguish fires or for testing and maintaining the fire service and appurtenances. Domestic service to the property may be discontinued for violation of the regulations set forth in this section.
 - b. The City shall not be responsible for the design or adequacy of any private fire protection system.
- (i) Authority. The Director retains final authority to determine the size, number, configuration, and location of all service connections.

16.30.017 SERVICE CONNECTION INSTALLATION

The installation of service connections shall be at the applicant's expense and shall conform to standard specifications, requirements, and the payment of applicable fees published by the City. The Director shall establish criteria for the issuance of permits and acceptance of work by the City upon completion. The Department may charge fees for issuance of a permit as established by resolution of the City Council.

- (a) Size and Number. Service connections will generally be installed in the size and number requested by the Applicant where such requests are determined by the Department to be reasonable for effective and efficient service of the parcel in question and the surrounding service area.
- (b) Location. Service connections will be installed along principal frontage as near as possible to the location requested by the Applicant where such location is readily accessible by rights-of-way capable of accommodating City vehicles and equipment as determined by the Department.
- (c) Installers. Service connections may be installed only by duly authorized employees or agents of the Water Department or by a contractor from the Water Department's pre-approved installer list, to whom a Water Service Installation Permit has been issued by the Water Department.
- (d) Warranty. Service connections installed pursuant to the water service installation permit shall, upon acceptance of the work, be subject to a contractor-guaranteed warranty. The duration of the warranty shall be established by the Department-issued Service Installation Permit.
- (e) Control Valve. The property owner shall provide and maintain control valve(s) on the property side of the service connection for their use, and as required by the Water Department. Customers shall not operate the City owned control valve. Only Department personnel or other authorized representative may operate the City owned control valve.
- (f) Customer Owned Plumbing. Privately owned water service facilities shall be equipped with pressure regulating, absorbing, and relief devices as required by California Plumbing Code.

16.30.018 SERVICE CONNECTION OWNERSHIP AND MAINTENANCE

- (a) City Owned Water Service Facilities. All service connection facilities (except fire services) located between the meter and the water main, including the meter, meter box, and other pipes and fixtures, whether located on public or private property, are the property of the City. The City is responsible for maintaining, repairing, and replacing such facilities. The property owner shall use reasonable care in the protection of these City-owned water facilities and shall be held responsible for damage to the City's

property when such damage is caused by the property owner, account holder, contractor, or Customer or from causes originating on the owner's property.

- (b) Privately Owned Facilities. All service connection facilities located on the property side of the water meter, including the connection from the meter to said facilities, are owned by the property owner and are the responsibility of the property owner to repair, replace and maintain. Property side water service facilities must be maintained by the property owner in good condition to safely withstand fluctuations in pressure and construction and maintenance activities related to the water service including, but not limited to, meter repair and replacement and service connection renewal.
- (c) Fire Service Facility Ownership. All fire service connection facilities located in the public right of way are the property of the City. The City is responsible for maintaining, repairing, and replacing such facilities. The fire service meter and associated electronics and wiring is also the property of the City, regardless of location.
- (d) City Access. Representatives of the Water Department shall have access to any City-owned meters, service connections, and other water facilities located on private property for purposes reasonably associated with the furnishing of water service. Such access shall be without notice or interference from the owner or occupant of the property.

Representatives of the Water Department shall have access at reasonable hours (except in emergencies) to property side water facilities such as shut-off valves and exterior hose bibs for purposes reasonably associated with the furnishing of water service. Such access shall be with notice except in the case of emergency.

16.30.021 SERVICE CONNECTION CHANGES

Requests from Customers to move or resize meters, service laterals, or service connections must be approved by the Department in accordance with Department policies and procedures.

The Department may require that a Customer's existing service connection(s) be relocated and/or resized in accordance with Department policies and procedures to ensure safe, adequate service, and accurate metering corresponding to documented or planned water use.

Fees and charges for relocation and resizing of water services, water meters or service connections shall be as adopted by resolution of City Council.

16.30.023 FIRE HYDRANTS

- (a) New Fire Hydrants. Where required by the fire protection agency within whose jurisdiction the property falls, new fire hydrants shall be installed at the applicant's expense and shall conform to standard specifications, requirements, and the payment of applicable fees and charges adopted by resolution of City Council.
- (b) Relocation of Existing Fire Hydrants. Requests to relocate an existing fire hydrant must be approved by the appropriate fire protection district, the appropriate public works

Department and the Water Department in accordance with Department policies and procedures and may be subject to applicable charges as adopted by resolution of City Council. The relocation of an existing fire hydrant shall be at the expense of the requestor.”

SECTION 3: Chapter 16.35 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.35 WATER SYSTEM IMPROVEMENTS

16.35.010	Definitions
16.35.011	Main Replacements and Facility Extensions
16.35.012	Main Replacements for New Services
16.35.013	System Extension Agreements
16.35.015	System Extension Zones

16.35.010 DEFINITIONS

- a. “Applicant” means individual, business or organization applying for water service.
- b. “City” means the City of Santa Cruz.
- c. “Department” or “Water Department” means the City of Santa Cruz Water Department or its duly authorized representatives.
- d. “Director” means the Director of the Water Department of the City of Santa Cruz, or his/her authorized representative.
- e. “Property” means one parcel of real property and the buildings on it, which is determined by the Department to be a single unit for purposes of receiving, using and paying for water service.
- f. “Service Connection” means the pipe, tubing, fittings, valves, meters and meter boxes which conveys water from the water main to a served property.
- g. “Water service” or “service” refers to the furnishing of water to a property for domestic, irrigation, or fire service use.
- h. “Water System Extension” or “System Extension” means any extension of the physical facilities of the water system, including distribution mains, transmission mains, booster pumping stations, and distribution storage tanks.
- i. “Water main” or “main” means water lines in streets and rights of way used for transmission or distribution of water.

16.35.011 MAIN REPLACEMENTS AND SYSTEM EXTENSIONS

When an application for service cannot be met from existing water facilities, a main replacement or system extension will be required before service can be provided. In such situations, the following general conditions and standards apply:

- (a) In determining whether the applicant's property can be served from existing water facilities, the director's decision shall be considered final.
- (b) Water service will not be provided by the extension of a water main where the meter(s) for the property concerned will be located at an elevation of less than one hundred (100) feet below the overflow level of the reservoir supplying such main.
- (c) The City will determine sizes, materials, types and locations of all necessary and proposed water facilities.
- (d) The City may choose, at its discretion, to install the necessary water facilities itself or to require the Applicant to install such facilities under the terms and conditions of an agreement between the Applicant and the City.
- (e) Water mains will be installed in 20-foot minimum width rights-of-way capable of accommodating City vehicles and equipment.
- (f) No water facilities shall be installed until all rights-of way for the installation, operation and maintenance of the facilities are provided to/obtained by the City in a form satisfactory to the Director.
- (g) When the installation is completed by the applicant, title to the installation shall be transferred to the City upon acceptance of such installation by the City.

16.35.012 MAIN REPLACEMENTS TO ACCOMMODATE NEW DEVELOPMENT

The City may pay the cost of replacing existing water mains found inadequate to satisfy the minimum standards for service shown in section 16.30.016, subject to Department policies and procedures and annual funding approved by the City Council.

If the City is unable to fund a main replacement, the Applicant may undertake the replacement at his or her own cost, under terms established in a main replacement agreement between the Applicant and the City. The City may reimburse applicants for main replacement construction costs when funds are available, in accordance with Department policies and procedures.

16.35.013 SYSTEM EXTENSION AGREEMENTS

- (a) Paid by Applicant. When an application for service requires extension of an existing water main or construction of other new water facilities, the Applicant shall pay the cost of such installations under terms established in a water system extension agreement between the Applicant and the City in accordance with the terms and conditions of this chapter and Department policies and procedures.

- (b) Cost Recovery. The City may provide cost recovery to the water system extension agreement holder at the discretion of the Director, in accordance with Department policies and procedures based on the following provisions:
- (1) The Water Department shall establish an extension fee to be charged to all new service connections made to the new water facilities installed under the system extension agreement. Such fee shall be based on the pro rata benefit to be derived by potential users of the new water facilities as estimated by the Department at its sole discretion.
 - (2) For water main extensions, the City shall charge the established extension fee on all new service connections made to the main extension for a period of ten (10) years from the date of the extension agreement, or until the cost of the main extension is fully reimbursed, whichever comes first; and shall reimburse all such extension fees collected to the extension agreement holder.
 - (3) For facility extensions including a tank, pump station, or pressure reducing station, the City shall charge the established extension fee on all new service connections made to the new water facilities for a period of fifteen (15) years from the date of the extension agreement, or until the cost of the facility extension is fully reimbursed, whichever comes first; and shall reimburse all such extension fees collected to the extension agreement holder.
 - (4) Reimbursement fees shall be calculated based on the cost of water facilities required to meet the minimum service standards defined in section 16.30.016. Should an Applicant desire the installation of larger or more costly water facilities to meet specialized service or fire flow requirements, the cost of those extra facilities shall be borne by the applicant. Should the City desire to install water facilities in excess of those minimum standards, the cost of the extra facilities shall be borne by the Department.
 - (5) If installation of some or all of the extended facility is included in the Department's capital improvement plan during the specified period of reimbursement, the City will refund the cost of that section of the facility to the agreement holder at such time as it is budgeted.

16.35.015 SYSTEM EXTENSION ZONES

The City Council may determine that the capacity of the water system should be extended so as to provide the availability of future water service to areas which are either undeveloped or only partially developed. If the Council determines that the construction of the water system extension will have little or no benefit to the existing water system, the Council may establish the limits of a zone within which the capacity provided by the water system extension will permit new or larger service connections.

If such a water system extension zone is established, the Council may, by resolution, impose a zone capacity fee to all service connections within such zone, for the purpose of defraying the

cost of the water system extension. The resolution shall define the costs involved and the manner of calculating the zone capacity fee.

Separate funds shall be established for each zone established pursuant to this section. Moneys in such funds shall be expended solely for water system extensions within the zone from which the fees are collected.

The City may advance money, or may incur indebtedness, for the acquisition and construction of the water system extension within the zone. A reasonable interest cost, or the cost of servicing such indebtedness, may be included as a part of the cost of the water system extension for purposes of determining the zone capacity fee.”

SECTION 4: Chapter 16.40 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.40 WATER SERVICE ACCOUNTS

16.40.010	Definitions
16.40.011	Application for Service Account
16.40.013	Account Notices
16.40.014	Account Billing
16.40.016	Meter Readings and Testing
16.40.018	Account Discontinuance
16.40.019	Account Restoration

16.40.010 DEFINITIONS

- a. “Account holder” means the person, business, or organization as designated and verified on the billing records of the City Water Department that is financially responsible for water used through a water service.
- b. “Applicant” means individual, business or organization applying for water service.
- c. “City” means The City of Santa Cruz.
- d. “Credit risk” means the potential of a Customer not making payments for water service as described in Department policies.
- e. “Cross connection” means any unprotected actual or potential connection or structural arrangement between a customer’s water system and any other source or system through which it is possible to introduce into any part of the system any used water, or substance other than the intended water with which the system is supplied. Bypass arrangements, jumper connections, removable pipe sections, swivel or change-over devices and other temporary or permanent devices through which this may occur are considered to be cross-connections.
- f. “Customer” means any person, business, or organization who uses water from the City water system, or is an account holder or property owner with City water service.
- g. “Department” or “Water Department” means the City of Santa Cruz Water Department or its duly authorized representatives.
- h. “Director” means the Director of the Water Department of the City of Santa Cruz, or his/her authorized representative.

- i. "Property" means one parcel of real property and the buildings on it, which is determined by the Department to be a single unit for purposes of receiving, using and paying for water service.
- j. "Property owner" means the legal owner of the real estate to which a service connection is made.
- k. "Service connection" means the pipe, tubing, fittings, valves, meters and meter boxes which convey water from the water main to a served property.
- l. "Water service" or "service" refers to the furnishing of water to a property for domestic, irrigation, or fire protection use.

16.40.011 APPLICATION FOR SERVICE ACCOUNT

- (a) Application. Each Applicant desiring to initiate service whether anew or after service has been discontinued by the Department or the Customer, or to change an existing water service must make application to the City Water Department on forms provided by the Department, provide required information, pay required fees, and meet the conditions set forth in these municipal codes and in the City standard specifications, Water Department standard specifications or other applicable policies and procedures approved by the City Council or the Director. The application form shall indicate the applicant's willingness and intention to comply with all applicable regulations and policies and to make payment for water services rendered. Applicants for a commercial account inside the City of Santa Cruz must present proof they have obtained a City business license.
- (b) Payment for Previous Service. An application for service will not be accepted unless payment in full has been made for all utility services previously rendered to the Applicant by the City, and all taxes, fees or assessments previously rendered to or levied on the Applicant by the City.
- (c) Deposits. Before receiving services, each Applicant determined to be a credit risk shall be required to establish credit by depositing with the Water Department an amount of money equal to the estimated cost of providing utility services, including, but not limited to, an average periodic bill and the expense of providing materials and equipment to initiate service.
- (d) Incorrect or withdrawn application. The Applicant is responsible for the expenditures made by the Department as a result of the submission of the application, even if the Applicant incorrectly describes the location where water service is desired or withdraws the application prior to the initiation of water service.
- (e) Change of Account Holder Without Application. A person taking possession of premises and using water from an active connection without having made application for utility service shall be liable for the services delivered from the date of the last recorded meter reading. If application for utility service is not made upon notification by

the Department, and if bills for service from the date of the last recorded meter reading are not paid immediately, the service may be discontinued without further notice.

16.40.013 ACCOUNT NOTICES

- (a) Notice to Account Holders. Notices from the Water Department to an Account holder will be given in writing, and either delivered or mailed to the account holder's address. Where conditions warrant and in emergencies, the Water Department may use other means of notification.
- (b) Change of Information. It is the responsibility of the Account holder to notify the Department of any change of customer name, address or other contact information.
- (c) Notice to Customers. When a notice to an Account holder involves an interruption to service or water quality issue, it is the responsibility of the Account holder to inform Customers that may be affected.
- (d) Notices from Customers. Notice from the Customer to the Water Department may be given by the Customer orally or in writing:
 - (1) at the Water Department's office;
 - (2) to an employee of the Water Department; or
 - (3) to an agent duly authorized to receive notices or complaints.

16.40.014 ACCOUNT BILLING

- (a) Frequency. The regular billing period will be monthly or bimonthly as established by the Director.
- (b) Opening and Closing. Opening and closing bills for less than the normal billing period shall be prorated for all rates, fees and charges.
- (c) Date Due. The rates, fees and charges provided for by this chapter shall be due and payable upon presentation of the bill. The bill shall be considered delinquent after the date for payment set forth in the billing statement.
- (d) Equivalent Capacity. Accounts shall be billed in accordance with the equivalent capacity assigned to the account regardless of the number or size of physical meters associated with the account.
- (e) Application of Deposit. A deposit shall be applied to the account after the account has been without any late charges for one 12-month period; or returned to the Customer upon closure of the account after the closing balance has been paid.
- (f) Failure to Receive a Bill. Failure to receive a bill does not relieve a Customer of liability for payment.

- (g) Account Type. Account type shall be determined by the Department in accordance with Department policy.
- (h) Billing Changes. Changes to the account that effect service charges shall be made at the start of the next billing period. Billing changes to current or previous service periods will be made at the sole discretion of the Director.

16.40.016 METER READING AND TESTING

- (a) Reading. Meters will be read as nearly as possible on the same day of each month. When the time between meter reads is less than 27 days or more than 33 days, bills will be prorated according to Department procedures.
- (b) Testing. All meters will be tested prior to installation and no meter will be installed which does not meet Department standards. The Water Department shall maintain a procedure for the testing of meter accuracy at the request of the account holder. Fees and charges for meter testing shall be as established by resolution of City Council.
- (c) Meter Not Registering. If a meter is found to be under-registering or not registering water use due to a malfunction or other disablement, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption records for a comparable time period. Should the subsequent reading indicate that the estimate is materially in error, an adjustment shall be made in the subsequent bill.
- (d) Meter Cannot be Read. If a meter in working condition cannot be read, the charges for service shall be based on the estimated consumption. Such estimates shall be made from previous consumption records for a comparable time period.

16.40.018 ACCOUNT DISCONTINUANCE

- (a) City Initiated. In addition to service connection determinations described elsewhere in this chapter, water service may be refused or discontinued to any property where any of the following conditions apply:
 - (1) Apparatus or appliances are in use which may endanger water facilities or public health.
 - (2) There exists a cross-connection.
 - (3) The Department determines that conditions at the property could jeopardize the safety and reliability of the water service system.
 - (4) Plumbing on the property is found defective or leaking.
 - (5) It is necessary to protect the City against fraud practiced by a Customer.

(6) A service bill has not been paid.

(7) Applicable statutes, regulations and/or policies have been violated.

(b) Account Holder Initiated. Account holders desiring to discontinue service should so notify the Water Department at least two business days prior to the desired date of discontinued service. Unless the account is closed or transferred to another responsible party in accordance with Department policies and procedures, the account holder of record shall be liable for charges due or that become due whether or not any water is used. It shall be the account holder's responsibility to obtain confirmation of the disconnection order from the Department.

16.40.019 ACCOUNT RESTORATION

Where service has been discontinued for violation of applicable statutes, regulations, and/or policies or for non-payment of bills, the Water Department will impose a charge for restoration of service and/or to install or remove a meter in accordance with the fee schedule established by resolution of the City Council."

SECTION 5: Chapter 16.41 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.41 WATER SERVICE CHARGES

16.41.010	Definitions
16.41.011	System Income Allocation
16.41.012	Service Rates and Fees
16.41.013	System Development Charges

16.41.010 DEFINITIONS

- a. “Account holder” means any person, business or organization receiving City water service as designated on the current billing records of the City Water Department.
- b. “Applicant” means individual, business or organization applying for water service.
- c. “Increased demand” shall mean any change of use on an existing service which requires a service capacity upsize, adds new residential unit(s), changes the number or type of fixtures, or otherwise increases actual or potential demand on the water system, as determined by the Water Department.
- d. “City” means the City of Santa Cruz.
- e. “Department” or “Water Department” means the City of Santa Cruz Water Department or its duly authorized representatives.
- f. “Dwelling unit” is a building or portion of a building including one or more rooms which is/are designed or used as a residence by one family or housekeeping unit, with facilities for living, sleeping, and eating and food preparation. A dwelling unit shall have only one domestic food preparation facility and shall have interior access between all habitable spaces.
- g. “Service connection” means the pipe, tubing, fittings, valves, meters and meter boxes which conduct water from the water main to a served property.
- h. “Water service” or “service” refers to the furnishing of water to a property for domestic, irrigation, or fire service use.

16.41.011 SYSTEM INCOME ALLOCATION

The revenues collected from the City water system shall be used solely and exclusively for the operation, maintenance, construction, improvement, extension, enlargement and upkeep of that water system; provided, however, that such revenues shall be first applied to the payment and liquidation of the principal and interest of any bonded indebtedness incurred for the water system, as provided in the resolution for the issuance of such revenue bonds.

16.41.012 SERVICE RATES AND FEES

The rates and fees charged by the City for water services shall be established by resolution of the City Council. The Applicant or Account holder is responsible for payment of such rates and fees.

16.41.013 SYSTEM DEVELOPMENT CHARGES

- (a) Purpose. To mitigate the water supply, water treatment, and water transmission, storage, and distribution impacts caused by new development in the City of Santa Cruz water service area, certain public water system improvements must be or have been constructed to accommodate system expansion. A system development charge shall be assessed to pay the proportional share of such system expansion costs necessary to meet the increased demand resulting from new or enlarged water services.

- (b) Charges. A system development charge is payable upon the issuance of any permit, or similar grant of authority, for any of the following activities: installation of a new service connection, the addition of a new or additional residential dwelling unit onto an existing service, the upsizing of an existing service connection, or any other increased demand on the water system.

System development charges shall be reviewed periodically to determine whether the charge amounts are reasonably related to the impacts created by new or additional demand and whether the listing of system expansion improvements to be financed by system development charge revenues is accurate. System development charges shall be as adopted by resolution of the City Council containing the following:

- (1) The specific amount of the charge, including its development methodology.
 - (2) A list of the specific improvements to be financed by the charges, including the estimated cost of such improvements.
 - (3) A description of the correlation between the charges and new development and the benefits from the improvements enabled by the charge.
- (c) Use of Charge Revenues. System development charge revenues shall be placed in a separate and special account and such revenues, along with any interest earnings on that account, shall be used exclusively for the following purposes:
- (1) To pay for the City's future construction of system expansion and improvements to be financed by system development charge revenues.
 - (2) To reimburse developers who have installed system development financed water facilities which are larger than needed for the certain development and are subject to the terms of a reimbursement agreement.
 - (3) To pay for water conservation programs approved by the City Council which have the net effect of increasing the amount of water supply available for allocation to new or additional demand."

SECTION 6: Chapter 16.45 of the Santa Cruz Municipal Code is hereby enacted to read as follows:

“CHAPTER 16.45 WATER USE

16.45.010	Definitions
16.45.011	Authority to Regulate Use
16.45.012	General Water Use
16.45.013	Impairment of Service to Other Customers
16.45.015	Cross Connection Control and Backflow Protection

16.45.010 Definitions

- a. “Account holder” means the person, business, or organization as designated and verified on the billing records of the City Water Department that is financially responsible for water used through a water service.
- b. “Backflow” means the flow of water or other substances from the Customer’s plumbing into the public water system.
- c. “Backflow protection device” or “device” means an apparatus specifically designed to prevent the occurrence of backflow, and which is specifically approved by the Foundation for Cross-Connection Control and Hydraulic Research at the University of Southern California, or the State of California’s Department of Public Health, for that purpose.
- d. “Contamination” means the impairment of the quality of the water in the City’s water system through the introduction of any substance into the public water system, including water previously delivered to a Customer through the City water system.
- e. “Cross connection” means any unprotected actual or potential connection or structural arrangement between a customer’s water system and any other source or system through which it is possible to introduce into any part of the system any used water, or substance other than the intended water with which the system is supplied. Bypass arrangements, jumper connections, removable pipe sections, swivel or change-over devices and other temporary or permanent devices through which this may occur are considered to be cross-connections.
- f. “Customer” means any person, business, or organization that uses water from the City water system, or is an account holder or property owner with City water service.
- g. “Department” or “Water Department” means the City of Santa Cruz Water Department or its duly authorized representatives.

- h. "Director" means the Director of the Water Department of the City of Santa Cruz, or his/her authorized representative.
- i. "Property owner" means the legal owner of the real estate to which a service connection is made.
- j. "Service connection" means the pipe, tubing, fittings, valves, meters and meter boxes which conduct water from the water main to a served property.
- k. "Water service" or "service" refers to the furnishing of water to a property for domestic or fire service use.

16.45.011 AUTHORITY TO REGULATE

The City Council is authorized to regulate, by resolution, the use of water within the corporate limits of the City as it deems necessary to conserve the water supply of the City of Santa Cruz and provide, during a water shortage, for limitations on use of the water supply of the City for all purposes. The City Council is empowered to prohibit the use of water for any purposes not directly connected with the preservation of the public health, welfare and safety of the inhabitants of the City of Santa Cruz.

The Director is authorized and directed to provide for limitation and curtailment of usage of water in the service area of the Santa Cruz Water Department outside the corporate limits of the City of Santa Cruz in accordance with resolution adopted by the City Council.

Resolutions adopted by the City Council establishing water use regulations shall be effective immediately after their publication in a newspaper of general circulation distributed in the City of Santa Cruz.

16.45.012 GENERAL WATER USE

- (a) Use on Other Properties. The account holder shall not use or allow the use of any significant quantity of water from his/her connection on any property not specifically included in his or her application for service.
- (b) Resale of Water. No water received from the City may be resold without special approval from the Water Department.
- (c) Unusually Large Quantities of Water. Account holders shall make arrangements with the Water Department prior to using an unusually large quantity of water. Water Department approval may be given if delivery of the water through the City's water facilities can be accomplished safely and without inconvenience to other account holders.
- (d) Use of Water Outside the Service Area. No water received from the City may be used outside the system's service area without prior approval from the City.

16.45.013 IMPAIRMENT OF WATER SERVICE TO OTHER CUSTOMERS

Where a Customer's consumption is intermittent or subject to extreme fluctuations thereby impairing service to other Customers, the Water Department may require the Customer to provide, at the Customer's expense, suitable equipment to reasonably limit fluctuations in use or pressures caused by the Customer's use.

16.45.015 CROSS CONNECTION CONTROL AND BACKFLOW PROTECTION

- (a) Incorporation of California Title 17. The regulations of the Department of Public Health, Title 17 of the California Code of Regulations, Section 7583 through 7605, as amended from time to time, are hereby adopted, incorporated by reference and made a part hereof, insofar as the same are applicable to the protection of the City water system.
- (b) Where Protection is required. In accordance with Department policies and procedures, an approved backflow protection device shall be installed and maintained at every service connection where the Department determines there is an actual or potential risk to the public water supply of contamination, pollution, or deterioration in water quality. The level of protection required and the type of device required shall be determined by the Department in relation to the degree of the actual or potential hazard. The Director's decisions on such determinations shall be considered final.
- (c) Ownership and Responsibility. Any backflow protection devices installed pursuant to the requirements of this section are the sole property and responsibility of the account holder. It shall be the responsibility of the account holder to furnish, inspect, install, and test the device, and to maintain the device in proper working condition at all times. The City shall not be liable for any injury to people or damage to property which may result directly or indirectly from the installation, malfunction, testing or repair of any backflow device.
- (d) Enforcement. Water service may be discontinued immediately and without notice to the Customer if the Department determines that the City water supply is being contaminated or is in immediate danger of contamination. The Director's decisions on such determinations shall be considered final.
- (e) Policies and Procedures. The Department shall maintain written policies and procedures, approved by the director, which specify:
 - (1) circumstances and conditions under which the installation of a backflow prevention device shall be required;
 - (2) guidelines for the determination of the degree of hazard and level of protection required;
 - (3) requirements for inspection, testing and maintenance of backflow devices; and

(4) notices and other enforcement actions that will be taken by the City regarding these requirements.”

SECTION 7: Severability. The provisions of these chapters are hereby declared to be severable and if any sentence, clause, section or part hereof is held to be unconstitutional, it is the intent of the City Council that such portion of such chapter be severable from the remainder, and that the remainder be given full force and effect.

SECTION 8: This ordinance shall be in full force and take effect thirty (30) days following its final adoption.

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Summary Presentation of Results From a Survey of Registered Voters in the Santa Cruz Water Department

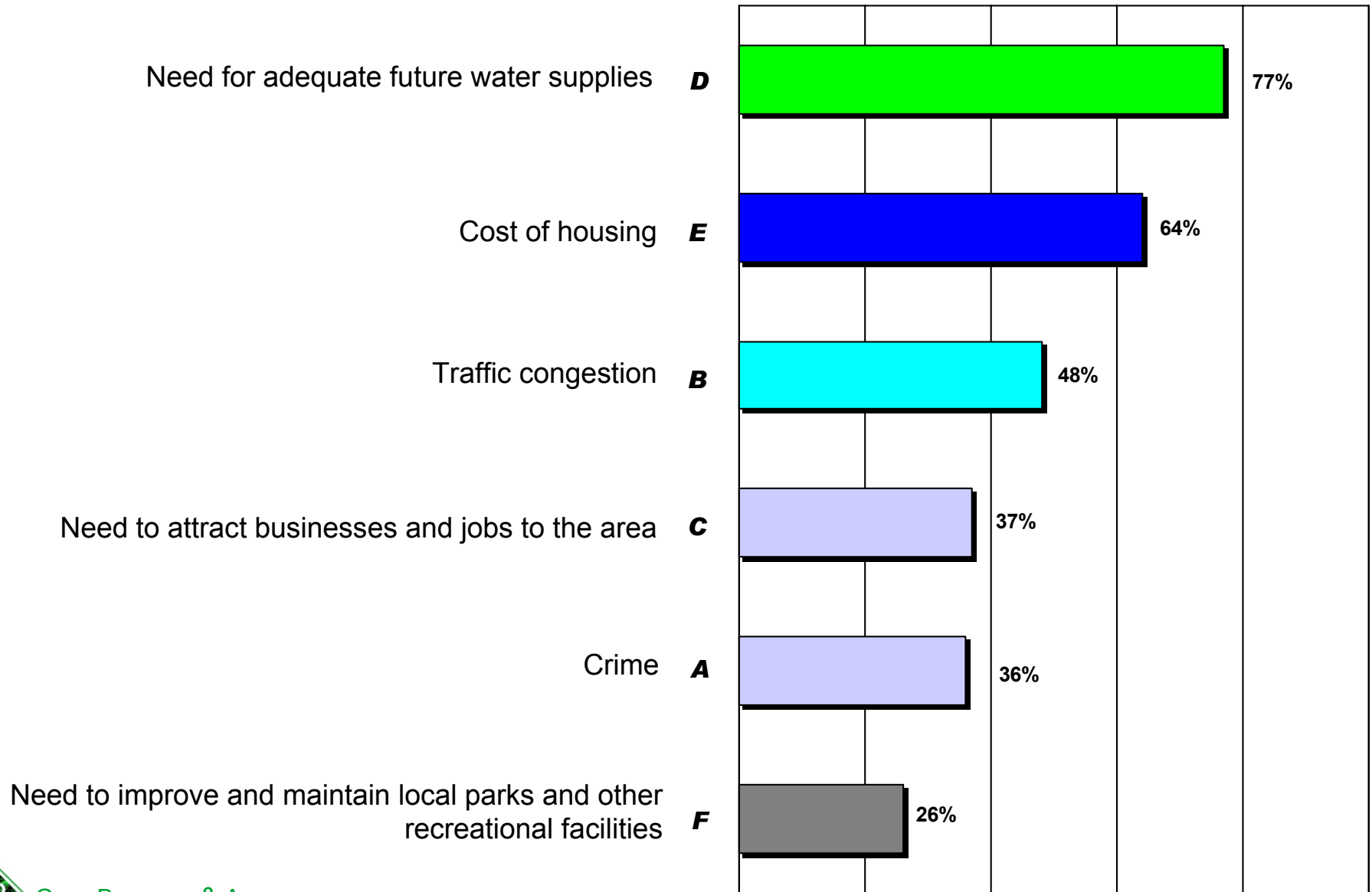
*400 Interviews
October 2014*

conducted by

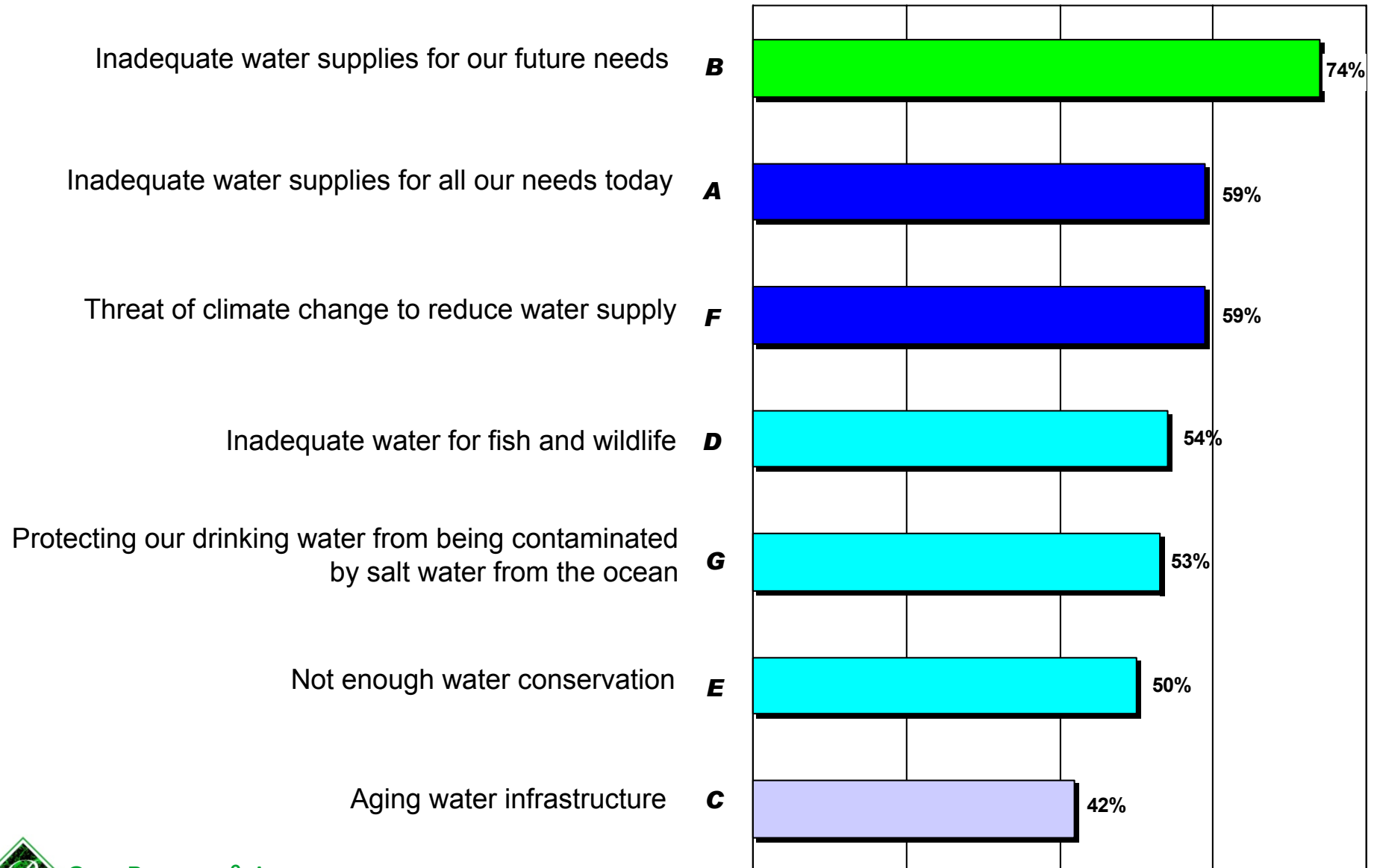


GENE BREGMAN & ASSOCIATES
Public Opinion & Marketing Research

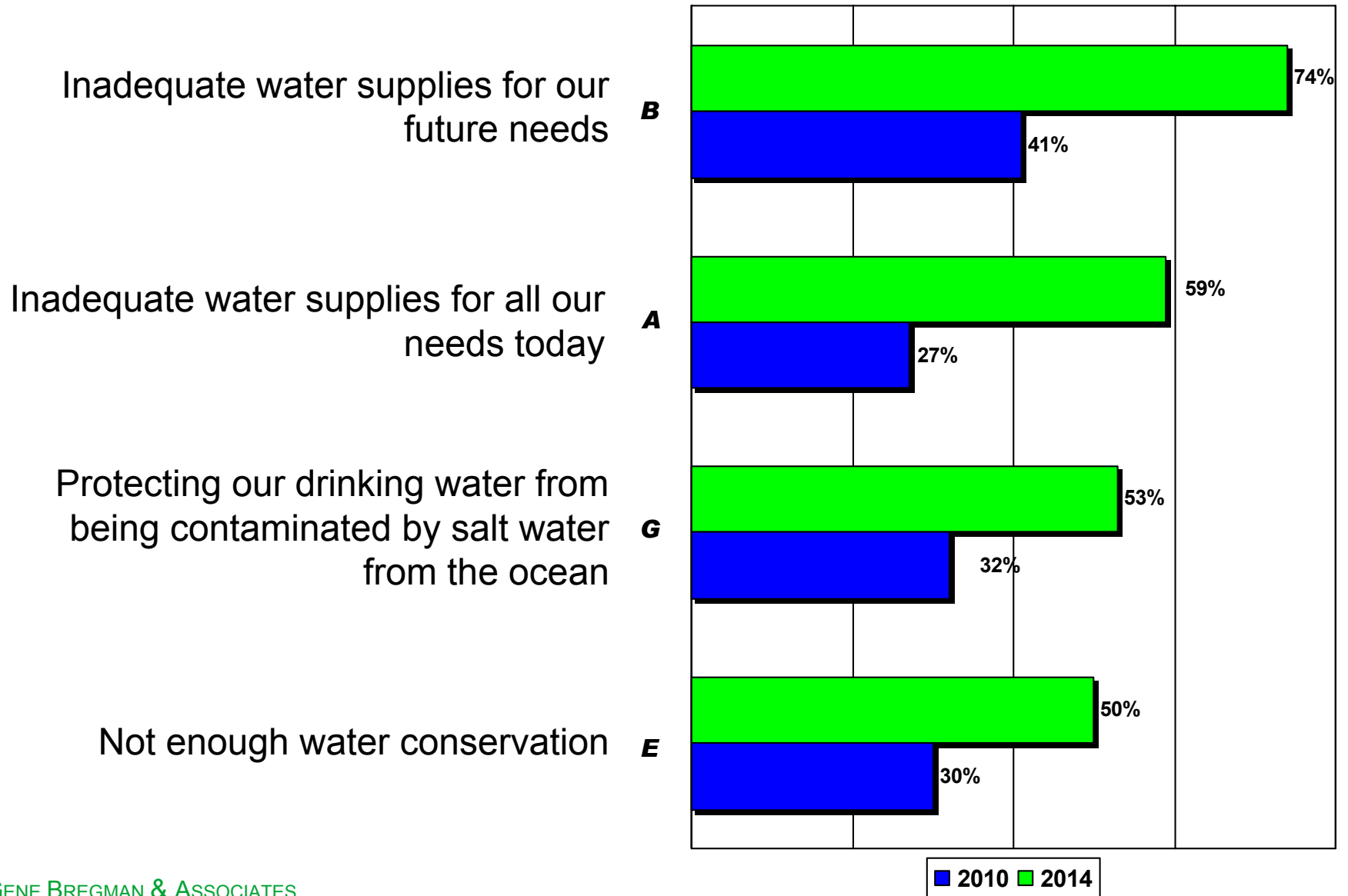
Very Serious Problems Facing the City of Santa Cruz



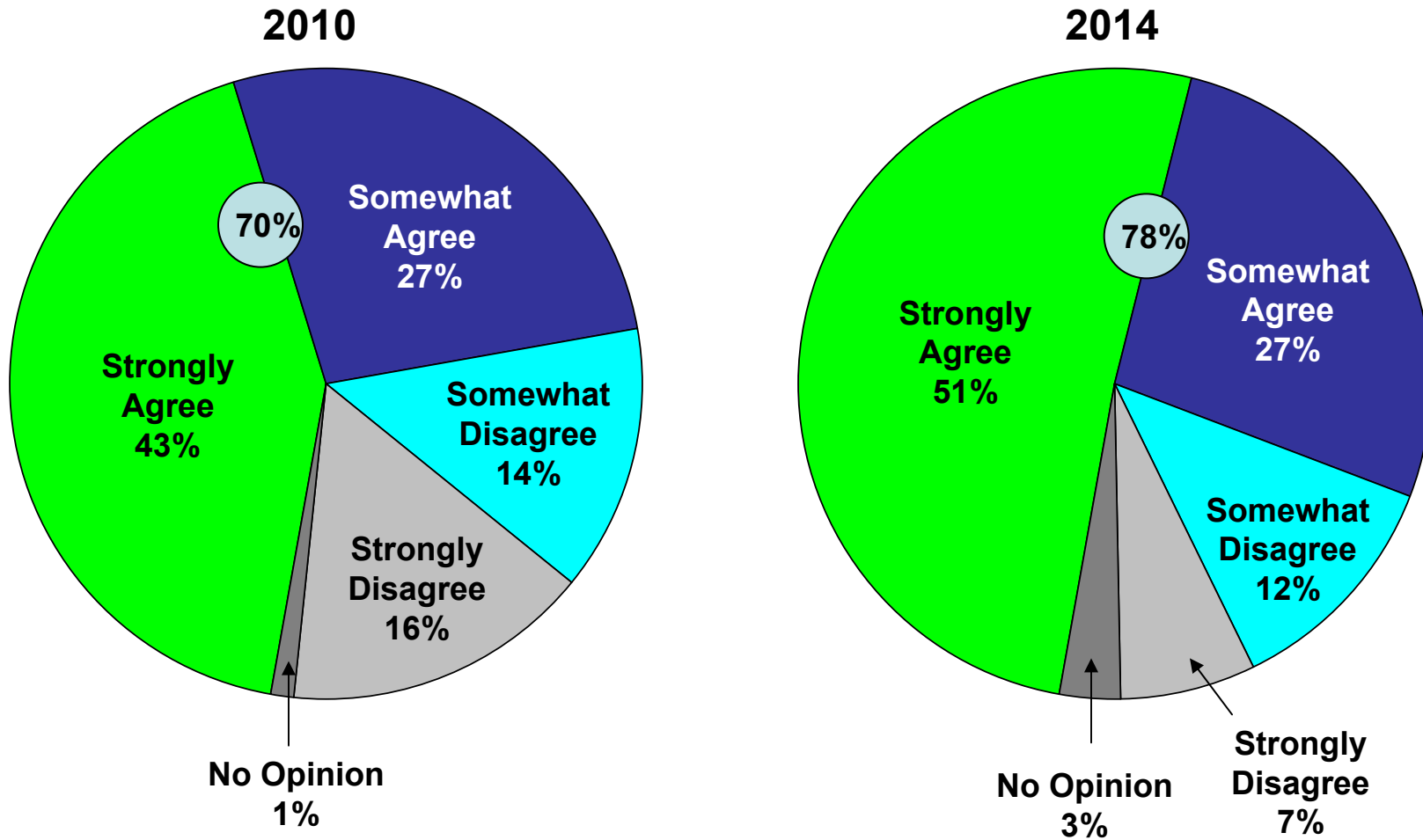
Very Serious Water Supply Problems



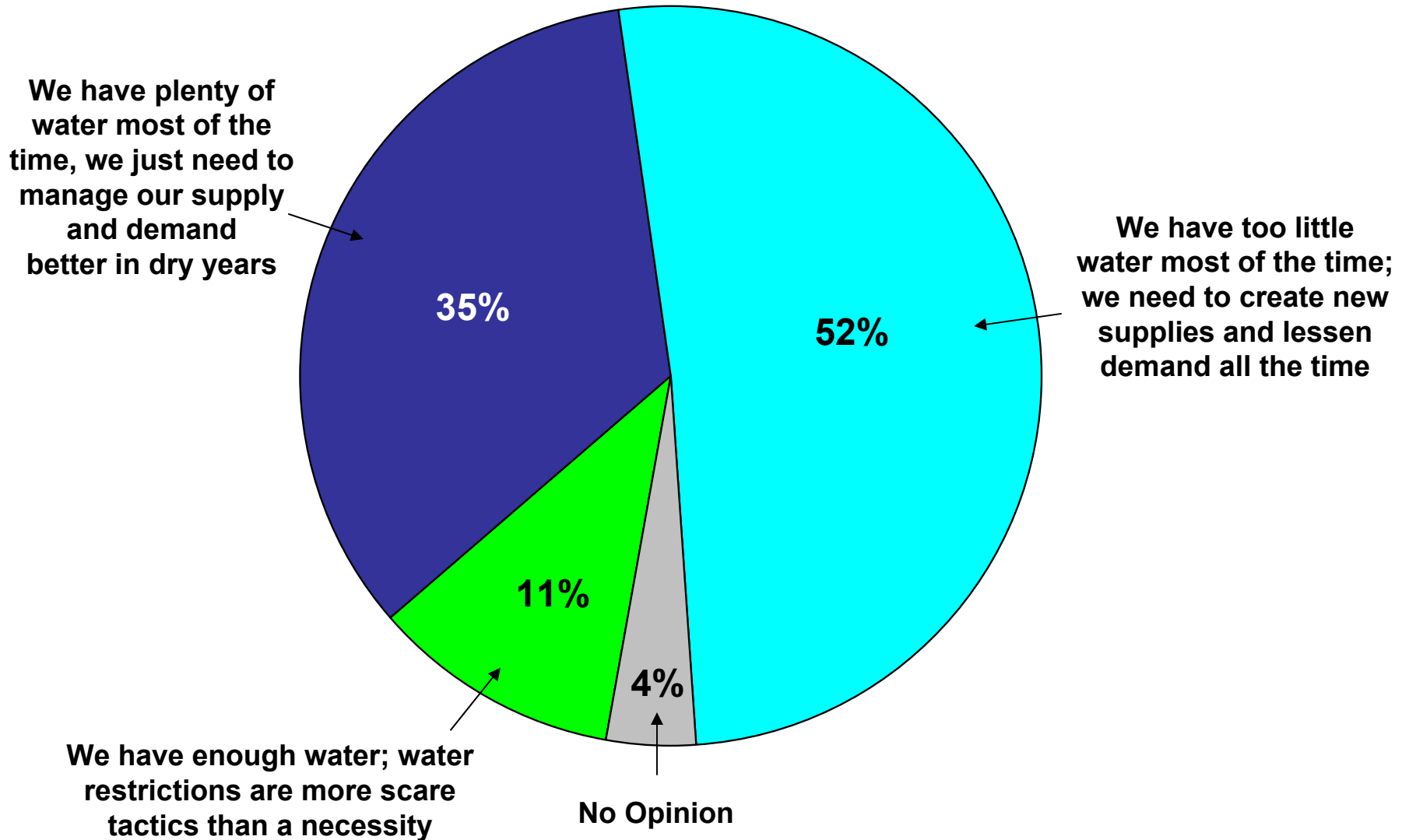
Comparison of Very Serious Ratings: 2010 vs. 2014



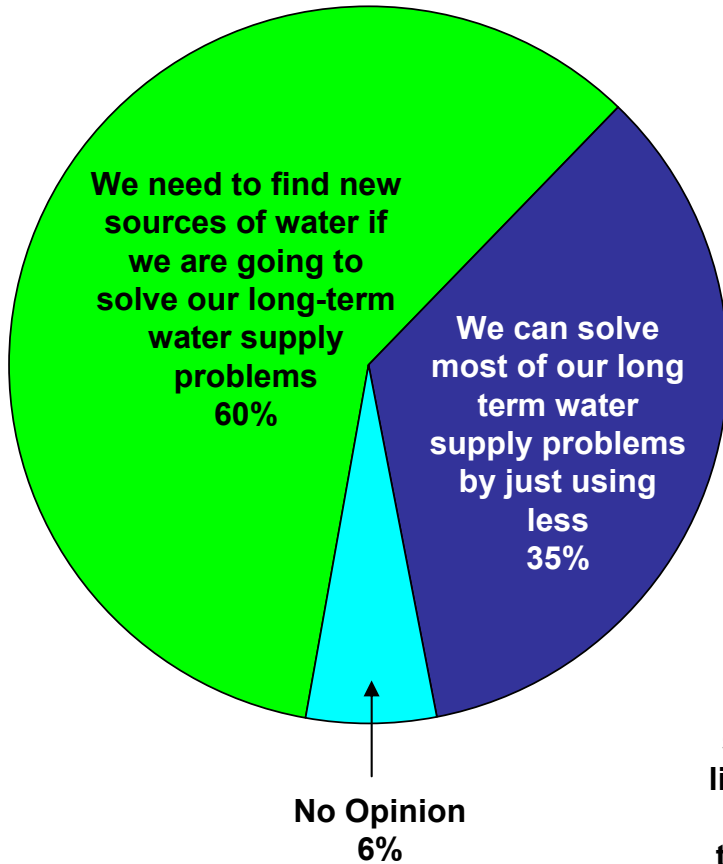
Agreement with Statement: I've Already Cut Back on Water Use For My Home As Much As I Can



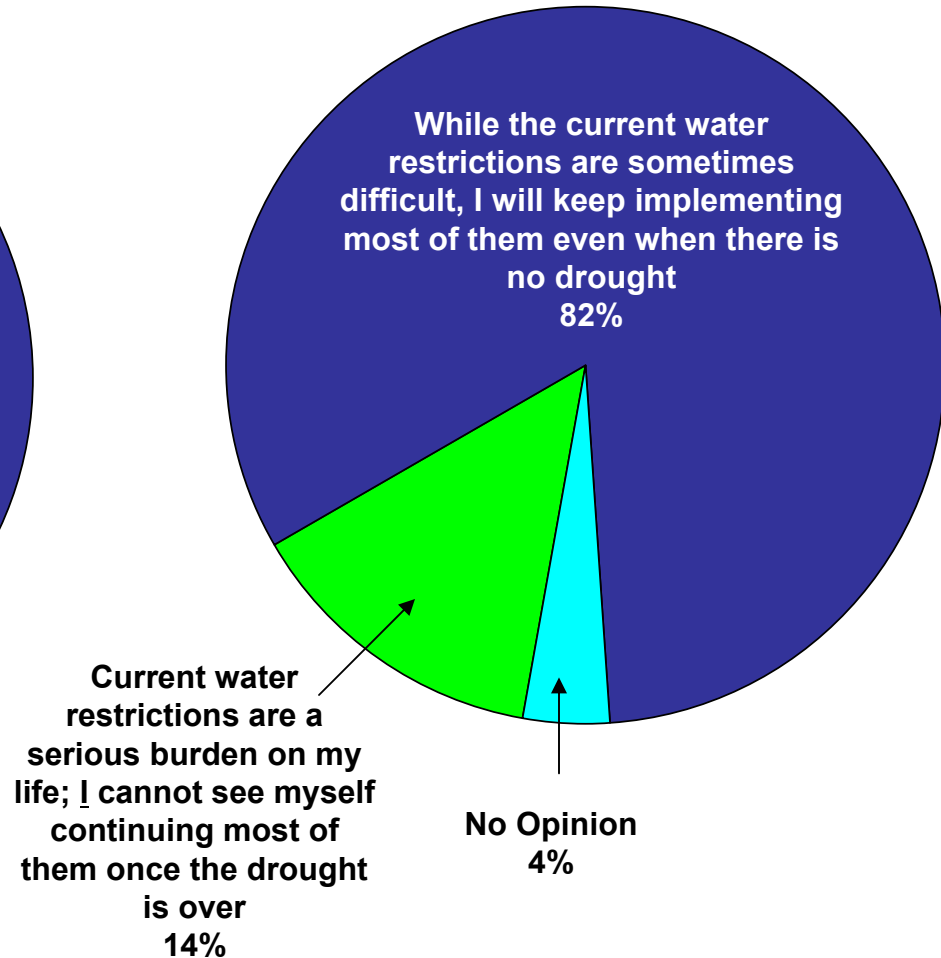
Opinion of Current Water Supply



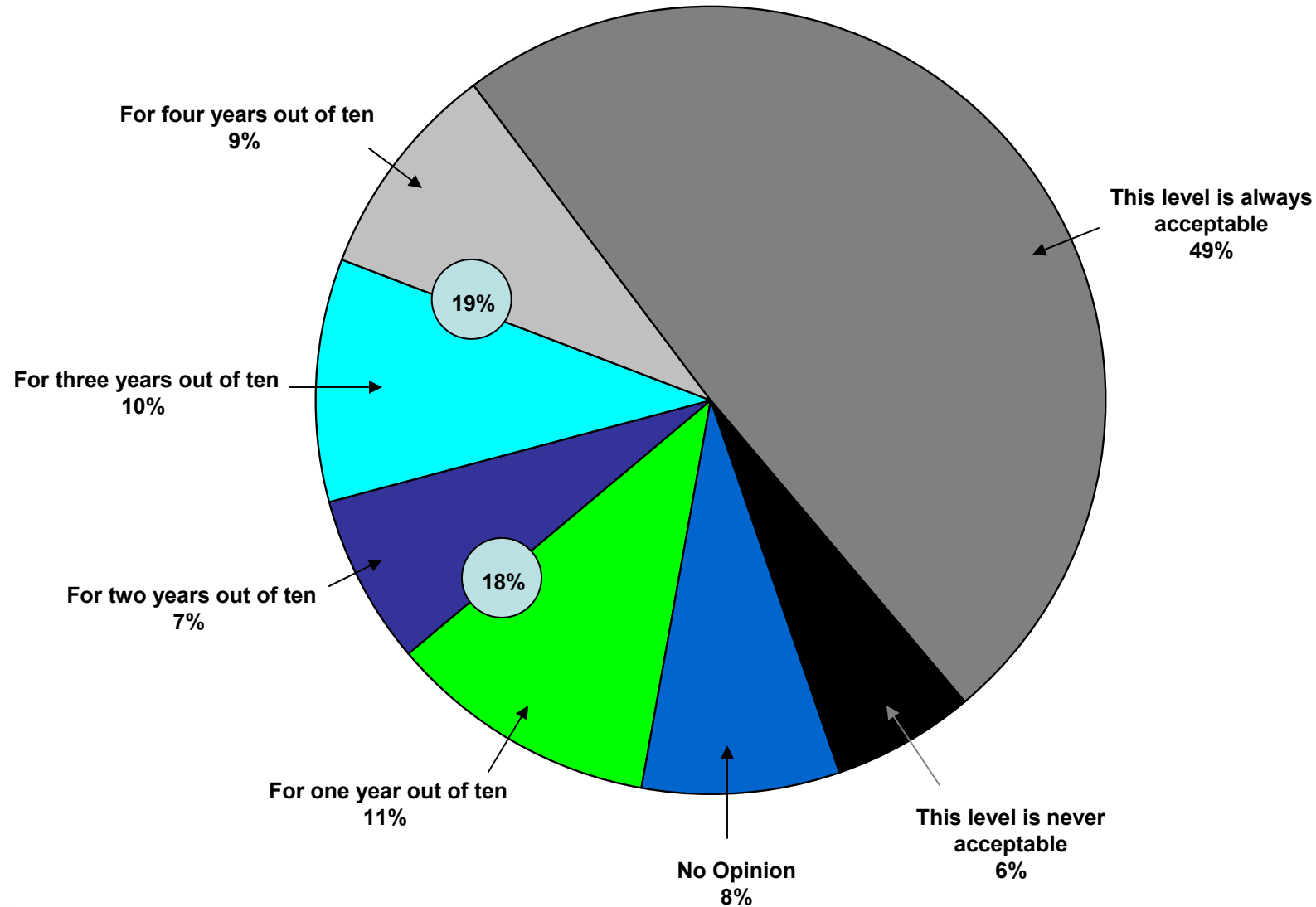
New Sources vs. Less Usage



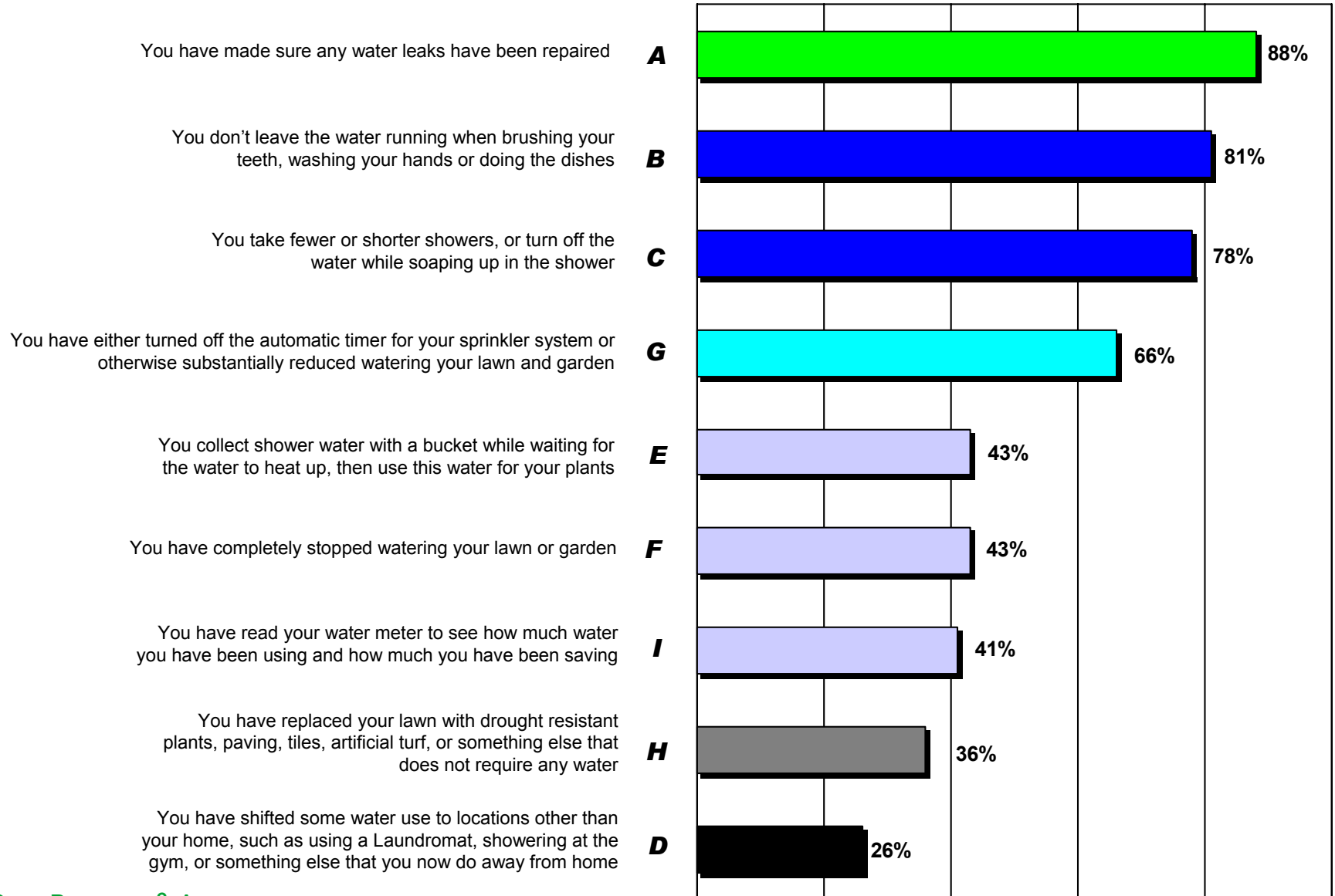
Future Implementation of Water Restrictions



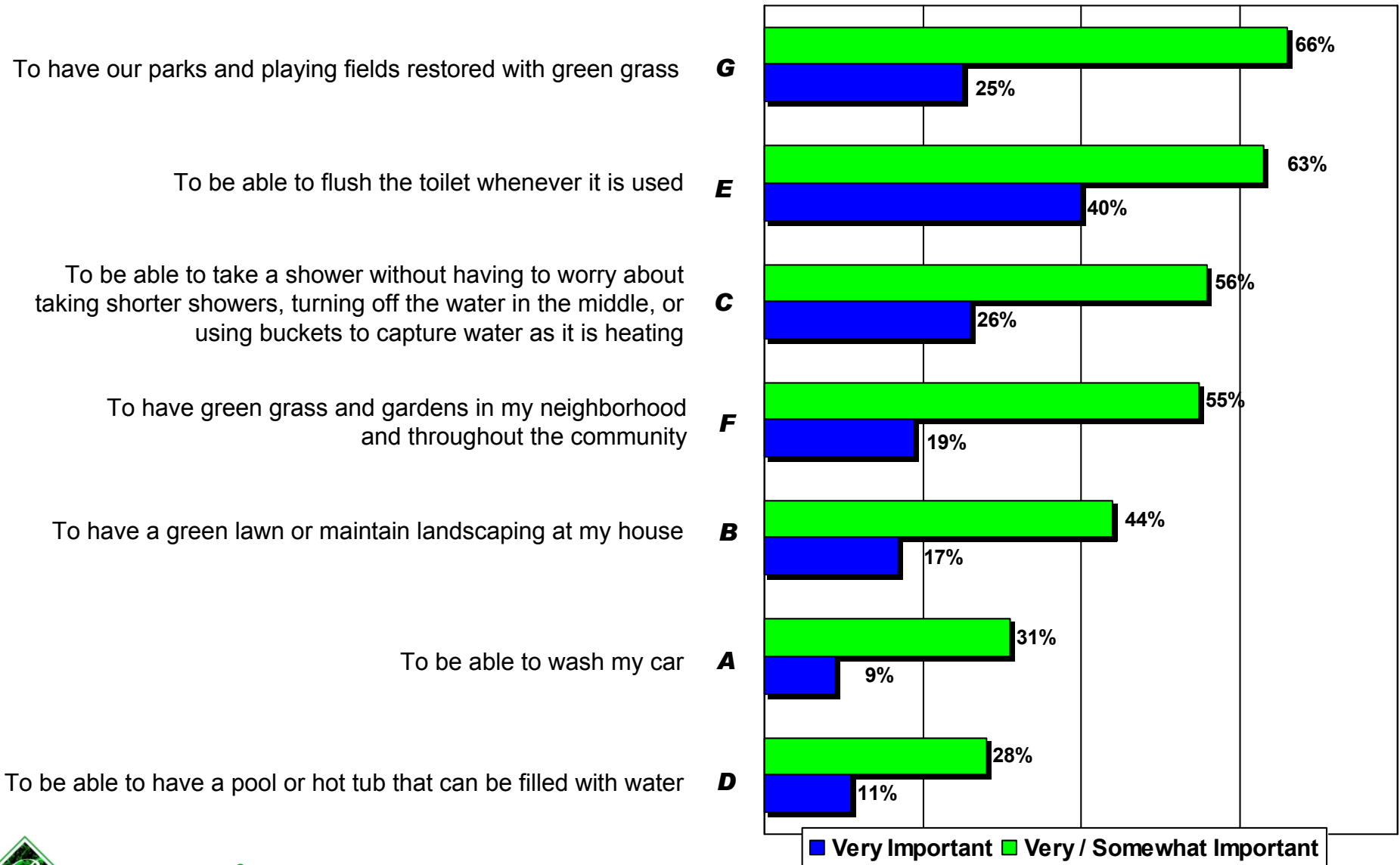
Acceptability of Current Level of Water Rationing Over Ten Years



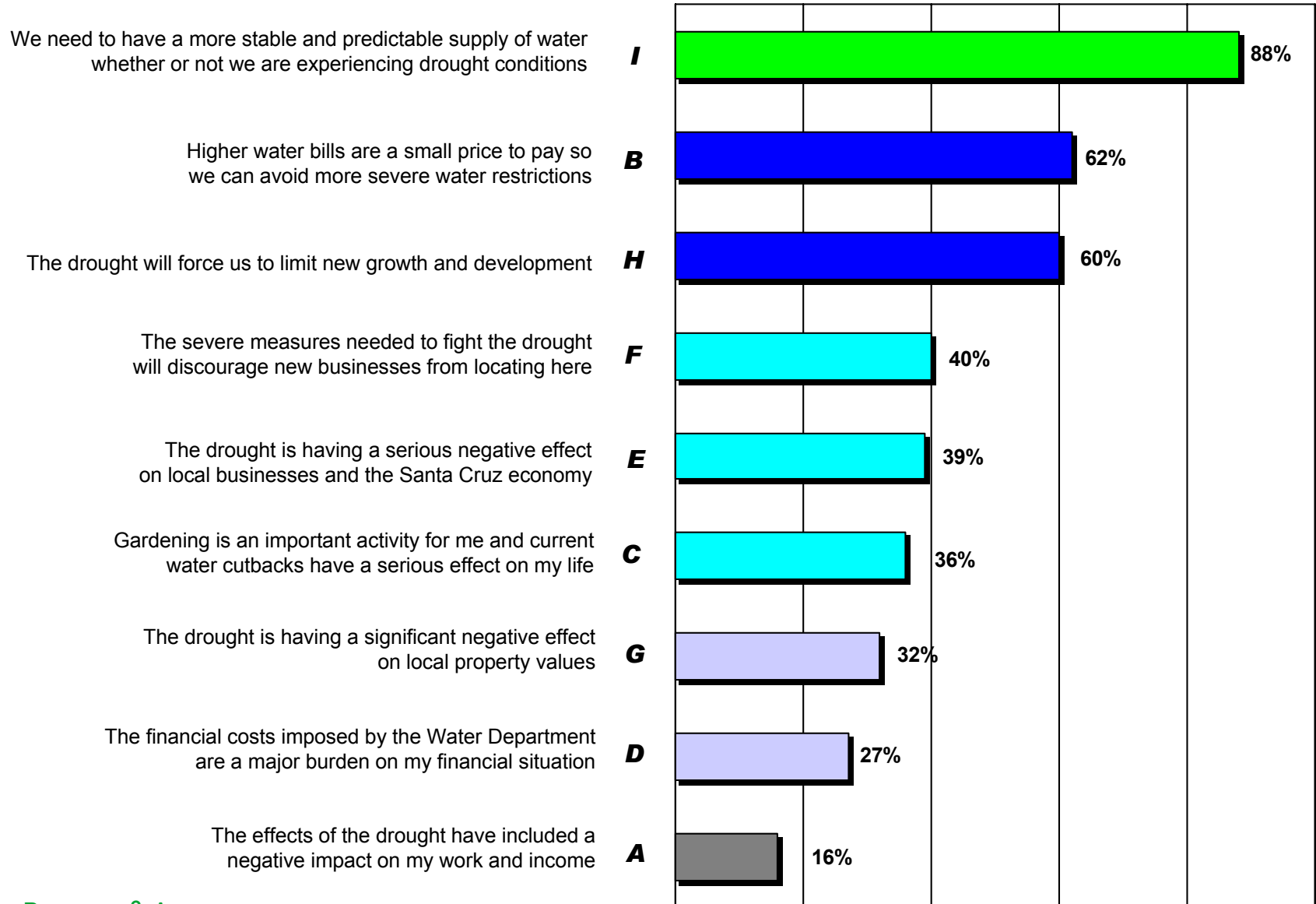
Ways That People Currently Save Water



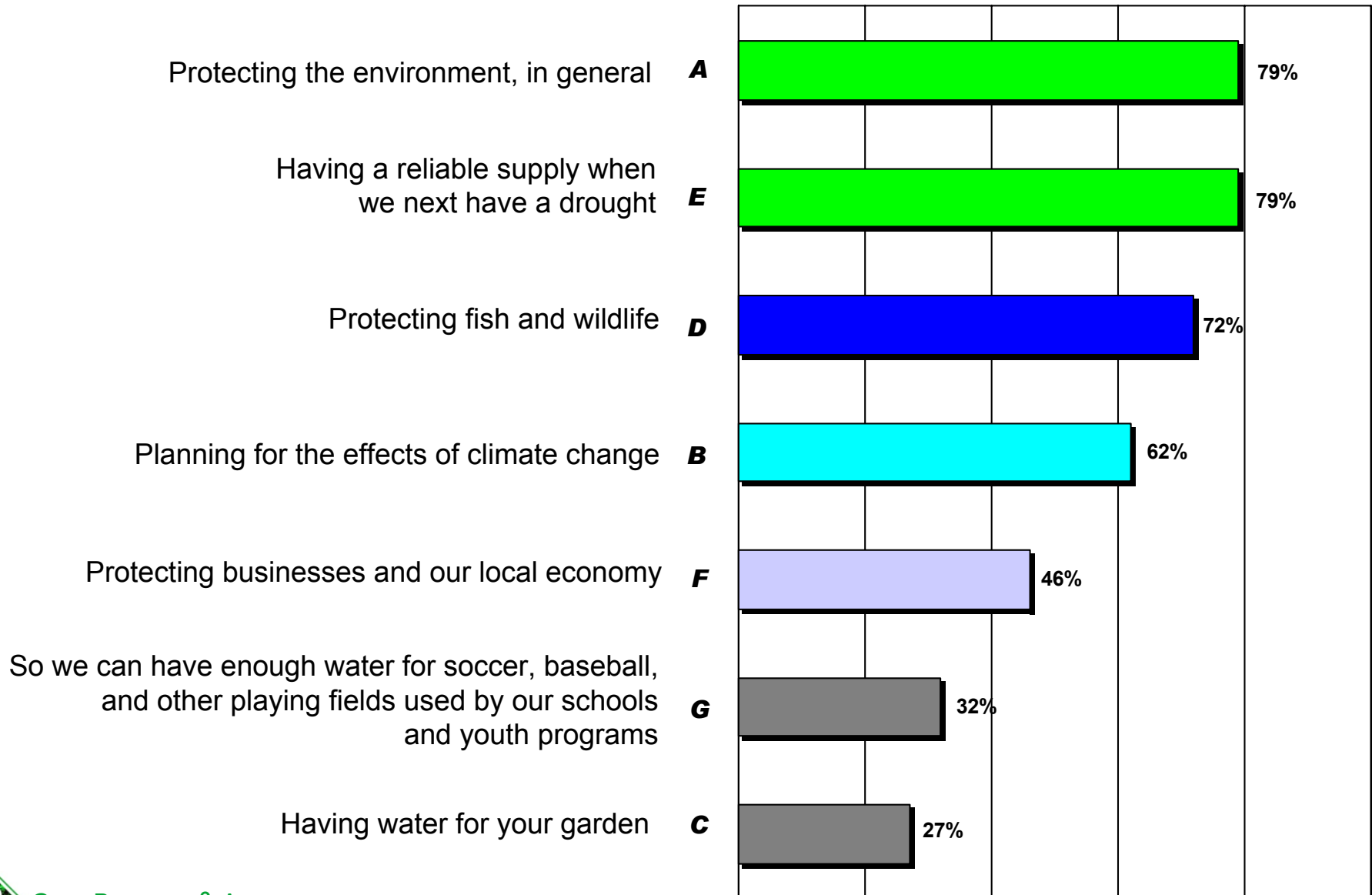
Importance of Activities Affected by Current Measures to Reduce Water Usage



Agreement With Statements About Drought



Very Important Reasons to Continue Water Saving Measures Even After Drought



People Are Worried About Future Water Supplies

- 88% - Agree we need a more stable and predictable water supply with or without drought
- 79% - Very important to have a reliable supply of water for next drought
- 74% - Very serious problem: Inadequate water supplies for future needs
- 60% - We need new sources of water for long-term water supply problems
- 52% - We have too little water; need to create new supplies and lessen demand



Environmental Concerns Are a High Priority

- 79% - Very important to protect the environment, in general
- 72% - Very important to protect fish and wildlife
- 62% - Very important to plan for the effects of climate change
- 59% - Very serious problem: Threat of climate change to reduce water supply
- 54% - Very serious problem: Inadequate water for fish and wildlife
- 53% - Very serious problem: Protect drinking water from salt water contamination



Residents Have Reduced and Are Willing to Reduce Water Usage

- 88% - Have made sure any water leaks are repaired
- 82% - Say current water restrictions are difficult, but they will continue even after drought
- 81% - Do not leave water running when doing various tasks
- 78% - Take shorter or interrupted showers
- 66% - Have substantially reduced watering lawn/garden
- 49% - Current level of water rationing is always acceptable



Some Concerns Remain For Residents

- 78% - Agree they have cut water usage in their homes as much as they can
- 66% - Important to have parks and playgrounds restored with green grass
- 63% - Important to be able to flush the toilet whenever it is used
- 56% - Important to take showers without any worries



Some Interesting Differences Among Population Groups

- People under 30, especially men, more often say we can solve our long term water problems by just using less; a majority in all other age groups say we need new sources of water
- Majorities of those who have lived in the area for less than 10 years and those in the 30-39 age group say the current level of water rationing would always be acceptable
- Women are more likely than men to say it will be important to take showers without any worries and that gardening is an important activity; Women under 50 more often say they have been reading their water meters and that being able to flush the toilet is important; and Women 50 and over more often say maintaining a green lawn or landscaping is important to them



N = 400

Time Began_____

Time Ended_____

Santa Cruz Water Committee Study
(FINAL)

Minutes_____

Hello, I'm _____ from GBA, an opinion research firm. We're conducting a survey about issues that concern the residents of Santa Cruz. May I speak with _____. (MUST SPEAK WITH VOTER LISTED. VERIFY THAT THE VOTER LIVES AT THE ADDRESS LISTED - OTHERWISE TERMINATE.) We are not selling anything and all your answers will be kept confidential. Am I calling you on your cell phone? (IF YES, ASK): Are you in a safe place to talk? (If No, ask to make an appointment to call back)

1. First, I'd like to read you some problems facing the City of Santa Cruz that some other people have mentioned. For each one I read, please tell me whether you think it is a very serious problem, somewhat serious, not too serious, or not at all a serious problem in your community today. (ROTATE)

	<u>VERY SER.</u>	<u>SMWT SER.</u>	<u>NOT TOO SER.</u>	<u>NAA SER.</u>	<u>DON'T KNOW</u>
a. Crime -----	36%	38%	17%	8%	1%
b. Traffic congestion -----	48%	32%	16%	4%	1%
c. Need to attract businesses and jobs to the area-----	37%	34%	16%	8%	4%
d. Need for adequate future water supplies -----	77%	14%	5%	2%	2%
e. Cost of housing -----	64%	22%	6%	5%	3%
f. Need to improve and maintain local parks and other recreational facilities -----	26%	38%	26%	9%	2%

2. Next, I'm going to read a few issues related to local water supplies that are problems in some California communities. Please tell me if you feel each one is a very serious problem in this area, somewhat serious, not too serious, or not at all a serious problem in your community. (ROTATE)

	<u>VERY SER.</u>	<u>SMWT SER.</u>	<u>NOT TOO SER.</u>	<u>NAA SER.</u>	<u>DON'T KNOW</u>
a. Inadequate water supplies for all our needs today-----	59%	28%	8%	2%	3%
b. Inadequate water supplies for our future needs-----	74%	16%	4%	2%	4%
c. Aging water infrastructure -----	42%	29%	7%	2%	19%
d. Inadequate water for fish and wildlife-----	54%	26%	11%	3%	7%
e. Not enough water conservation -----	50%	28%	14%	6%	4%
f. Threat of climate change to reduce water supply -----	59%	22%	9%	6%	6%
g. Protecting our drinking water from being contaminated by salt water from the ocean -----	53%	20%	10%	7%	11%

3. Next, please tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with the statement made by some people that: "I've already cut back on water use for my home as much as I can; there's not much more I can do to save water."

Strongly agree-----	51%
Somewhat agree -----	27%
Somewhat disagree-----	12%
Strongly disagree -----	7%
DK/NA -----	3%

4. Now, please tell me which one of the following **3** statements comes closest to your opinion: (ROTATE)
- a. We have enough water; water restrictions are more scare tactics than a necessity ----- 11%
 - b. We have plenty of water most of the time, we just need to manage our supply and demand better in dry years----- 35%
 - c. We have too little water most of the time; we need to create new supplies and lessen demand all the time----- 52%
 - (DO NOT READ)DK/NA ----- 4%
5. Now, please tell me which one of the following **2** statements comes closer to your opinion: (ROTATE)
- a. We need to find new sources of water if we are going to solve our long-term water supply problems ----- 60%
 - OR
 - b. We can solve most of our long term water supply problems by just using less ----- 35%
 - (DO NOT READ)DK/NA ----- 6%
6. And please tell me which one of these next **2** statements comes closer to your opinion: (ROTATE)
- a. Current water restrictions are a serious burden on my life; I cannot see myself continuing most of them once the drought is over ----- 14%
 - OR
 - b. While the current water restrictions are sometimes difficult, I will keep implementing most of them even when there is no drought ----- 82%
 - (DO NOT READ)DK/NA ----- 4%
7. The Santa Cruz Water Department implemented mandatory water rationing on May 1st. When you consider how this has affected you, how often would this level of rationing be acceptable to you during the next ten years? (READ CHOICES):
- For one year out of ten ----- 11%
 - For two years out of ten----- 7%
 - For three years out of ten----- 10%
 - For four years out of ten ----- 9%
 - Or is this level always acceptable ----- 49%
 - Or is this level never acceptable----- 6%
 - (DO NOT READ)DK/NA ----- 8%

8. Next, I am going to read a list of ways that some people save water. Please tell me whether each one is something that is true or not true for you and your household: (ROTATE)

	<u>TRUE</u>	<u>NOT TRUE</u>	<u>DOES NOT APPLY</u>	<u>REF./ DK/NA</u>
a. You have made sure any water leaks have been repaired -----	88%	5%	7%	1%
b. You don't leave the water running when brushing your teeth, washing your hands or doing the dishes -----	81%	17%	2%	1%
c. You take fewer or shorter showers, or turn off the water while soaping up in the shower -----	78%	19%	2%	1%
d. You have shifted some water use to locations other than your home, such as using a Laundromat, showering at the gym, or something else that you now do away from home -----	26%	66%	7%	1%
e. You collect shower water with a bucket while waiting for the water to heat up, then use this water for your plants -----	43%	49%	8%	1%
f. You have completely stopped watering your lawn or garden ---	43%	36%	19%	2%
g. You have either turned off the automatic timer for your sprinkler system or otherwise substantially reduced watering your lawn and garden -----	66%	7%	26%	1%
h. You have replaced your lawn with drought resistant plants, paving, tiles, artificial turf, or something else that does not require any water -----	36%	39%	23%	2%
i. You have read your water meter to see how much water you have been using and how much you have been saving ----	41%	44%	13%	2%

9. Next, some people say that there are various activities and events that are important and that are affected by current measures to reduce water usage. Please tell me how important each of the following would be for you once the drought is over: very important, somewhat important, not too important, or not at all important. (ROTATE)

	<u>VERY IMP.</u>	<u>SMWT IMP.</u>	<u>NOT TOO IMP.</u>	<u>NAA IMP.</u>	<u>DON'T KNOW</u>
a. To be able to wash my car -----	9%	22%	32%	35%	2%
b. To have a green lawn or maintain landscaping at my house -----	17%	27%	24%	29%	3%
c. To be able to take a shower without having to worry about taking shorter showers, turning off the water in the middle, or using buckets to capture water as it is heating -----	26%	30%	24%	17%	2%
d. To be able to have a pool or hot tub that can be filled with water -----	11%	17%	18%	52%	3%
e. To be able to flush the toilet whenever it is used -----	40%	23%	24%	12%	2%
f. To have green grass and gardens in my neighborhood and throughout the community -----	19%	36%	27%	17%	2%
g. To have our parks and playing fields restored with green grass -----	25%	41%	20%	12%	2%

10. Next, please tell me if you generally agree or disagree with each of the following statements. (IF AGREE/DISAGREE, ASK): Do you strongly or somewhat (agree/disagree)? (ROTATE)

	<u>STR. AGREE</u>	<u>SMWT AGREE</u>	<u>SMWT DIS.</u>	<u>STR. DIS.</u>	<u>DON'T KNOW</u>
a. The effects of the drought have included a negative impact on my work and income -----	7%	9%	20%	61%	4%
b. Higher water bills are a small price to pay so we can avoid more severe water restrictions -----	36%	26%	15%	17%	6%
c. Gardening is an important activity for me and current water cutbacks have a serious effect on my life -----	17%	19%	24%	37%	4%
d. The financial costs imposed by the Water Department are a major burden on my financial situation -----	14%	13%	26%	42%	5%
e. The drought is having a serious negative effect on local businesses and the Santa Cruz economy -----	16%	23%	28%	20%	14%
f. The severe measures needed to fight the drought will discourage new businesses from locating here-----	16%	24%	29%	24%	8%
g. The drought is having a significant negative effect on local property values -----	11%	21%	23%	32%	13%
h. The drought will force us to limit new growth and development -----	30%	30%	20%	13%	7%
i. We need to have a more stable and predictable supply of water whether or not we are experiencing drought conditions -----	69%	19%	5%	4%	3%

11. Next, some people say that there are various reasons to continue measures that reduce water usage even after the drought ends. Please tell me if you feel each of the following is a very important reason to continue water reduction measures, somewhat important, not too important, or not at all important. (ROTATE)

	<u>VERY IMP.</u>	<u>SMWT IMP.</u>	<u>NOT TOO IMP.</u>	<u>NAA IMP.</u>	<u>DON'T KNOW</u>
a. Protecting the environment, in general -----	79%	19%	1%	1%	1%
b. Planning for the effects of climate change-----	62%	25%	6%	5%	3%
c. Having water for your garden -----	27%	34%	16%	20%	3%
d. Protecting fish and wildlife -----	72%	22%	3%	2%	1%
e. Having a reliable supply when we next have a drought -----	79%	17%	3%	1%	1%
f. Protecting businesses and our local economy-----	46%	39%	8%	4%	3%
g. So we can have enough water for soccer, baseball, and other playing fields used by our schools and youth programs-----	32%	44%	14%	8%	1%

Now for a few background questions:

12. For about how long have you lived in Santa Cruz?	Five years or less -----	13%
	Six to ten years -----	14%
	Eleven to fifteen years -----	15%
	Sixteen to twenty -----	10%
	More than 20 years-----	45%
	Refused -----	4%

13a. Do you own or rent the house or apartment where you live?	Own home----- 62% Rent----- (ASK Q. 13b)----- 36% Don't know ----- 3%
13b. (ASK ONLY IF RENT): Do you currently pay your water bill or does the landlord pay the water bill?	Respondent pays ----- 43% Landlord pays ----- 55% Ref/DK/NA ----- 2%
<u>[ASK EVERYONE]</u>	
14. Do you live in a single family home or in a multi-unit building?	Single family----- 76% Multi-unit----- 22% Ref/DK/NA ----- 2%
15. Are you, or is anyone in your immediate family either a student at, or employed by UC Santa Cruz? (MORE THAN ONE OK)	Yes, respondent is a student----- 3% Yes, family member is a student ----- 3% Yes, respondent employed by UCSC----- 3% Yes, family member employed by UCSC ---- 12% No----- 86% Refused/DK/NA ----- 3%
16. Are there any children, 18 years of age or younger, living in your household?	Yes----- 27% No----- 70% Refused/NA----- 3%

Gender: By observation	Male----- 48% Female ----- 52%
------------------------	-----------------------------------

Name _____ Phone # _____

Address _____ Date _____

City _____ Precinct # _____

Interviewer _____ Zip Code (FROM SAMPLE) _____

<u>Party Registration:</u>	Democrat (D) ----- 58% Republican (R) ----- 12% Independent/No Party/Others ----- 30%
----------------------------	---

<u>Age:</u>	18-24 ----- 11% 25-29 ----- 9% 30-34 ----- 7% 35-39 ----- 7% 40-44 ----- 7% 45-49 ----- 8% 50-54 ----- 8% 50-59 ----- 10% 60-64 ----- 10% 65+ ----- 21% Blank ----- *
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<u>Voting History:</u>	6/14 -----	43%
	11/12 -----	86%
	6/12 -----	48%
	11/10 -----	66%
	6/10 -----	42%
	5/09 -----	37%
	11/08 -----	77%
 <u>Permanent Absentee:</u>	Yes -----	44%
	No -----	56%
 <u>Ever Voted Absentee:</u>	Yes -----	62%
	No -----	38%
 <u>Phone:</u>	Cell -----	48%
	Landline -----	52%
 <u>Area:</u>	City of Santa Cruz -----	64%
	Not City of Santa Cruz -----	36%
 <u>Supervisory District:</u>	District #1 -----	34%
	District #3 -----	53%
	District #5 -----	13%

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DATE: October 23, 2014

TO: Members of the Water Supply Advisory Committee, the Santa Cruz Water Commission and Interested Members of the Public

FROM: Rosemary Menard, Director, Santa Cruz Water

SUBJECT: Modeling and Forecasting Working Group

The Santa Cruz Water Department is sponsoring a Modeling and Forecasting Working Group in the coming weeks. The purpose of the working group is to create a planned and organized way for interested members of the WSAC and their constituent groups, members of the Santa Cruz Water Commission, and interested members of the public to develop a greater level of understanding and confidence in the modeling, forecasting and analytical tools the City uses in its water planning efforts.

I propose the following schedule, subject to availability of presenters and of appropriate facilities, to support the working group effort. The work plan follows.

Session Number	Session Title	Proposed Date/Time (All Wednesdays)
1	Overview of Work Plan and Modeling and Forecasting Tools	November 5, 4 pm to 6 pm
2	Modeling and Forecasting Flowing Source Supply and Groundwater Resources	November 12 4 pm to 8 pm
3	Current and Proposed Future Approaches to Forecasting Water Demand	December 3 4 pm to 7 pm
4	Demand Management Decision Support System Model	December 10 4 pm to 7 pm
5	Confluence Modeling and Supply Forecasting	January 7 4 pm to 8 pm
6	Shortage Contingency Planning	January 14 4 pm to 7 pm
7	Parking Lot Issues	January 21 4 pm to 7 pm
8	Modeling and Forecasting Products to be used in Phase 2 of the WSAC work	February 4 4 pm to 7 pm

In order to ensure that we have an adequate location for these sessions, **REGISTRATION** is required. To register, simply send an email to my assistant, Gloria Rudometkin (grudometkin@cityofsantacruz.com), with the Subject Line: Modeling and Forecasting Working Group, and indicate in the email message that you want to participate in the Modeling and Forecasting Working Group. Please provide an email address and a telephone number where you can be reached or messages can be left. Registrations must be submitted by close of business on Monday, November 3, 2014.

Modeling and Forecasting Work Group Work Plan

10-23-14

Session 1: Overview of Work Plan and Modeling and Forecasting Tools

2 hours

Rosemary Menard

Focus: The models and forecasting tools the City uses for water supply planning, how they are used and the types and sources of data inputs.

Presentation and discussion will cover:

- Overview of work plan and schedule
- Overview presentation and discussion will cover the following modeling and forecasting tools:
 - Hydrologic model of flowing sources
 - Fish flow regimes
 - Current demand forecasting methodology, and planned econometric demand forecasting model
 - Demand Management Decision Support System Model
 - Confluence model – system reliability and forecasting
- Big picture discussion of how the tools fit together and are used in water planning

Session 2: Modeling and Forecasting Flowing Source Supply and Groundwater Resources 4 hours

Shawn Chartrand, Jeff Hagar and Kevin Crossley

Focus: Detailed analyses of the hydrologic data used in modeling and forecasting flowing source supply and groundwater resources, and how they are used, and the fish flow regimes that have been developed historically along with the scientific basis for developing fish flows.

Presentation and discussion will cover:

- Data sources
- Data quality
- Hydrologic flow forecasts – how they are developed, how they are used in supply modeling and forecasting
- Fish flow regimes and options (2014 drought flows, Tier 3/2, DFG 5, Tier 3) and the level of protection provided to fish under these various flow scenarios
- Groundwater resources, including wells and well operation

Session 3: Current and Proposed Future Approaches to Forecasting Water Demand 3 hours

Toby Goddard, David Mitchell

Focus: Current approach to forecasting demand, data types and sources, and econometric demand models, how they are developed, data types and sources, and timeframe for model development and use.

Presentation and discussion will cover:

- Demand forecast development for the 2010 Urban Water Management Plan and the Water Supply Assessment developed for the General Plan
- Data types and sources used in demand forecasting
- Demand forecasts versus actual demand – trends over time
- Approach to disaggregating an annual demand figure, for example, 3.5 bgy, into daily demands for use with the Confluence model
- Key factors, for example temperature and precipitation, used in disaggregating demand, and the types and sources of these data.
- Benefits and uses of an econometric demand forecast model
- Discussion of types and sources of data to be used in the development of an econometric demand model for Santa Cruz
- Areas of particular interest, e.g., incorporating price and income into water demand models

Session 4: Demand Management Decision Support System Model 3 hours

Lisa and Bill Maddaus

Focus: Evaluation of programs and projects to reduce or manage water demand.

Presentation and discussion will cover:

- Sources and types of data used in evaluating water demand management programs and projects
- Assumptions and basis for assumptions used in evaluating demand management programs and projects
- Applicability of experience and trends elsewhere to the Santa Cruz situation

Session 5: Confluence Modeling and Supply Forecasting

4 hours

Gary Fiske

Focus: How the Confluence model works and the outputs of the Confluence model.

Presentation and discussion will cover:

- Data inputs to Confluence
- Municipal and Industrial (M&I) supply source dispatching protocol and operating rule curve for Loch Lomond
- Architecture of the Confluence model
- Confluence processing steps
- Confluence outputs and what they mean
 - Using Confluence to estimate the size of a shortage under a given set of past, current, or future annual conditions versus using Confluence to estimate the frequency and severity of shortages over the entire period of record or forecast period
- How Confluence will be used in creating the “baseline”

Session 6: Shortage Contingency Planning

3 hours

Toby Goddard

Focus: Session will cover the analytical framework used to develop the 2009 Water Shortage Contingency Plan.

Presentation and discussion will cover:

- Sources of data
- Policy Framework
- Review of recent experiences implementing the plan
- List of potential issues to be addressed in planned revision following the end of the current drought

Session 7: Parking Lot Issues

3 hours

Focus: Throughout sessions 1 through 6, items that come up and can't be responded to during the sessions will be placed on a parking lot list. In session 7, staff and various technical consultants will present and discuss results of follow up work done to address parking lot issues.

Session 8: Modeling and Forecasting Products to be Used in Phase 2 of the WSAC Work 3 hours

Focus: A range of modeling and forecasting products will be used in Phase 2 of the WSAC work. In this session, the various forecasts will be presented and discussed.

Presentation and discussion will cover:

- Potential range of impacts on hydrologic models due to various climate change scenarios
- Baseline water demand forecast without climate change or water demand management actions
- Baseline water demand forecast with water demand management actions but without climate change¹
- Baseline water demand forecast with water demand management actions and with the most optimistic (least impactful) version of climate change
- Confluence reliability forecasts under various agreed upon fish flow and climate change assumptions

Additional modeling will be occurring throughout the second phase of the WSAC's work plan as options are developed and evaluated. The modeling products identified above are intended to be part of the initial analytical baseline. The methodologies used in creating these baseline products would be applied in any further analyses needed by the WSAC.

¹ It may well be that there would be several versions of this with different sets of water demand management actions in different forecasts.

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CITY COUNCIL AGENDA REPORT

DATE: 10/21/2014

AGENDA OF: 10/28/2014

DEPARTMENT: Water

SUBJECT: Regional Groundwater Initiatives, Legislation and Opportunities for City Participation (WT)

RECOMMENDATION: Motion to: 1) Join the Mid-County Basin Implementation Group (BIG) for the Soquel-Aptos Groundwater Management Area as a full financial member, 2) Appoint two City Councilmembers to serve on the Basin Implementation Group, and 3) actively participate at both elected official and staff level in the development and implementation of the Sustainable Groundwater Management Act in northern Santa Cruz County.

BACKGROUND: On May 5, 2014, the Soquel Creek Water District (SqCWD) and Central Water District (CWD) transmitted a letter (Attachment 1) inviting both the County and City of Santa Cruz to become members of the Basin Implementation Group (BIG) for management of the Soquel-Aptos Groundwater Management Area. On July 21, SqCWD sent an additional letter requesting consideration of multiple actions the City could take to support SqCWD's declaration of a groundwater emergency (Attachment 2).

The Groundwater Management Act, California Water Code (CWC) §10753 et. seq., originally enacted as Assembly Bill 3030 in 1992, encouraged local public agencies to adopt formal plans to manage groundwater resources within their jurisdictions. In 1995, the Districts formed the BIG pursuant to a Joint Exercise of Powers Agreement (JPA). In 1996, the BIG produced a Groundwater Management Plan (GMP) for the Basin; this plan was updated in 2007 and 2013. All terms of the agreement are contained in the Second Amendment to the JPA, dated November 19, 2013 (Attachment 3).

On September 16, 2014, Governor Jerry Brown signed a package of three bills, known as the Sustainable Groundwater Management Act, which provides a framework for improved groundwater management by local agencies. The three bills are SB 1168 (Pavley), SB 1319 (Pavley) and AB 1739 (Dickinson).

The Act provides local agencies with the tools to manage groundwater basins in a sustainable manner over the long-term and allows for limited state intervention when necessary to protect groundwater resources. More specifically, it establishes a definition of sustainable groundwater management, empowers local agencies to develop plans and implement strategies to sustainably manage groundwater resources, prioritizes basins with the greatest problems (ranked as high and

medium priority), and sets a timeline for implementation. Attachment 4 is a fact sheet on this new legislation developed by the California State Association of Counties.

A key difference between the new legislation and the earlier Groundwater Management Act is that the Groundwater Sustainability Agency (GSA) formed under the new legislation can choose among numerous new tools and authorities, including the authority to:

- conduct investigations,
- determine the sustainable yield of a groundwater basin,
- measure and limit extraction,
- impose fees for groundwater management, and
- enforce the terms of a groundwater sustainability plan.

Another key difference is that the State can step in and take action should the local entities choose not to form a GSA or if the GSA cannot develop and implement the required Groundwater Sustainability Plan (GSP) as required by law.

Groundwater basins depended upon by individuals and developed communities in mid and northern Santa Cruz County are ranked as medium and high priority and actions will be needed by local agencies to ensure that the provisions and timelines of the new legislation are met. Specifically, a GSA for the Soquel-Aptos basin (at a minimum) would need to be formed by June 30, 2017, and a GSP would need to be completed for this basin by January 31, 2022.

DISCUSSION: The City of Santa Cruz currently produces about 4-5% of its water supply from the Soquel-Aptos basin and an additional 2-3% from the Tait Wells located in the San Lorenzo River alluvium. The long term viability of groundwater resources in the current Live Oak and Tait Street production facilities, along with the role of groundwater resources feeding our North Coast and San Lorenzo River flowing sources, is of vital concern to the City and its water service customers. And, it may be that if additional groundwater resources are developed, either as a supplemental source of supply or as a place to store water from other sources of supply such as excess winter flows or for storing highly treated recycled water, the role of groundwater in meeting the supply needs of Santa Cruz's water customers will increase over time.

The governing body of the Basin Implementation Group (BIG) that was created in the mid-1990s is made up of five members. Two of these members are appointed by and from the Soquel Creek Water District (SqCWD) Board of Directors, and two are appointed by and from the Central Water District (CWD) Board of Directors. The fifth member is a citizen appointee representing private well owners and this individual is appointed by the boards of both SqCWD and CWD.

In May 2014, the BIG invited both the City of Santa Cruz and the Santa Cruz County to join the BIG as full members. The goal of this invitation was to expand and further develop the partnerships and collaborative groundwater planning efforts that had been developing over time.

Santa Cruz County has already taken action to join the BIG as a non-financial member and appointed County Supervisors Leopold and Friend to represent the County.

Since receiving this invitation, City staff has been evaluating the proposal in preparation for making a recommendation to the Council. As the groundwater sustainability legislation was developing over the summer it became clear that, while some administrative issues still need to

be worked out, it is important that the City join the BIG because of the important role the BIG will play in the transition to the Groundwater Sustainability Agency. A full financial member of the BIG is responsible for providing a proportionate share of funding for the BIG's activities. Given the City's level of groundwater pumping in the Soquel-Aptos basin, City staff estimates that share to be approximately 10 percent. Historical annual funding totals for the BIG's activities, including the work of its Basin Advisory Group (staff to the BIG) have been in the \$30,000 to \$55,000 per year range over the last five years. That being said, during the development of the GSP, the City's commitment would likely be considerably higher.

Other City financial commitments relate to two ongoing groundwater efforts undertaken by the City and SqCWD. The first being the development of a numerical groundwater model for the Soquel-Aptos basin. The groundwater model will be helpful in evaluating long-term alternatives for raising groundwater levels in the basin and eliminating over draft. The second effort relates to locating the freshwater/seawater interface to determine its proximity to active production wells. The location of the freshwater/seawater interface will also be used in the groundwater model to predict seawater intrusion rates in the basin aquifers. The approximate cost of the groundwater model will be about \$400,000, while the cost of locating the freshwater/saltwater interface will be about \$450,000. Since the scope of work for both of these efforts has not been finalized, the exact financial commitments from the City is not yet know; but is expected to be in the rage of 10 percent of the total cost of each, or about \$40,000 for the groundwater model and \$45,000 for the freshwater/seawater interface. The City is actively working with SqCWD on these projects and have budgeted for this level of effort.

Should the City Council decide to approve joining the BIG, staff recommends that the Council appoint two members who would sit on the BIG Board of Directors. In addition, the July 21st letter includes five actions, two of which are related to the work of the Council appointed Water Supply Advisory Committee, and three of which will need to be followed up on by staff and Council members in the coming months. Staff recommends that the two Councilmembers who are appointed to the BIG work with staff to address the outstanding items from the SqCWD Board of Directors July 21, 2014 letter to the Council.

FISCAL IMPACT: No additional funds are needed to support the recommended actions. Funding for groundwater modeling was included in the Water Department, Engineering Section's budget for FY 2015. If a larger financial commitment is required of the City, the Water Department will return to the City Council to request additional funding.

Prepared by:
Rosemary Menard
Water Director

Submitted by:
Rosemary Menard
Water Director

Approved by:
Martin Bernal
City Manager

ATTACHMENTS:

- Attachement 1 - May 5, 2014, Soquel Creek Water District (SqCWD) and Central Water District (CWD) Letter
- Attachement 2 - SqCWD's Declaration of a Groundwater Emergency
- Attachement 3 - Second Amendment to the JPA
- Attachement 4 - California State Association of Counties Fact Sheet



Board of Directors
Dr. Thomas R. LaHue, *President*
Bruce Daniels, *Vice President*
Dr. Don Hoernschemeyer
Dr. Bruce Jaffe
Richard Meyer

Kim Adamson, *General Manager*

May 5, 2014

Rosemary Menard
212 Locust Street, Suite A
Santa Cruz, CA 95060

John Ricker
701 Ocean St., Room 312
Santa Cruz, CA 95060

Subject: Invitation to Join and Participate in the Mid-County Basin
Implementation Group (BIG) for the Soquel-Aptos Groundwater
Management Area

Dear Rosemary/John,

Since 1995, the Soquel Creek Water District (SqCWD) and Central Water District (CWD) have partnered together under a Joint Exercise of Powers Agreement (JPA) that established a groundwater management plan committee to oversee and develop a comprehensive groundwater management plan within the Soquel-Aptos area basin.

The JPA between SqCWD and CWD lays out the governance structure of the Basin Implementation Group (BIG) which meets twice each year. Annually, the Board of Directors for SqCWD and CWD each appoint two committee members to serve on the BIG. The 5th committee member is to be selected by the boards of both CWD and SqCWD and shall be a person served by, owning, or managing a private well or a person residing in either district who has broad experience in water supply. The 5th committee member serves a two year term.

The BIG has also convened a Basin Advisory Group (BAG), which provides technical expertise to guide and implement groundwater management activities and provide interagency coordination. Currently the BAG is made up of staff members of SqCWD, CWD, City of Santa Cruz, Santa Cruz County and Pajaro Valley Water Management Agency.

SqCWD and CWD are currently partnering with the County to facilitate a discussion with other pumpers in the basin about the shared problems of the overdrafted basin and seawater intrusion. This effort will begin in May 2014.

May 5, 2014

Page Two

With the ongoing work and partnerships that are all underway, the Board of Directors from SqCWD and Central Water District would like to invite the City of Santa Cruz and the County of Santa Cruz to join the Basin Implementation Group as full members and not just in an advisory role as a representative of the BAG. Since the County is not a water purveyor and does not pull out of the basin themselves, they could hold a position similar to the current 5th position that would have a single vote for all non-financial matters and no vote for those issues with a financial impact. If on the other hand, they wanted to determine a fair way to cost share with the Districts, they could be granted full voting powers. The City, as a basin pumper, could be considered as a financial member if they wish based on their pumping percentage, which would be minimal and similar to CWD.

If approved and the invitations are accepted, a third amendment to the Joint Powers Agreement would be crafted and brought to the BIG and all involved members Boards and Councils for review and approval.

Please let us know if your organization is interested in being a full member of the BIG by June 2, 2014 so that we can begin and work together to prepare the amendments to the JPA.

Sincerely,

SOQUEL CREEK WATER DISTRICT



Kim Adamson
General Manager

CENTRAL WATER DISTRICT



Ralph Bracamonte
District Manager

Attachments



Board of Directors
Dr. Thomas R. LaHue, *President*
Bruce Daniels, *Vice President*
Dr. Don Hoemsemeyer
Dr. Bruce Jaffe
Richard Meyer

Kim Adamson, *General Manager*

July 21, 2014

All Councilmembers
forwarded electronic copy

+ Rosemary Menard

City of Santa Cruz
Attn: Santa Cruz City Council
809 Center Street, Room 10
Santa Cruz, CA 95060

RECEIVED

JUL 23 2014

CITY CLERK'S DEPT.

Re: Groundwater Emergency Declaration and Meeting Request to Explore Aid and Assistance by City of Santa Cruz

Dear Council Members,

Last month the Soquel Creek Water District (SqCWD) Board of Directors declared a Groundwater Emergency. Resolution 14-22 was adopted on June 17, 2014 that formalizes concurrence by independent hydrologists' that the cumulative effects of pumping more groundwater than is annually replenished through rainfall has resulted in a serious state of overdraft of our local aquifers which is experiencing contamination of seawater intrusion.

As part of the measures and actions taken under a groundwater emergency declaration, we would like to formally request a meeting to discuss potential actions and measures that could be undertaken by the City of Santa Cruz (City) to address our shared groundwater resource and what type of aid or assistance could be provided by the City to reduce the overdraft conditions. To comply with Brown Act requirements the Board of Directors will delegate a subcommittee of two members to meet with either a subcommittee of, or your entire Board as you see fit.

Requested actions can include, but aren't limited to:

- Accepting the invitation from Central Water District and SqCWD to join the Soquel-Aptos Basin Implementation Group (BIG).
- Working towards finalizing the cooperative groundwater agreement between the Soquel Creek Water District and the City of Santa Cruz. This draft agreement was placed on hold pending SqCWD's peer review which is now complete.
- Discussing winter water transfers, if excess is available from the City of Santa Cruz, and the feasibility that the SqCWD could receive it on an emergency basis this winter

- Discussing the status of the City's Water Supply Advisory Committee's efforts with respect to the joint scwd² Regional Desalination Project and other supplemental supply options being evaluated including a joint recycled water project for groundwater injection.
- Discussing the feasibility of an Aquifer Storage and Recovery Well at the City's Beltz well site to aid in groundwater recharge in the western portion of the Soquel-Aptos basin.

We look forward to discussing near-term and long-term actions that can be explored to better manage our limited groundwater resource as regional partners. Please contact District General Manager Kim Adamson at 831.475.8501x124 so we can set-up a meeting that best fits your availability.

Sincerely,
SOQUEL CREEK WATER DISTRICT



Thomas R. LaHue
Board President

Enclosure: SqCWD Resolution 14-22

RESOLUTION NO. 14-22

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SOQUEL CREEK WATER DISTRICT
DECLARING A GROUNDWATER EMERGENCY**

WHEREAS, groundwater located in the Soquel-Aptos area is currently the only source of water supply for the customers of Soquel Creek Water District; and

WHEREAS, other public and private water suppliers and many private wells also depend on local groundwater resources; and

WHEREAS, a peer review panel of qualified groundwater hydrologists have concurred with the District's groundwater hydrologist that the cumulative effects of pumping more groundwater than is annually replenished through rainfall has resulted in a serious state of overdraft of our local aquifers; and

WHEREAS, these overdrafted coastal aquifers are imminently threatened by contamination from seawater intrusion; and

WHEREAS, seawater intrusion has been detected in Pleasure Point, Aptos, and La Selva Beach by the coastal monitoring well network maintained within the Soquel-Aptos groundwater management area; and

WHEREAS, groundwater overdraft is a long-term shortage issue, dissimilar to drought conditions that are seasonal and typically short-term; and

WHEREAS, Soquel Creek Water District is committed to ensuring that our local groundwater resources are sustained and protected for current and future water supply reliability; and

WHEREAS, public awareness and education about groundwater is critical to succeeding in protecting this invaluable resource; and

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of Soquel Creek Water District that the District hereby declares a groundwater emergency and directs the General Manager or her designee to address the emergency with the following actions and measures, some of which are recommended in the District's Water Shortage Contingency Plan for a Groundwater Emergency (Section 5 of the District's 2010 Urban Water Management Plan):

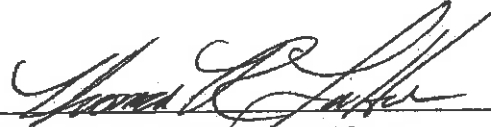
1. Declare a Stage 3 Water Shortage Emergency
2. Request actions and measures the County of Santa Cruz and other neighboring water agencies can undertake to address the overdrafted groundwater basin conditions within their respective jurisdictions
3. Continue to collaborate with all basin pumpers as part of the Groundwater Stakeholder Advisory Committee efforts that are underway

4. Continue to implement the Soquel-Aptos Groundwater Management Plan in collaboration with partner agencies under the Joint Exercise of Powers Agreement
5. Continue to pursue development of a Groundwater Model for the Soquel-Aptos area
6. Continue to pursue a better understanding of the freshwater-seawater interface
7. Continue to pursue alternative water sources to aid in restoring the groundwater basin with either direct or in-lieu recharge benefits

PASSED AND ADOPTED by the Board of Directors of the SOQUEL CREEK WATER DISTRICT this 17th day of June 2014, by the following vote:

AYES: Directors LaHue, Daniels, Jaffe, Hoernschemeyer, Meyer
NOES: None
ABSENT: None
ABSTAIN: None

APPROVE:



Thomas R. LaHue, President

ATTEST:



Karen Reese, Board Clerk

RESOLUTION NO. 14-22

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OF THE SOQUEL CREEK WATER DISTRICT
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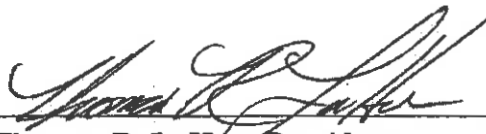
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 7. Continue to pursue alternative water sources to aid in restoring the groundwater basin with either direct or in lieu recharge benefits

PASSED AND ADOPTED by the Board of Directors of the SOQUEL CREEK WATER DISTRICT this 17th day of June 2014, by the following vote:

AYES: Directors LaHue, Daniels, Jaffe, Hoernsch meyer, Meyer
NOES: None
ABSENT: None
ABSTAIN: None

APPROVE:



Thomas R. LaHue, President

ATTEST:



Karen Reese, Board Clerk

SECOND AMENDMENT

TO

JOINT EXERCISE OF POWERS AGREEMENT

The parties to this Second Amendment to Joint Exercise of Powers Agreement are CENTRAL WATER DISTRICT, a County Water District organized pursuant to California Water Code Section 30,000 et. seq. (hereinafter CENTRAL) and the SOQUEL CREEK WATER DISTRICT, a County Water District organized pursuant to California Water Code Section 30,000 et. seq. (hereinafter SOQUEL).

RECITALS

A. The parties have heretofore entered into a Joint Exercise of Powers Agreement (hereinafter sometimes referred to as JPA) for the purpose of creating a Groundwater Management Plan (hereinafter sometimes referred to as GMP) concerning the management of the groundwater basins which the respective parties share.

B. Pursuant to that Joint Exercise of Powers Agreement, the parties appointed a committee which drafted a Groundwater Management Plan and subsequently amended that plan in accordance with applicable law all of which action was adopted and ratified by the respective Boards of Directors of each of the parties.

C. With the establishment of the GMP, the parties recognize the need to continue the Joint Exercise of Powers Agreement to provide for governance to oversee the implementation of the GMP, cost sharing provisions with respect to the activities required by the GMP, the identification of mutually beneficial projects, and provisions for the addition or withdrawal of parties from the JPA.

Now Therefore, upon the adoption of resolutions by the Board of Directors of CENTRAL and the Board of Directors of SOQUEL, it is hereby agreed:

1. The Committee. The Ground Water Management Committee, established under the original JPA is hereby made a permanent committee known as the Basin Implementation Group (BIG). The duties of the BIG shall include, but not be limited to:

- a) assuring that the goals and objectives identified in the Groundwater Management Plan are pursued in a reasonable and timely manner;

- b) reviewing the annual report on the status of the basin and reviewing progress made to meet the Groundwater Management Plan's goals and objectives;
- c) modifying the Groundwater Management Plan as needed to address any new or escalated issues within the groundwater basin;
- d) directing future updates to the Groundwater Management Plan every five years or more frequently if needed to reflect changes in State law or in local conditions/programs;
- e) recommending joint projects to the respective governing bodies which are of regional benefit, e.g. general subsidence monitoring, recharge within shared portions of the basin, etc.

Said committee shall continue to be composed of two members from the CENTRAL Board of Directors and two members from the SOQUEL Board of Directors, each of whom shall be appointed by their respective boards and one public member who shall be selected by the boards of both CENTRAL and SOQUEL who shall be a person served by, owning, or managing a private well or a person residing in either the CENTRAL or SOQUEL District who has broad experience in water supply. The 5th committee member shall be appointed to serve a two year term. The Committee shall select a chair from among its elected members with the chair alternating every two years between a director of Central and a director of Soquel. All votes of the committee shall be decided by a majority vote of the committee except for fiscal decisions (those decisions involving the incurring of debt or expenditure of funds) which shall be decided only by the members of the Committee who are elected representatives of Central and Soquel. Those fiscal decisions shall also be decided by a majority vote of those persons eligible to vote on those matters.

2. Staff. The general managers of CENTRAL and SOQUEL shall serve as staff to the committee.

3. Compensation: Each board member attending meetings of the committee shall be compensated by his or her respective board as each board so decides. No compensation shall be paid by the committee. The staff shall be paid by their respective entities as they so agree.

4. Funding. The Committee is authorized to hire consultants to assist in the management and implementation of the GMP. The costs of reports prepared under this agreement and other management and implementation expenses agreed upon by the BIG shall be shared on a proportional basis of the total annual groundwater use as measured by each agency for the preceding water year. Based on use for 2008, the percentage cost to each agency would be as follows:

CENTRAL 11%

SOQUEL 89%

In the event that additional members are added to the JPA, all of the members shall agree on a new cost sharing to fund the costs of the JPA.

5. Withdrawal. Any party may withdraw as a participant in the JPA, with the understanding that the remaining party or parties may continue to fund and implement the GMP for the benefit of the ground water basin. Notice of withdrawal shall be by a resolution of the respective board of directors and provide thirty (30) day written notice of intent to withdraw. Any funds due or obligations to pay incurred as of the date of withdrawal shall be due and payable irrespective of the withdrawal.

6. Additional Members. On the approval of the Boards of Directors of both parties to this agreement, and that of any subsequent party added to this agreement, additional parties may be added to this JPA.

7. Additional Goals. An additional goal of the Committee shall be to identify and develop groundwater projects which are mutually beneficial to all members.

8. Functions of the Committee. In addition to the functions previously described in this agreement the Committee shall have the ability to recommend to their respective Boards of Directors, policies and programs which will enhance the GMP. The Committee shall meet at least once annually, or more as needed, and minutes of their meetings shall be maintained and furnished to the Boards of Directors of the members.

9. Non-Restrictive of Independent Activities. This agreement does not preclude any agency from pursuing programs and projects related to groundwater management either independently or in cooperation with other agencies that may or may not be a party to the Soquel-Aptos Area Groundwater Management Joint Powers Agreement.

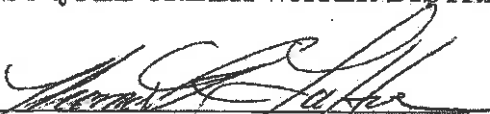
10. Amendment. This Agreement may be amended by resolution of the Board of Directors of all members of the JPA.

Dated: November 19, 2013

CENTRAL WATER DISTRICT


Authorized Officer

SOQUEL CREEK WATER DISTRICT


Authorized Officer

Attachment 4

Fact Sheet: Sustainable Groundwater Management Act

Act empowers local agencies to manage their groundwater resources On September 16, 2014, Governor Jerry Brown signed a package of three bills, known as the Sustainable Groundwater Management Act, which provides a framework for improved groundwater management by local agencies. The three bills are SB 1168 (Pavley), SB 1319 (Pavley) and AB 1739 (Dickinson).

Overview:

The Act provides local agencies with the tools to manage groundwater basins in a sustainable manner over the long-term and allows for limited state intervention when necessary to protect groundwater resources. More specifically, it establishes a definition of sustainable groundwater management, establishes local agencies to develop plans and implement strategies to sustainably manage groundwater resources, prioritizes basins with the greatest problems (ranked as high and medium priority), and sets a timeline for implementation.

Key dates:

- January 1, 2015 – Legislation goes into effect
- June 30, 2017 – Local groundwater sustainability agencies (GSAs) must be formed
- January 31, 2020 – Groundwater sustainability plans (GSPs) must be completed for basins in a critical condition of overdraft
- January 31, 2022 – GSPs must be completed in all other high- and medium-priority basins not currently in overdraft
- Twenty years after adoption of the GSP (2040 and 2042) – all high- and medium-priority groundwater basins must achieve sustainability

Key definitions:

- “Sustainable groundwater management” means management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.
- “Undesirable results” means any of the following effects caused by groundwater conditions occurring throughout the basin:
 - Chronic lowering of groundwater levels, but excluding lowering of groundwater levels during a drought if it is otherwise managed;
 - Significant and unreasonable reductions in groundwater storage;
 - Significant and unreasonable seawater intrusion;
 - Significant and unreasonable degradation of water quality;
 - Significant and unreasonable land subsidence; and
 - Surface water depletions that have significant and unreasonable adverse impacts on beneficial uses.

Key provisions:

Protects water rights

- The legislation includes numerous provisions to protect water rights. Water Code section 10720.5(b) says that nothing in the legislation “determines or alters surface water rights or groundwater rights under common law or any provisions of law that determines or grants surface water rights.”

Promotes coordinated management of an entire groundwater basin

- Any local agency or combination of local agencies overlying a groundwater basin may form a GSA for the basin.
- In high- and medium-priority basins, GSAs will need to prepare GSPs which can build on the regions existing groundwater plans.

(<http://www.water.ca.gov/groundwater/casgem/>).

Considers multiple stakeholder interests

- A GSA must consider the interests of a variety of different stakeholders, including beneficial users of water, environmental interests, disadvantaged communities, tribes and others, and conduct outreach to them.

Provides GSAs with new authority to responsibly manage groundwater

- GSAs can choose among numerous new tools and authorities, including the authority to conduct investigations, determine the sustainable yield of a groundwater basin, measure and limit extraction, impose fees for groundwater management and enforce the terms of a groundwater sustainability plan.

Respects regional differences and provides flexibility

- There is a wide diversity of conditions in groundwater basins throughout the state, so the legislation provides options for development of plans and avoids a “one size fits all” approach.
- Each basin can be covered by a single plan or by multiple plans and coordinated by a single coordination agreement that covers the entire basin. A region can modify the basin boundaries to suit the regional management needs.
- The development and adoption of GSPs is exempt from CEQA requirements.
- The California Department of Water Resources (DWR) may grant up to two 5-year extensions if the agency demonstrates a need for the extension and has demonstrated progress toward its sustainability goal.
- DWR will need to adopt regulations by June 1, 2016, regarding GSPs, coordination agreements and alternative plans and documentation.

Increases availability of information but ensures privacy protection

- The legislation limits the public release of all information related to individual groundwater pumpers, but provides aggregated groundwater information for a groundwater basin.

- After a GSP is adopted, a GSA will need to submit annual reports to DWR on the condition of the basin.

Provides state technical and financial assistance

- DWR will provide technical assistance to local agencies in the implementation of this legislation and to develop best management practices.
- \$100 million in grant funding is included in the pending Water Bond (Proposition 1) to be used for the development and implementation of groundwater management plans and projects.

Offers a reasonable level of state oversight and involvement

- DWR will review GSPs and their implementation.
 - Within two years of submission, DWR will evaluate and assess a GSP. DWR will evaluate each GSP or alternative at least every five years.
- The State Water Resources Control Board (SWRCB) can only intervene in a local area and develop an interim plan in limited circumstances:
 - When no local agency is willing to serve as a GSA (2017);
 - When a GSA does not complete a GSP (2020); or
 - When both the GSP is inadequate or not implemented to achieve sustainability and there is a condition of long term overdraft or significant depletion of interconnected surface waters (varies 2020, 2022, or 2025).
- SWRCB can assess fees to recover costs incurred in administering an unmanaged area or a probationary basin, which may include reporting requirements, investigations, facilitation, monitoring, hearings, enforcement and administrative costs.

Increases coordination between land use planning agencies and groundwater sustainability agencies

- Amends planning and zoning law to require increased coordination between land use planning agencies and groundwater sustainability agencies regarding groundwater plans and updates and modifications of General Plans.