Section IX. Level 3 Water Shortage – Water Supply Emergency

Declaration of a Level 3 Water Supply Emergency may be considered when the District experiences more than a 40% shortage in imported water supplies and/or determines the need to further reduce consumer usage by more than 40%.

1. **Level 3 Water Supply Emergency**

    a. A Level 3 Water Supply Emergency exists when the District Board of Directors, at its sole discretion, determines that a further reduction in consumer usage is necessary to make more efficient use of limited water and appropriately respond to existing water conditions.

    b. The type of event that **may** prompt the Board to declare a Level 3 Water Emergency could include, among other factors, a finding that its **wholesale water provider allocated less than 40% of the District's base water supply.**

2. The following **mandatory water conservation measures will <u>remain in effect</u>**:

    a. **Permanent Water Conservation Measures** identified in Section VI
    b. **Level 1 Water Conservation Measures** identified in Section VII
    c. **Level 2 Water Conservation Measures** identified in Section VIII

3. The following **mandatory conservation measures <u>take effect</u>** upon declaring a Level 3 Water Supply Emergency and apply for the duration of the Emergency:

    a. **All Watering Prohibited**

        1. **Watering is prohibited on any day at any time.**

            a. This applies to lawns, landscaping and vegetated areas.
            b. The District will post the no- watering restriction.

        2. This restriction **<u>does not apply</u>** to the following categories of use unless the District has determined that recycled water is available and may be lawfully applied to the use:

            a. Maintenance of vegetation, trees and shrubs <u>using</u>:

                1. A hand-held bucket or similar container
                2. A hand-held hose equipped with a positive self-closing nozzle
                3. Irrigation systems that exclusively use very-low-flow drip type systems where emitters discharge no more than two (2) gallons of water per hour, subject to hour restrictions in Sect. VI(A)1.a.

b. Maintenance of the following, subject to hour restrictions in Sect. VI(A)1.a:

1. Existing landscaping necessary for fire protection and/or soil erosion control
2. Plant materials identified as rare or essential to the well being of endangered/rare species
3. Public works projects and actively-irrigated environmental mitigation projects

b. **Shorter Timeframe to Fix Leaks, Breaks or Malfunctions** in lines, fixtures, and facilities.

1. Excessive use, loss or escape of water through breaks, leaks or malfunctions in the user's plumbing, distribution or irrigation system:

   a. Is prohibited for any period of time after such water waste should have reasonably been discovered and corrected
   b. Must be **corrected in no more than one (1) calendar days** of District notification – unless other arrangements are made with the District

2. Turning off an irrigation system during repairs constitutes a fix.

3. If water is being actively discharged and the owner cannot be contacted, the District may perform a temporary shut down.

c. **No New Potable Water Service**

1. During a Level 3 Water Emergency, the District will **<u>not provide:</u>**

   a. New potable water service
   b. New water meters (temporary or permanent)
   c. Will-serve letters

2. The District will **<u>only issue</u>** will-serve letters in the following cases:

   a. Projects necessary to protect public health, safety & welfare
   b. Projects that have a valid, unexpired City building permit
   c. Projects in which applicants can provide -- to the satisfaction of the District -- substantial evidence of an enforceable commitment that water demands will be offset prior to the provision of a new water meter(s)

3. This prohibition **<u>does not preclude</u>** resetting or turning-on meters to restore or continue water service interrupted for one year or less.

d. During **Level 1, Level 2 and/or Level 3** water supply conditions, the Board of Directors, at its sole discretion and by written request, may implement **Water Conservation Plans for High Water Users.** (See Section VII.3.c.1).

e. During **Level 2 and/or Level 3** water supply conditions, the Board of Directors, at its sole discretion, may implement one or more of the following additional conservation requirements. (See Section VII.3.g):

1. **Water Allocation or Budget Program**
2. **Increased Water Usage Rates**
3. **Percentage Water-Use Reduction for Commercial Customers**

4. **Discontinue Service**: Per Water Code Section 356, the District, in its sole discretion, may discontinue service to customers who willfully violate Section IX provisions.

5. **Other Prohibited Uses:** The District may implement other prohibited water uses as deemed necessary, following notification of customers

Section X. Declaration & Notification of Water Shortages/Emergencies

1. **Declaration of Level 1 or Level 2 Water Shortage**: The Board of Directors may declare a Level 1 or Level 2 Water Shortage and adopt a water shortage resolution at a regular or special public meeting in accordance with State law.

2. **Declaration of Level 3 Water Supply Emergency:** The Board of Directors may declare a Level 3 Water Supply Emergency in accordance with the procedures specified in Water Code Sections 351 and 352. Thereafter, penalties and violations under Section XIII.2 shall apply.

3. **Notification of Declared Level 1, Level 2 or Level 3 Water Supply Condition:** The District must **publish a copy of resolution** declaring the water supply shortage or emergency in a newspaper used for the publication of official notices within the jurisdiction of the District within **ten (10) days** of the date that the shortage/emergency level is declared. Additional mandatory conservation requirements will **take effect on the fifteenth (15th) day** after the date that the shortage level is declared.

4. **Notification of Declared Water Allocation or Water Budget Program:** If the Board of Directors implements a water allocation or water budget program during a Level 2 or Level 3 Water Shortage, the District will provide **notice of the program** to customers via U.S. mail, other mailings in which the District customarily sends billing statements, automated calling and/or e-mail outreach. The program will take effect on the date of the notification mailing or at such later date as specified in the notice.