

Agenda Report

February 28, 2011

To: Honorable Mayor and City Council

From: Water and Power Department

Subject: Public Hearing Regarding Temporary Suspension of Present Level 1 Water Shortage Plan (PMC 13.10.040) and Temporary Implementation of a Level 4 Water Shortage Plan (PMC 13.10.052) Pursuant to Chapter 13.10 of the Pasadena Municipal Code in Preparation of Planned Shutdown of Imported Water

RECOMMENDATION:

It is recommended that the City Council after a public hearing:

1. Find that the determination of a water supply shortage and implementation of a Level 4 Water Shortage Plan (PMC 13.10.052) is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for the Protection of Natural Resources);
2. Pursuant to PMC 13.10.035, determine that the planned shutdown of imported water supplies from the Metropolitan Water District of Southern California (MWD) from March 18 through March 27, 2011 constitutes a water supply shortage emergency condition;
3. Determine that the Level 4 Water Shortage Plan (PMC 13.10.052) water conservation measures are appropriate to address the water supply shortage emergency and shall remain in effect for the full duration of the MWD shutdown and resumption of imported water supplies from MWD;
4. Temporarily suspend the current Level 1 Water Shortage Plan (PMC 13.10.040) water conservation measures effective seven days before and after the Level 4 Water Shortage Plan (PMC 13.10.052); and
5. Adopt the attached Proclamation to implement the above recommendations.

BACKGROUND:

The following background information was provided to the Municipal Services Committee ("MSC") on December 14, 2010 and January 25, 2011 regarding the planned shutdown of imported water supplies from MWD.

MWD has scheduled a seismic upgrade of its F.E. Weymouth Water Treatment Plant (Treatment Plant) in La Verne. The Treatment Plant will be taken out of service for 10 days from March 18 through March 27, 2011.

Pasadena Water and Power (PWP) receives about 60 percent of its water from the Treatment Plant through MWD's Upper Feeder pipeline. During the 10-day shutdown period, PWP will rely solely on water stored in reservoirs and local groundwater supplies.

The planned shutdown of imported water supplies from MWD constitutes a water supply shortage emergency condition, as PWP's local supplies are only sufficient to meet approximately 60 percent of its average March water demand. Therefore, a 40 percent reduction in water use during the shutdown will be necessary to ensure adequate supplies for indoor and other critical water needs. A 40 percent reduction can be obtained by prohibiting all outdoor watering during the shutdown period. The implementation of a Level 4 Water Shortage Plan during the shutdown will prohibit all outdoor watering and achieve the required forty percent reduction in water use.

In order to sustain the viability of landscaping during the Level 4 Water Shortage Plan, the current Level 1 Water Shortage Plan must be temporarily suspended to allow unrestricted watering during the seven days before and after the Level 4 Water Shortage Plan. The Level 1 Water Shortage Plan will resume seven days following the end of the Level 4 Water Shortage Plan. The current water supply and demand conditions continue to require the Level 1 Water Shortage Plan water conservation measures.

MWD will also be working on three service connections along the Upper Feeder, which are located in the City of Pasadena (City). The work includes replacing valves and piping due to age and corrosion. MWD will work 24-hour days to complete the service connection work within 5 days and will be directly notifying affected areas in advance of the construction. The service connections and locations are as follows:

- P-01 – Mountain Street and Sunset Avenue
- FM-01 – Mountain Street and Seco Street
- SMR-01 – Mountain Street and Altadena Drive

Before the shutdown, PWP will fill its 14 reservoirs throughout the City to provide about 80 million gallons (MG) of water for use during the shutdown. In addition, PWP has three groundwater wells currently in operation that can provide about 70 MG of water. Therefore, PWP can rely on about 150 MG during the 10-day shutdown. Historically, the average water usage over a 10-day period in March is 250 MG.

Water Conservation Measures

In addition to the permanent water conservation requirements in PMC 13.10.032, the following additional limitations have been in effect since the City Council enacted implementation of the Level 1 Water Shortage Plan pursuant to PMC 13.10.040:

1. **Limits on Watering Days:** Watering or irrigating of lawn, landscape or other vegetated area is limited to three (3) days per week from April 1 through October 31, and no more than one (1) day per week from November 1 through March 31, on a schedule established and posted by PWP. This subsection does not apply to landscape irrigation zones that exclusively use low flow drip type irrigation systems where no emitter produces more than two (2) gallons of water per hour. This subsection also does not apply to watering or irrigating by use of a hand-held bucket or similar container, or by use of a hand-held hose equipped with a water shut-off nozzle or device; for very short periods of time for the express purpose of adjusting or repairing an irrigation system; or for maintenance of vegetation, including fruit trees and shrubs, intended for consumption.

PWP has established the following schedule for watering or irrigating lawns:

- Tuesdays, Thursdays and Saturdays between April 1 and October 31; and
- One day only (either Tuesday, Thursday or Saturday) between November 1 and March 31; however, PWP may allow a customer to choose an alternate day under certain circumstances.

2. **Obligation to Fix Leaks, Breaks or Malfunctions:** Leaks, breaks or other malfunctions in the water user's plumbing or distribution system shall be repaired within seventy-two (72) hours of notification by PWP unless other arrangements are made with PWP.

Additional Level 4 Water Conservation Requirements

During the period of the Level 4 Water Shortage Plan, water-use restrictions become increasingly restrictive in response to worsening water supply conditions. Watering or irrigating of lawn, landscape or other vegetated area is prohibited with very limited exceptions, as specified in PMC 13.10.052(B)1 to protect health and safety. Under the current Level 1 Water Shortage Plan, watering or irrigating is limited to no more than one day per week.

During the Level 4 Water Shortage Plan, the obligation to fix leaks, breaks or malfunctions changes from the current Level 1 requirement of 72 hours to 24 hours.

Filling or re-filling ornamental lakes or ponds is prohibited during the Level 4 Water Shortage Plan. Refilling of more than one foot and initial filling of residential swimming pools or outdoor spas is also prohibited. The current Level 1 Water Shortage Plan does not have restrictions on ornamental lakes or ponds, residential swimming pools or outdoor spas.

During the Level 4 Water Shortage Plan, no new potable water service, including temporary and permanent meters, will be provided. No statements of immediate ability to service or provide potable water service will be issued, with limited exceptions as specified in PMC 13.10.052(B)6. The Level 1 Water Shortage Plan does not include restrictions on new potable water service.

There are no enforced restrictions proposed on indoor water use. PWP recommends, however, that residents and businesses do their part to reduce indoor water usage to help stretch its limited supplies.

Enforcement

During this period, PWP will assign more staff to patrol for violations and respond to water waste reports. Pursuant to PMC 13.10.065, penalties for customers with water meters less than 1½ inches are as follows:

1. First Violation: A written notice of violation shall be sent via mail.
2. Second Violation: One hundred dollars (\$100)
3. Third Violation: Two hundred dollars (\$200)
4. Fourth Violation: Three hundred and fifty dollars (\$350)
5. Fifth and Subsequent Violations: Five hundred dollars (\$500)

Fines are doubled for customers with water meters 1½ inches or larger in accordance with PMC 13.10.067.

Public Outreach

To keep customers informed and allow them to be better prepared, PWP, in conjunction with MWD, will provide a broad outreach program including:

- A citywide postcard mailer;
- Press releases;
- News articles through City/PWP publications;
- Water Shortage Hotline
- Customer Service Phone Message System
- Direct outreach to key customers, stakeholders, and interest groups such as nurseries, irrigation supply retailers, landscapers, Caltrans, PUSD, City Departments, Chamber of Commerce, neighborhood associations, etc;
- Daily updates during shutdown on the City website and Facebook;
- Daily updates from the City Public Information Officer blog, Facebook and Twitter.

COUNCIL POLICY CONSIDERATION:

The proposed outdoor watering prohibition will be implemented in accordance with Chapter 13.10 of the Pasadena Municipal Code. It will help PWP conserve water and stretch available supplies during the temporary shutdown.

ENVIRONMENTAL DETERMINATION:

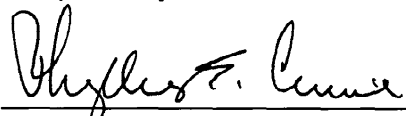
The project has been determined to be exempt per Section 15307 of the CEQA Guidelines, Actions by Regulatory Agencies for Protection of Natural Resources. This exemption consists of actions by regulatory agencies as authorized by State law or local ordinance to assure maintenance of a natural resource (such as water) where the regulatory process involves procedures for protection of the resource. It has been determined that achieving the water conservation target of 40% will have no secondary environmental impacts due to the fact that a significant amount of current water consumption is used to over water landscaping.

It is estimated that many customers over water by as much as 50%. It is possible that reducing water consumption among those customers may actually improve the health of their landscaping. Reducing total water consumption, particularly for landscaping, will have no significant impact on groundwater recharge rates in the Raymond Basin. A significant amount of the water used to over water landscapes runs off the target area into storm sewers or evaporates before it can percolate into the ground; therefore, reducing such water consumption will have no affect on groundwater recharge. Some of the water conserved may have ultimately recharged the Raymond Basin; however, excess irrigation is neither an environmentally or a fiscally responsible means of doing so. In general, 15-25% of water used for irrigation ultimately percolates into the groundwater basin. Assuming an average of 20% applies to the City, then approximately 5 acre-feet of water must be pumped from the Bay Delta or Colorado River, treated, and applied as unnecessary irrigation for every 1 acre-foot of water that ultimately reaches the groundwater basin. Furthermore, the Raymond Basin Management Board has already mitigated recharge issues by restricting pumping rights from the Raymond Basin effective July 1, 2009.

FISCAL IMPACT:

Reduced water sales during the period of increased conservation will result in reduced net revenues to the Water Fund of approximately \$100,000 to \$150,000 depending on actual conservation levels achieved. This will also impact the sewer fund, which is collected based on water consumption.

Respectfully submitted,



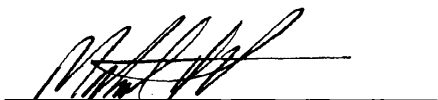
Phyllis E. Currie
General Manager
Water and Power Department

Prepared by:



Michele Carina
Principal Engineer

Approved by:



Michael J. Beck
City Manager

Attachment A - Proclamation

ATTACHMENT A

PROCLAMATION NO. _____

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF PASADENA ORDERING TEMPORARY SUSPENSION OF THE PRESENT LEVEL 1 WATER SHORTAGE PLAN AND TEMPORARY IMPLEMENTATION OF A LEVEL 4 WATER SHORTAGE PLAN PURSUANT TO CHAPTER 13.10 OF THE PASADENA MUNICIPAL CODE.

WHEREAS, Pasadena imports sixty percent of its water from the Metropolitan Water District; and

WHEREAS, the Metropolitan Water District has scheduled a shutdown for the seismic upgrade of its F.E. Weymouth Water Treatment Plant from March 18 through March 27, 2011; and

WHEREAS, Pasadena must rely solely on water stored in reservoirs and local groundwater supplies during the ten-day shutdown period, which will meet approximately sixty percent of its water system demands; and

WHEREAS, a forty percent reduction in water system use during the shutdown will be necessary to ensure adequate supplies for indoor and other critical water needs; and

WHEREAS, Chapter 13.10 of the Pasadena Municipal Code authorizes the City Council to implement a water shortage plan (“WSP”) by public proclamation; and

WHEREAS, a Level 1 WSP is presently in effect pursuant to Section 13.10.040 of the Pasadena Municipal Code and existing water supply and demand conditions require resumption of this Level 1 WSP after the temporary WSP adjustments hereby ordered are made; and

WHEREAS, a Level 4 WSP must be implemented in order to achieve the required forty percent reduction in water system use during the shutdown; and

WHEREAS, in order to sustain the viability of landscaping during the pendency of the Level 4 WSP, which essentially prohibits landscape watering, it is necessary and appropriate to temporarily suspend the Level 1 WSP to allow more landscape irrigation during the seven days before and after the Level 4 WSP ; and

NOW, THEREFORE, the City Council of the City of Pasadena hereby finds, determines and proclaims as follows:

1. A water shortage continues to exist.
2. Shutdown of the F.E. Weymouth Water Treatment Plant will cause a Level 4 water supply shortage for the period of the shutdown and necessitate a reduction of forty percent in water system demand to eliminate or mitigate the water supply shortage.
3. The present Level 1 WSP is hereby ordered temporarily suspended effective March 11, 2011.
4. A Level 4 WSP is hereby ordered to take effect March 18, 2011 pursuant to Section 13.10.052 of the Pasadena Municipal Code. The following Level 4 water conservation requirements are hereby ordered:

A. No Watering or Irrigating: Watering or irrigating of lawn, landscape or other vegetated area is prohibited. This restriction does not apply to the following categories of use, as determined by the department in its sole discretion:

- i. Maintenance of vegetation, including fruit trees and shrubs, vegetation intended for consumption.
- ii. Maintenance of existing landscape necessary for fire protection.

- iii. Maintenance of existing landscape for soil erosion control.
- iv. Maintenance of plant materials identified to be rare or essential to the well-being of protected species.
- v. Maintenance of landscape within active public parks and playing fields, school grounds, golf course greens, and day care centers, provided that such irrigation does not exceed 2 days per week, according to a schedule established and posted by the Department.
- vi. Actively irrigated environmental mitigation projects.

B. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks or other malfunctions in the water user's plumbing or distribution system shall be repaired within twenty-four (24) hours of notification by the Department unless other arrangements are made.

C. Limits on Filling Ornamental Lakes or Ponds: Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life.

D. Limits on Filling Residential Swimming Pools and Spas: Refilling of more than 1 foot and initial filling of residential swimming pools or outdoor spas is prohibited.

E. No New Potable Water Service: No new potable water service will be provided, no new temporary meters or permanent meters will be provided, and no statements of immediate ability to service or provide potable water service will be issued, except under the following circumstances:

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

5. The Level 4 WSP hereby ordered shall remain in effect until the F.E.

Weymouth Water Treatment Plant resumes operation and the City Manager determines

that the City is receiving its normal water supply from the Metropolitan Water District. The Level 1 WSP presently in effect shall resume seven days following the end of the Level 4 WSP.

6. The City Manager is hereby authorized to take all necessary and appropriate steps to implement this Proclamation.

7. This Proclamation shall take effect immediately upon publication.

Adopted at the regular meeting of the City Council on the _____, day of February, 2011, by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:


Scott D. Rasmussen
Assistant City Attorney