

WATER SHORTAGE RESPONSE PLAN

FOR

WEST KERN WATER DISTRICT



DRAFT

May 2021

Prepared By:

Provost & Pritchard Consulting Group



Table of Contents

1 - PURPOSES AND PRINCIPLES OF PLAN	3
2 - PROCEDURES FOR CONDUCTING ASSESSMENT	4
2.1 Decision Making Process	4
2.2 Data Inputs and Assessment Methodology	5
3 - WATER SHORTAGE LEVELS.....	9
4 - SHORTAGE RESPONSE ACTIONS	11
4.1 Response Actions by Water Shortage Level.....	11
4.2 Locally Appropriate Supply Augmentation Actions	14
4.3 Locally Appropriate Demand Reductions	15
4.4 Locally Appropriate Operational Changes	15
4.5 Gap Between Supply and Demand	15
5 - COMMUNITY OUTREACH	16
5.1 Current and Predicted Shortages	16
5.2 Shortage Response Actions	16
6 - CUSTOMER COMPLIANCE AND ENFORCEMENT	17
7 - LEGAL AUTHORITY OF THE PLAN	19
7.1 Declaring a Water Shortage Emergency	19
7.2 Supplier Coordination	20
8 - REVENUE REDUCTIONS AND EXPENSE INCREASES	21
8.1 Potential Revenue Reductions and Expense Increases	21
8.2 Mitigation Actions.....	21
8.3 Cost Compliance	21
9 - MONITORING AND REPORTING REQUIREMENTS	23
10 - MONITORING AND EVALUATING THE PLAN	24

List of Tables

Table 1: Water Shortage Response Plan Requirements	3
Table 2: Updated Levels of Water Shortage	9

Attachments

- 1 – Matrix of Water Use Restrictions by Water Shortage Stage
- 2 – Financial Impact of Water Shortage Reduction

Definitions

The following words and phrases whenever used in the Water Shortage Response Plan will have the meaning defined in this Section:

“Customer” means any person, business, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, college, or any other user of water provided by West Kern Water District.

“Days” are defined as calendar days, unless otherwise indicated.

“District” means the West Kern Water District.

“Drought” will mean any shortage in water supply based upon expected demands that are caused by hydrological, environmental, legislative, judicial actions, or by infrastructure failure.

“Reasonable Probability” refers to potential reductions due to shortages due to drought conditions, regulatory restriction enacted upon imported supplies, catastrophic emergencies, and other factors.

“Waste/Unreasonable Use” means among other things, violations of the restrictions set forth in this policy at each specific response level.

“Water Conservation” means the efficient management of water resources for beneficial uses, preventing waste, or accomplishing additional benefits with the same amount of water.

“Water” will refer to potable water, unless otherwise specified.

“WSRP” refers to West Kern Water District’s Water Shortage Response Plan in existence on the effective date of this ordinance and as readopted or amended from time to time, or an equivalent plan of the District to manage or allocate supplies during shortages. The Water Shortage Response Plan is the same as a Water Shortage Contingency Plan.

1 - PURPOSES AND PRINCIPLES OF PLAN

The purpose of the West Kern Water District (WKWD or District) Water Shortage Response Plan (WSRP) is to provide a methodology for analyzing water supply reliability, establish water shortage levels, identify appropriate response actions, and document protocols for enforcing the WSRP. This WSRP was prepared according to requirements in Sections 10632 & 10635 of the California Water Code. **Table 1** below shows the required components of a WSRP, the relevant water code section, and where they are found in this document.

Table 1: Water Shortage Response Plan Requirements

Topic	CA Water Code Section	WSRP Section
Water Supply Reliability Analysis	WC 10632 (a.1)	Section 2
Annual Assessment Procedures	WC 10632 (a.2)	Section 2
Water Shortage Levels	WC 10632 (a.3)	Section 3 Table 2
Shortage Response Actions	WC 10632 (a.4) WC 10632 (b)	Section 4
Communication Protocols	WC 10632 (a.5)	Section 5
Compliance and Enforcement	WC 10632 (a.6)	Section 6
Legal Authority	WC 10632 (a.7)	Section 7
Financial Consequences of WSRP	WC 10632 (a.8)	Section 8
Monitoring and Reporting	WC 10632 (a.9)	Section 9
WSRP Refinement Procedures	WC 10632 (a.10)	Section 10

2 - PROCEDURES FOR CONDUCTING ASSESSMENT

2.1 Decision Making Process

Regulatory Requirement

§10632(a.2.A) The written decision-making process that an urban water supplier will use each year to determine its water supply reliability.

§10632 (a.2.B) (iv) A defined set of locally applicable evaluation criteria that are consistently relied upon for each annual water supply and demand assessment.

The District's Operations Staff and Regulatory Administrator are responsible for collecting and analyzing various hydrologic datasets, assessing water demands, and assessing system capacities versus anticipated supplies. The General Manager will be updated regularly, and the District Board of Directors will also be provided informative briefings at monthly Board meetings. Please be advised that the levels below correspond to the required Water Shortage Levels outlined in WC 10632.

Response Level 1

The existence of a Water Shortage Response Level 1 shall be ongoing when declared by Board action. Declaration of Level 1 may be implemented upon reaching:

1. Three-years of consecutive state-wide drought; and
2. Significant reduction in groundwater levels, as deemed by the Board of Directors; and
3. Significant reduction in groundwater storage, as deemed by the Board of Directors.

Response Level 1 can also be declared if there are facility or infrastructure issues (such as well failure, pipeline failure, aqueduct breach, etc.) that reduce water supplies.

Response Levels 2 to 6 & 6a

Response Levels 2 to 6 & 6a shall be enacted only after situations occur that are more severe than those needed to enact Response Level 1 & 1a. These Response Levels can only be declared after the Board of Directors has first declared a 'Water Shortage Emergency'.

WKWD recharges most of their surface water, creating a storage buffer to help deal with droughts and other water supply interruptions. These reserves have proven to be very effective and have historically eliminated the need for water use restrictions in WKWD for many years. Current groundwater storage can meet demands for approximately ten years.

As a result, hard triggers for implementing Response Levels 2 to 6 & 6a are not considered practical. Instead, these levels will be enacted by the Board of Directors based on a subjective evaluation of the following factors:

1. Assessing three years of unconstrained supply to the District
2. Local drought conditions
3. General Statewide drought conditions
4. Groundwater depths, including recent changes
5. Total banked groundwater storage, including recent changes
6. Changes in well capacity due to groundwater level declines
7. Recent allocation of surface water

8. Short-term ability to purchase water from other sources
9. Water quality issues impacting the water supply
10. Infrastructure issues (such as well failure, pipeline failure, aqueduct breach, etc.) that could significantly reduce water supplies

The existence of Water Shortage Response Level 2 or Level 3 conditions may be declared by resolution of the WKWD Board of Directors and adopted at a regular or special public meeting held in accordance with state law. The mandatory conservation measures applicable to Response Level 2 or Level 3 conditions shall take effect on the tenth (10) day after the date the response level is declared. Within five (5) days following the declaration of the response level, the District shall publish a summary of the resolution in one or more newspapers. The District may also post notice of the condition on its website. Lastly, the District does currently maintain an automated robocalling system that may be utilized to alert all water users within the District's service area.

Water Shortage Response Levels 4 through Level 6 may be declared as deemed necessary by the Board of Directors. The mandatory conservation measures applicable to Response Levels 4 through 6 shall take effect on the tenth (10) day after the date the response level is declared. Within five (5) days following the declaration of the response level, the District shall publish a summary of the resolution in one or more newspapers. The District may also post notice of the condition on its website. The most restrictive Water Shortage Response Level 6a is only to be implemented in very extreme conditions. This Level is designed to be implemented on a short-term basis no longer than 45 days. These extreme conditions could call for a complete prohibition on all water use throughout the District and would require water tanks to be brought into the District for emergency situations of health and safety. Both Levels 6 and 6a will be implemented in accordance with the procedures specified in California Water Code Sections 351 and 352. These sections indicate the protocol for publicly noticing the public hearing that is needed when implementing or declaring a water shortage emergency.

The District's Board of Directors may declare an end to a Water Shortage Response Level 2 or higher by the adoption of a resolution at any regular or special meeting held in accordance with state law.

2.2 Data Inputs and Assessment Methodology

Current Year Demand

Regulatory Requirement

§10632 (a.2.B) (i) Current year unconstrained demand, considering weather, growth, and other influencing factors, such as policies to manage current supplies to meet demand objectives in future years, as applicable.

The District currently delivers disinfected groundwater to residential, commercial, and industrial customers. In addition, Raw water from the State Water Project (SWP) is delivered to one industrial customer in the District, the La Paloma Power Co. LLC (La Paloma). The District provides water to the local wastewater treatment facility but does not oversee sewage collection or treatment. The recycled water from this facility is used to irrigate fodder crops on adjacent agricultural land. The District's current and projected water demand is broken down into three categories: Potable Water, Raw Water, and Recycled Demand. This demand summary can be found in **Table 2** below.

Table 2: Total Water Demands

Description	2015	2020
Potable Water	16,542	14,767
Raw Water	4,461	1,571
Recycled Water Demand	0	0
TOTAL WATER DEMAND	21,003	16,338

Future water demand estimates will typically be based on the following criteria and assumptions:

1. Future population growth is 0.4% per year, which is consistent with the population growth rate that was assumed in the 2010 UWMP.
2. In 2020 and beyond, residential, and commercial demands are based on the District meeting its 2020 per capita goal of 189 gallons/capita/day.
3. Raw water demands to La Paloma have fluctuated over the years with an average usage of 3000 AF/yr. their total contract supply is 5,500 AF/year).
4. Treated industrial demands after 2020 are based on the average water use from 2016 to 2020, which is 10,400 AF/year.

Several other factors can affect demand projections, which are not included in the estimate above, including:

- Land use revisions
- New regulations
- Consumer choice
- Economic conditions
- Oil prices and oil demand
- Transportation needs
- Highway construction
- Environmental factors
- Conservation programs
- Plumbing codes

The foregoing factors affect the amount of water needed, as well as the timing of when it is needed. Past experiences have indicated that the economy is the biggest factor in determining water demand projections. During an economic recession, there is a major downturn in development and a subsequent slowing of the projected demand for water. The projections in this Plan do not attempt to forecast recessions or droughts. Likewise, no speculation is made about future plumbing codes or other regulatory changes. Also, much of the industrial water demand is used by oil exploration companies. Predicting the oil economy and subsequent demand for water in the oil fields is not feasible.

Quantification of Water Supply**Regulatory Requirement**

§10632 (a.2.B) The key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one dry year.

§10632 (a.2.B) (iii) Current year available supply, considering hydrological and regulatory conditions in the current year and one dry year. The annual supply and demand assessment may consider more than one dry year solely at the discretion of the urban water supplier.

§10632 (a.2.B) (v) A description and quantification of each source of water supply.

Water supply facilities in the District include 13 wells (5 in the North Well Field and 8 in the South Well Field), 26 water tanks, and approximately 346 miles of pipelines. The facilities are spread out over the entire district, which covers over 300 square miles.

Imported Water Supply

The District maintains a contract for surface water from the State Water Project (SWP) in conjunction with the Kern County Water Authority (WKWA) of an annual amount of 31,500 acre-feet per year (AFY). The 2020 UWMP analysis estimated that the long-term reliability of this SWP supply is estimated to be approximately 60%

During wet years when high-flow water is available, an additional 10,000 AFY is available to WKWD. Historically, this high-flow water has been purchased or exchanged by WKWD to increase the water banking program. The surface water indirectly available to WKWD consists of in-lieu surface water delivered to Buena Vista Water Storage District (BVWSD) and credited to WKWD for recharge. This water is either SWP water or high-flow Kern River water. The surface water is not currently used as a direct domestic water supply source.

WKWD also has two turnouts along the California Aqueduct that have been used to deliver untreated water directly to industrial customers. Currently only one of the turnouts is operated by the District, which supplies untreated water to La Paloma. An agreement was established in 2001 between WKWD and La Paloma for a maximum delivery of 6,500 AFY, with the Agreement being amended in 2018 for an annual delivery of 5,500 AF.. Historically La Paloma has taken less than their contract amount and WKWD utilizes the balance of the water for recharge to its water banking program or exchanges with other entities.

Delta Conveyance Facility Supply

The District plans to participate in the Delta Conveyance Facility project and is hopeful that this will drastically improve and sustain their long-term water reliability. However, this project is not scheduled to be implemented for several years.

Groundwater Supplies

The District has two well fields that primarily pump groundwater that has been banked over several decades. The pumping capacity is capable of meeting the District's peak summertime demands. The amount of groundwater in storage fluctuates based on hydrologic conditions, but currently represent about a 10-year supply. This is the source directly used to meet most District demands.

Existing Infrastructure Constraints**Regulatory Requirement**

§10632 (a.2.B) (iii) Existing infrastructure capabilities and plausible constraints.

The District maintains an existing distribution system. The primary facilities in the District include the following:

- 13 active groundwater wells (1 inactive well)
- 26 above ground water storage tanks
- 15 booster pump stations
- 346 miles of distribution pipelines
- Recharge basins of approximately 415 acres
- Recharge basins in project vicinity of approximately 6,862 acres
- Recharge basins in Tule Elk reserve of approximately 729 acres
- 2 Aqueduct Turnouts (1 active)

Possible infrastructure constraints include problems with State Water Project facilities or internal well and conveyance facilities. If there are problems with the Delta, California Aqueduct, or Aqueduct Turnouts, then the District could rely on the large volume of groundwater banked to meet demands. The District currently has excess capacity in their wellfields and conveyance facilities; however, any number of conditions could constrain capacity of existing infrastructure in a manner than would require the District to declare a water shortage and enforce water conservation measures.

3 - WATER SHORTAGE LEVELS

Regulatory Requirement

§10632 (a.3.A) Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage. Urban water suppliers shall define these shortage levels based on the suppliers’ water supply conditions, including percentage reductions in water supply, changes in groundwater levels, changes in surface elevation or level of subsidence, or other changes in hydrological or other local conditions indicative of the water supply available for use. Shortage levels shall also apply to catastrophic interruption of water supplies, including, but not limited to, a regional power outage, an earthquake, and other potential emergency events.

As outlined in the new Water Code requirements (10632 a & b.), Water Shortage Contingency Plans must include or be adapted to the six standard water shortage levels, which correspond to the progressive conservation ranges of <10%, 10-20%, 20-30%, 30-40%, 40-50% and 50+%. These six levels are described in **Table 2**. The various Response Actions that correspond with these levels are addressed in **Section 4** of this plan.

Table 2: Updated Levels of Water Shortage

RESPONSE LEVELS	DESCRIPTION	RESTRICTIONS	CONSERVATION TARGET ²
Level 1	Water Awareness	Voluntary	0 to 10%
Level 2	Moderate Water Shortage	Mandatory	10% - 20%
Level 3	Severe Water Shortage	Mandatory	20% - 30%
Level 4	Extreme Water Shortage	Mandatory	30% - 40%
Level 5	Critical Water Shortage	Mandatory	40% - 50%
Level 6	Emergency Water Shortage	Mandatory	Greater than 50%
Level 6a Short Term ²	Short-Term Water Emergency	Mandatory	Greater than 50%

Notes:

1 – Short term conditions occur for 45 days or less and may be attributed to infrastructure, water quality or power issues, as well as hydrologic conditions.

2 – ‘Normal Water Production’ refers to the average water production during the last 3 years with unconstrained supplies.

These water shortage stages each include specific water use restrictions that will be adopted and enforced. The following should also be noted regarding these water shortage stages:

- This policy establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water within the District in order to assure adequate supplies of water to meet the needs of the public, and further the public’s health, safety, and welfare, recognizing that water is a limited natural resource that requires careful management not only in times of drought but at all times.

- This policy establishes progressive response levels including regulations to be implemented during times of declared water shortages or declared water shortage emergencies. It establishes six levels of response actions to be implemented in times of shortage, with increasing restrictions on water use in response to worsening drought conditions and decreasing available supplies.
- Level 1 shortage response measures are voluntary and will be reinforced through local and regional public education and awareness measures that may be funded in part by the District. During response condition Levels 1 through 6 & 6a, the District Board of Directors will determine the necessity for each conservation measures and water-use restriction, which become increasingly restrictive to attain escalating conservation goals.

Detailed descriptions of each water shortage stage and their associated water use restrictions are provided in the following section.

4 - SHORTAGE RESPONSE ACTIONS

4.1 Response Actions by Water Shortage Level

Regulatory Requirement

§10632 (a.4) Shortage response actions that align with the defined shortage levels

While there are six different water shortage levels with varying response actions, there are several response actions that are considered permanent and are always implemented. Each Water Shortage Level must adhere to these response actions as well as any additional actions that are pertinent to that level.

Permanent Response Actions

- All hoses shall be equipped with a shut-off nozzle. Hosing down driveways, streets, parking lots, sidewalks or buildings is prohibited unless required for health and safety.
- Excessive watering or over-saturation causing water to run off onto sidewalks, streets, or gutters is prohibited.
- Residential and commercial landscape irrigation shall not take place between the hours of 10am and 6pm. (Consider adjusting the landscape irrigation run time)
- Washing of motor vehicles, trailers, boats and other types of equipment shall only be done using a bucket and/or a hand-held hose that has a shut-off nozzle, a high pressure/low volume wash system, or be conducted at a commercial site that recirculates water on-site. Washing during hot weather conditions shall be avoided as additional water then becomes required due to evaporation.
- Eating or drinking establishments, including but not limited to: Restaurants, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased, shall serve water only upon request.
- Operators of hotels and motels shall offer patrons the option of not having their towels and linens washed daily.
- Pools, spas, and ornamental fountains/ponds should have recirculation and be leak proof. Draining and refilling is only permitted for health, maintenance, or structural reasons.
- Stop use of potable water for compaction or dust control where non-potable or recycled water is available.
- Repair all leaks within twenty-four (24) hours of notification by the District unless other arrangements are made with the General Manager.
- Users of construction meters and fire hydrant meters will be monitored for efficient water use.

Water Shortage Response Levels

Following are response actions for each of the six water shortage stages that can be declared by the District. These response actions are also illustrated in a matrix included as **Attachment 1**. The District has the authority to be flexible when selecting which response actions to require, but the following are recommended guidelines for each stage.

When the State mandates specific response actions during a Water Shortage Emergency they will be added to the lists below.

Level 1. Water Awareness (90% to 100% of Normal Water Production)

Level 1. Below Normal Water Supply is categorized with a possible reduction percentage of up to 10%. A Level 1 condition applies when there is reasonable probability that there will be supply reduction but is considered a voluntary level. Existence of a Response Level 1 condition is considered on-going, and the District shall take action to implement the Level 1 conservation practices identified in this Plan. These actions may include:

- Increased public education and outreach efforts to emphasize public awareness of the need to implement voluntary water conservation practices.

Level 2. Moderate Water Shortage (80% to 90% of Normal Water Production)

Level 2. Moderate Water Shortage is categorized with a possible reduction percentage of 10-20%. A Level 2 condition applies when the District notifies its customers to reduce water usage due to drought or other reduction supplies. The WKWD Board of Directors shall declare the existence of a Response Level 2 condition and implement selected mandatory Level 2 conservation measures identified in this Plan. These actions may include:

- Reduce large & significant landscape watering by 25%
- Eliminate all over-use of water by contracted industrial customers
- Reduce non-contracted industrial water use by 15%

Level 3. Severe Water Shortage (70% to 80% of Normal Water Production)

Level 3. Severe Water Shortage is categorized with a possible reduction percentage of 20-30%. A Level 3 condition applies when increasing cutbacks are necessary due to continued drought or disaster. The WKWD Board of Directors shall declare the existence of a Response Level 3 condition and shall implement selected actions from Levels 1 & 2 as well as additional actions outlined below pursuant to this Plan. These actions may include:

- Reduce non-contracted industrial water use by 60%
- Lawn watering and landscape irrigation shall be limited to no more than 10 minutes per water station per assigned day as follows: Residents with even street number addresses water on Wednesday, Friday, and Sunday. Residents with odd number addresses may water on Tuesday, Thursday, and Saturday. NO watering is allowed on Monday. (These restrictions apply to manual and automatic watering.) Irrigation run time shall be adjusted to avoid runoff.

Upon declaration of a Response Level 3 condition, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statement of immediate ability to serve or provide potable water service such as will serve letters shall be issued, except under the following circumstances:

- A valid, unexpired building permit has been issued for the project;
or
- The Project is necessary to protect the public's health, safety, and welfare; or
- The applicant provides substantial evidence to the District, of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.

Level 4 Extreme Water Shortage (60% to 70% of Normal Water Production)

Level 4. Extreme Water Shortage is categorized with a possible reduction percentage of 30-40%. A Level 4 condition applies when the District's Board of Director's declares a water shortage emergency pursuant to this Plan and notifies its customers that Level 4 requires a demand reduction in order for the District to have supplies available to meet basic needs. The WKWD Board of Directors shall declare the existence of a Response Level 4 condition and implement selected actions from Levels 1 through 3 as well as additional actions outlined below. These actions may include:

All the Response Actions in Level 3 plus the following new Response Actions:

- Reduce large and significant landscape watering by 35%
- Eliminate all over-use of water by contracted industrial customers
- Eliminate non-contracted industrial water use
- Reduce contracted industrial customers, excluding large landscape watering by 10%
- Reduce California Resources Corporation water use by 10%
- Reduce Elk Hills Power water use by 10%
- Limit residential and commercial landscape irrigation to no more than once per week. Residents and commercial businesses with odd street number addresses water on Tuesdays. Residents and commercial businesses with even street number addresses water on Wednesdays. No watering is allowed on Monday, Thursday, Friday, Saturday or Sunday. (These restrictions apply to manual and automatic watering.) Irrigation run time shall be adjusted to avoid runoff.
- Washing of motor vehicles, trailers, boats, and other types of equipment is prohibited unless required for health and safety.
- The application of potable water to driveways and sidewalks is prohibited.
- The installation of new turf or landscaping is prohibited.
- No irrigation with potable water of ornamental turf on public street medians
- New connections to the District's water distribution system will be allowed but their water use shall be restricted to the minimum requirements for personal health and safety.

Level 5 Critical Water Shortage (50% to 60% of Normal Water Production)

Level 5 Critical Water Shortage is categorized with a possible reduction percentage of 40-50%. A Level 5 condition applies when the District's Board of Director's declares a water shortage emergency pursuant to this Plan and notifies its customers that Level 5 requires a demand reduction in order for the District to have supplies available to meet basic needs. All the Response Actions in Levels 1 through 4 are required plus the following new Response Actions:

- Reduce large and significant landscape watering by 50%
- Reduce contracted industrial customers, excluding large landscape watering by 20%
- Reduce California Resources Corporation water use by 20%
- Reduce Elk Hills Power water use by 20%
- Water use for ornamental ponds and fountains is prohibited.

The following Response Actions replace previous less stringent actions:

- Water for flow testing and construction purposes from water agency fire hydrants and blow-offs is prohibited.

- Water use exceedance tiered pricing and/or excessive water use fines will be implemented.

Level 6 Emergency Water Shortage (>50% of Normal Water Production)

Level 6 Critical Water Shortage is categorized with a possible reduction percentage of 40-50%. All the Response Actions in Level 5 are required plus the following and those that replace previous less stringent actions:

- Motor vehicles and equipment shall be washed only at commercial establishments that use recycled or reclaimed water.
- Import water tanks into the District’s service area to provide potable water
- Reduce large and significant landscape watering by 75%
- Reduce contracted industrial customers, excluding large landscape watering by 40%
- Reduce potable water deliveries for power generation by 40%
- Reduce Elk Hills Power water use by 40%

The following Response Actions replace previous less stringent actions:

- Water use exceedance tiered pricing and/or excessive water use fines will be increased.
- No commitments (“will serves”) will be made to provide service for new water service connections.

Level 6a Emergency Water Shortage Short-Term (>50% of Normal Water Production)

Level 6 Critical Water Shortage is categorized with a possible reduction percentage of >50%+. A short-term declaration is for water shortage conditions expected for a duration of less than 45 days. Level 6a is the most critical and restrictive Water Shortage Level and is considered an Emergency Shortage. All the Response Actions through Level 6 are required plus the following:

- Motor vehicles and equipment shall not be washed under any circumstances
- Eliminate all landscape watering
-
- Reduce contracted industrial customers, excluding large landscape watering by 80%
- Reduce California Resources Corporation water use by 50%
- Reduce Elk Hills Power water use by 50%

The following Response Actions replace previous less stringent actions:

- All non-emergency or water use not defined in this Plan will be prohibited

4.2 Locally Appropriate Supply Augmentation Actions

Regulatory Requirement

§10632 (a.4.A) Locally appropriate supply augmentation actions.

If surface water supplies are limited, there may be other options through transfer, exchanges or open-market water purchases to secure additional surface water from the State Water Project of Kern River

In the event of a water shortage, the District has significant reserves of groundwater that can be used if surface water supplies are low. The current reserves can provide ten years of the District's annual water demands.

4.3 Locally Appropriate Demand Reductions

Regulatory Requirement

§10632 (a.4.B) Locally appropriate demand reduction actions to adequately respond to shortages.

The demand reductions in this plan address the unique water use characteristics in the District where about 80% of the water is used for industrial purposes, including oil field operations and power plants. The demand reductions also focus on the priorities of the water supplies. Some industrial water users are not contracted, and they have lower priority over contracted industrial water users. Municipal use is a higher priority than industrial use, but outdoor watering is considered lower priority than indoor use.

4.4 Locally Appropriate Operational Changes

Regulatory Requirement

§10632 (a.4.C) Locally appropriate operational changes.

During a water shortage operational changes are generally not needed, unless there is a catastrophic interruption in supply. This may require modifying the wells typically used or redirecting through different routes if a pipeline is non-operational.

4.5 Gap Between Supply and Demand

Regulatory Requirement

§10632 (a.4.E) For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.

Each Water Shortage Level includes response actions that are estimated to provide the needed water savings required. These response actions have also been refined over time and proven to generally provide the reductions needed. If prohibitions at any level do not result in the required water savings, the District can simply go to the next level. The District also has flexibility to enforce only some of the response actions in a level, providing the opportunity to make small adjustments when needed.

5 - COMMUNITY OUTREACH

5.1 Current and Predicted Shortages

Regulatory Requirement

§10632 (a.5) Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, all the following:
 (A) Any current or predicted shortages as determined by the annual water supply and demand assessment described pursuant to Section 10632.1.

The WKWD has identified the four following categories as significant points of discussion, regarding current and predicted drought shortages.

- Various causes of drought in the area
- Regulatory impacts on water supplies
- Drought impacts on water supplies
- Constraints on deliveries, transfers and exchanges

Should a potential shortage be anticipated, the public and WKWD customers will be notified of the potential for a drought declaration and water conservation measures via public notices, announcements on the District's web page, (www.wkwd.org) and in their billing statements.

5.2 Shortage Response Actions

Regulatory Requirement

§10632 (a.5.B) Any shortage Response Actions triggered or anticipated to be triggered by the annual water supply and demand assessment described pursuant to Section 10632.1.
 Any other relevant communications.

The District's Board of Directors will be kept informed of water shortage conditions to enable them to make timely and appropriate decisions on the following actions:

- Coordination with customers on the development and implementation of plans
- Frequent assessment of water shortage status
- Adoption of resolutions to change water shortage levels
- Declaration of a water shortage emergency
- Adoption of an Emergency Water Reduction Plan

These actions may be communicated to District customers by way of billing inserts, newspaper advertising, on the District's webpage (www.wkwd.org) and by verbal communication with District personnel

6 - CUSTOMER COMPLIANCE AND ENFORCEMENT

Regulatory Requirement

§10632 (a.6) For an urban retail water supplier, customer compliance, enforcement, appeal, and exemption procedures for triggered shortage Response Actions as determined pursuant to Section 10632.2.

Any person, who uses, causes to be used, or permits the use of water in violation of this policy is guilty of an offense punishable as provided herein. Each day that a violation of this policy occurs is a separate offense.

Violation of a provision of this policy may be subject to enforcement through installation of a flow-restricting device in the service meter. If a flow-restrictor is placed in the service, the violator shall pay the cost of the material and labor for device installation and removal.

Willful violations of the mandatory conservation measures and water use restrictions as set forth in this policy may be enforced by discontinuing service to the property at which the violation occurs as provided by Water Code Section 356. Violations may also be subject to criminal, civil, and administrative penalties and remedies specified in this policy. If water service is disconnected, restoration shall be according to the District's Rules and Regulations. All remedies provided for herein shall be cumulative and not exclusive for the duration of the declared water shortage emergency.

First Violation

Upon notification or observation of waste or misuse of water, the District shall:

- a. Make a photographic and written record of the violation; and
- b. Provide notice to the customer in writing and/or by means of a door tag; and
- c. Log the warning in the customer's account record.

Second Violation - \$300.00 Administrative Fee

In the event a second violation occurs, the District shall:

- a. Make a photographic and written record of the violation; and
- b. Assess an administrative fee of \$300.00 upon the customer for the second offense; and
- c. Give notice to the customer in writing that if such waste or misuse continues or subsequent violation occurs, the consumer will be subjected to escalating administrative fees and potential discontinuance of service; and
- d. Log the warning in the customer's account record.

Third Violation - \$600.00 Administrative Fee

Upon a third offense the District shall:

- a. Make a photographic and written record of the violation; and
- b. Assess an administrative fee of \$600.00 upon the customer for the third offense; and
- c. Give notice to the customer in writing that if such waste or misuse continues or subsequent violation occurs, the consumer will be subject to discontinuance of service; and
- d. Log the warning in the customer's account record; and
- e. Report violation to appropriate law enforcement for possible criminal prosecution.

Fourth Violation – Discontinuance of Service

Upon a fourth offense the District shall:

- a. Make a photographic and written record of the violation;
- b. Give written notice to the customer that disconnection of the service will occur within five (5) working days of the date of the notice;
- c. Disconnect the customer's service; and
- d. Restoration and reconnection fees will be charged in accordance with the District's Rules and Regulations. Service will be restored only when the customer has provided satisfactory evidence to the District indicating waste and unreasonable use of water will no longer occur.

Appeals

The District recognizes there may be mitigating or intervening circumstances bearing upon a customer's apparent misuse of water. Upon receipt of any notice regarding purported misuse or waste of water, the customer shall have five (5) working days within which to file a written request for reconsideration with the General Manager. If the customer is not satisfied with the General Manager's decision, the customer shall have fifteen (15) days after the General Manager's decision within which to file a written appeal to the Board of Directors. The Board shall conduct a hearing on the appeal at the next regularly scheduled Board meeting immediately following the appeal. The Board's decision following such hearing shall be final and conclusive.

7 - LEGAL AUTHORITY OF THE PLAN

Regulatory Requirement

§10632 (a.7.A) A description of the legal authorities that empower the urban water supplier to implement and enforce its shortage Response Actions specified in paragraph (4) that may include, but are not limited to, statutory authorities, ordinances, resolutions, and contract provisions.

This WSRP adheres with the California Water Code 10632. This document is also required by State law as outlined in the Water Code, which states that, “Every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its urban water management plan...” (WC 10632). As an established California Water District, WKWD has the authority to implement the WSRP, declare water shortages, and implement shortage response actions including statutory authorities, ordinances, resolutions, and contract provisions.

This Policy shall be known as the West Kern Water District Water Shortage Response Plan (“WSRP” or “Policy”). Article 10, Section 2 of the California Constitution declares that waters of the state are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for public welfare.

West Kern Water District may experience shortages due to drought conditions, regulatory restriction enacted upon imported supplies, catastrophic emergencies, and other factors. Conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety, and welfare. Regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, and installation and use of water-saving devices provide an effective means of conserving water.

In addition, California Water Code Sections 375 et seq. authorizes a water supplier to adopt and enforce a comprehensive water conservation program. Adoption and enforcement of a comprehensive water conservation program will allow the District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code Sections 350 et seq.

The District has adopted an Urban Water Management Plan that includes water conservation as a necessary and effective component of its programs to provide a reliable supply of water to meet the needs of the public within its service territory. The District’s Urban Water Management Plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This WSRP is consistent with the Urban Water Management Plan adopted by the District.

7.1 Declaring a Water Shortage Emergency

Regulatory Requirement

§10632 (a.7.B) A statement that an urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1.

The WKWD will follow the protocols outlined in this Plan should it become necessary to declare a water shortage emergency. The process will follow the pertinent sections of the California Water Code and be noticed for a public hearing, typically at a Board of Directors meeting.

7.2 Supplier Coordination

Regulatory Requirement

§10632 (a.7.C) A statement that an urban water supplier shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.

The General Manager or designated staff will be available and responsible for coordinating with City and County officials within the District's service area should there be a necessary proclamation for a local water emergency.

8 - REVENUE REDUCTIONS AND EXPENSE INCREASES

The various revenue sources available to the District during droughts include, but are not limited to water sales, system connection fees, interest income, special assessments, reserves, and other non-operating revenues such as grant funding when available. In addition, there may be special outside funding sources made available to water agencies during a water emergency (e.g., Levels 4 through 6a). Following are discussions on potential revenue reductions during droughts and how they will be addressed.

8.1 Potential Revenue Reductions and Expense Increases

Regulatory Requirement

§10632 (a.8) A description of the financial consequences of, and responses for, drought conditions, including, but not limited to, all of the following:
 (A) A description of potential revenue reductions and expense increases associated with activated shortage Response Action described in paragraph (4)

Potential revenue reductions include lost water sales to any of the customer categories served by WKWD including oil companies, power companies, golf courses, agriculture, domestic, commercial and industrial water users. All water users are billed volumetrically, so a drought or water shortage could cause a revenue reduction in the District.

Potential expense increases may include, but are not limited to:

- Higher SWP water costs due to reduced water deliveries
- Due to the proximity of the active well field, increased demand could exacerbate existing pumping depressions, resulting in increased lifts and increased pumping costs
- Purchases of higher priced transfer water

Attachment 2 includes tables estimating the potential revenue impacts from implementing the six water shortage stages.

8.2 Mitigation Actions

Regulatory Requirement

§10632 (a.8.B) A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage Response Actions described in paragraph (4).

Currently, WKWD has sufficient funds in their operating reserves to supplement deficiencies in revenue caused from a water shortage. Additionally, water shortages will require additional pumping of groundwater, which is the most cost effective water sources for WKWD. WKWD has substantial groundwater reserves that can meet District's water needs for about ten years.

8.3 Cost Compliance

Regulatory Requirement

§10632 (a.8.C) A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1.

The District Rules and Regulations address penalties for wasteful use of water. Declaring a water shortage and enforcing response actions can be performed by existing staff with no significant increases in operating cost.

9 - MONITORING AND REPORTING REQUIREMENTS

Regulatory Requirement

§10632 (a.9) For an urban retail water supplier, monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.

WKWD has and will continue to comply with State reporting requirements. The District meters all water deliveries to its customers, which assists in assuring customer compliance. Additionally, the District maintains a protocol for receiving and addressing complaints of non-compliance and misuse.

Production

Under normal water supply conditions, potable water production figures are recorded daily. An accounting sheet of water owed to WKWD, carryover from the previous year, and totals in the ground that have been banked are also reviewed daily and tallied monthly.

Disaster Shortage

During emergency shortages, production figures are reported to the Supervisor hourly and to the Manager and the Water Shortage Response Team daily. Daily reports will also be provided to the Board of Directors.

10 - MONITORING AND EVALUATING THE PLAN

Regulatory Requirement

§10632 (a.10) Reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed.

This WSRP is in update to a previous 2016 WSRP. This update satisfies new State requirements for WSRPs, and reflects the refinements and improvements deemed necessary to adequately address the District's needs. In addition, this WSRP incorporates important lessons learned during the historic drought of 2013-2015. The WSRP will be re-evaluated at least every five years and at the end of each major drought period to assess its performance. If deemed necessary, it will be modified and improved based on lessons learned. The Plan may also be updated in the middle of a drought year if needed.