Water Shortage Contingency Plan for Twain Harte Community Services District

22912 Vantage Pointe Dr.
Twain Harte, CA 95383

Public Water System CA #5510005

Effective: June 14, 2023

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Section I: Purpose

The purpose of the Water Shortage Contingency Plan (Plan) is to provide a plan of action to be followed during the various stages of a water shortage. In order to conserve the available water supply and protect the integrity of public water system (PWS) supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Twain Harte Community Services District (District) hereby adopts the following regulations and restrictions on the delivery and consumption of water through this Water Shortage Contingency Plan.

Water uses regulated or prohibited under this Water Shortage Contingency Plan (Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water subjecting the offender(s) to penalties as defined in Section XII of the Plan.

Section II: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the District. The terms “person” and “customer” as used in the Plan may include individuals, corporations, partnerships, associations, and all other legal entities.

Section III: Authorization

The District shall have the power to restrict use of District water during any shortage or other emergency, upon the making of any findings or the taking of any other actions that may be authorized or required by law, including Sections 350-359 and 71640-71644 of the Water Code.

The General Manager, or designee, is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The contact information for the General Manager is: (209) 586-3172 and via email at ttrott@twainhartecsd.com

The General Manager, or designee, will only have authority to implement requirements of Conservation Phase II after the District’s Board of Directors declares a threat of emergency or water shortage exists and Conservation Phases III-IV after the District’s Board of Directors declares a state of emergency at a public hearing. Only the District Board of Director can terminate the emergency measures required by Conservation Phases II-IV.

Section IV: Definitions

For the purposes of this Plan**,** the following definitions shall apply:

> **Catastrophic:** an unanticipated event that causes a sudden and severe loss and/or interruption of water supply and/or storage, including but not limited to major water

line breaks, power outages, storage tank or reservoir failures, treatment equipment failures, earthquakes, fires, and other emergency events.

Commercial and Institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as schools, hospitals, clinics, retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied Twain Harte Community Services District.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, rights-of-way and medians.

Section V: Regional Water Reliance and Planning

The District's primary water source is surface water provided to the District by Tuolumne Utilities District (TUD). TUD obtains said water by contract with Pacific Gas and Electric (PG&E), who stores and conveys the water through Pinecrest Reservoir, Stanislaus River, Lyons Reservoir and an open-channel ditch system. TUD uses this same surface water supply to provide water to approximately 90% of Tuolumne County residents and businesses. Because the District is reliant on this regional water supply as its primary water source, this Plan was closely coordinated with TUD's Water Shortage Contingency Plan and Urban Water Management Plan. The District relies on TUD and PG&E to monitor the water source and report any projected water shortages and emergencies.

The District is a member of the Tuolumne-Stanislaus Integrated Regional Water Management Authority (T-S IRWM). The T-S IRWM is a regional water planning group that performs long-range planning for the region's watershed and promotes projects to protect and enhance the sustainability of the watershed. This Plan also accounts for the applicable portions of the T-S IRWM Plan.

Section VI: Water Supply Information

Over the last three years, the District's average treated water demand was 231,000 gallons per day (gpd) or 160 gallons per minute (gpm), including leaks, water provided to neighboring districts and other system losses. This average demand also includes

outdoor watering. The actual average metered demand of all THCSD customers during that period is 168,150 gpd or 117 gpm. The District meets treated water demand with the primary water supply sources listed in the below table.

Main Water Supply Sources	Capacity	
	gpd	gpm
Surface Water from TUD[1]	912,950	634
Well #1	36,450	25
Well #2	69,300	48
Well #3	32,150	22
TOTAL	**1,050,850**	**729**

1 – Capacity values are based on the District's raw water supply contract with TUD; however, TUD's Urban Water Management Plan plans for providing 264,250 gpd / 183 gpm to the District based on historical use.

Surface Water Capacity vs. Average Demands

As displayed in the above table, the District's surface water source has capacity to provide four times the District's average water production demand. However, it should be noted that TUD's Urban Water Management Plan (UWMP), which is based on a worst-case scenario water year, plans to provide an average flow rate of 183 gpm. This worst-case flow rate is still approximately 14% more than the District's average production demand and 56% more than the District's average metered demand.

Well Capacity vs. Average Demands

The District's wells (combined capacity of 95 gpm) are normally capable of providing about 60% of the average production demand on their own. However, the wells have capacity to produce approximately 6% more than total customer average metered demands during the winter (90 gpm). Winter demands are commonly equated to the demand needed to satisfy normal drinking and sanitation needs because there is little to now outdoor watering in the winter. Therefore, it can be assumed that the wells could meet drinking and sanitation requirements during a catastrophic failure of the surface water system.

Total Planned Capacity vs. Average Demands

Utilizing TUD's UWMP planned average surface water demand of 183 gpm, the District's total average water supply capacity is 278 gpm. This is approximately 74% more than the District's average production demand and 138% more than the District's average metered demand.

The District's redundant, excess capacity should be taken into consideration by the General Manager and/or Board of Directors when determining actions needed to address water shortages conditions.

Section VII: Water Supply Augmentation

In addition to its primary surface water source and three groundwater wells, the the District has two water supply sources that it can use to augment its main water supply during water shortages:

- Shadybrook Reservoir
- TUD Intertie Connection

Shadybrook Reservoir

Shadybrook Reservoir is the District's back-up water supply. It consists of two small reservoirs with an approximate storage capacity of 10 acre-feet. The lower reservoir has a pump station that is capable of pumping 600 gpm from the reservoir to the District's surface water treatment plant. If the reservoirs were full and were the only source of water for the District, they would be sufficient to meet the District's average water production demands for 14 days and the District's average metered water demands for 19 days.

Shadybrook Reservoir and pump station is equipped with a generator and is available to provide water during catastrophic water supply emergencies or to supplement water supply during other water shortages. The District's General Manager and/or Board of Directors may consider using Shadybrook Reservoir to augment water supply during certain water shortage stages in lieu of implementing conservation actions or to reduce conservation actions.

TUD Intertie Connection

The District's treated water system has an 8-inch intertie connection with TUD's water system. The amount of water that can be provided through the intertie greatly exceeds the District's water demand; however, the actual amount available to transfer to the District through the intertie is dependent on TUD's water demands at the time the transfer is requested.

The TUD Intertie can be used to augment the District's water supply during catastrophic water supply emergencies or interruptions. It can also be used to supplement District water supply during water shortages, so long as TUD's demands and available water storage can provide for the water transfer. It should be noted that TUD's water system is dependent on the same surface water supply source as the District.

The District's General Manager and/or Board of Directors may consider using the TUD Intertie to augment water supply during certain water shortage stages in lieu of implementing conservation actions or to reduce conservation actions.

Section VIII: Water Shortage Stages, Triggers, and Conservation Actions

To maintain consistency with TUD's Water Shortage Contingency Plan (TUD provides the District's primary water supply), the District has identified six water shortage stages. Table 1 summarizes each water shortage stage and their corresponding trigger conditions, conservation requirements, and water reduction goals. Additional information for each is provided in subsequent sections.

TABLE 1 – Summary of Water Shortage Stages, Triggers, and Conservation Actions				
Water Shortage Stage	**Percent Shortage Range**	**Trigger[1]**	**Conservation Phase[2]**	**Reduction Goal[2]**
Stage 1 - Watch	Up to 10%	• Greater than 50% of normal forecasted flow of the Bulletin 120 for the Stanislaus River AND/OR • Decrease in groundwater well capacity of 10%	Phase I	None
Stage 2 - Warning	Up to 20%	• Less than 50% of normal forecasted flow of the Bulletin 120 for the Stanislaus River AND/OR • Decrease in groundwater well capacity of 20%	Phase I or II	10-20%
Stage 3 - Severe	Up to 30%	• Less than 30% of normal forecasted flow of the Bulletin 120 for the Stanislaus River AND/OR • Decrease in groundwater well capacity of 30%	Phase II or III	20-30%
Stage 4 - Critical	Up to 40%	• Less than 10% of normal forecasted flow of the Bulletin 120 for the Stanislaus River AND/OR • Decrease in groundwater well capacity of 40%	Phase III	30-40%
Stage 5 - Emergency	Up to 50%	• Less than 5% of normal forecasted flow of the Bulletin 120 for the Stanislaus River AND/OR • Decrease in groundwater well capacity of 50% AND/OR • Catastrophic loss of one or more water source.	Phase III or IV	40-50%
Stage 6 - Catastrophic	> 50%	Catastrophic loss of water source and/or storage.	Phase IV	50%

1 The District may be required to implement a water shortage stage or specific conservation actions based on emergency declaration or regulations by the State or TUD.

2 Based on Ordinance 22, Article 7 – see Appendix A. Actual Phase/Reduction Goals will be determined by the District Board based on actual water shortage conditions.

Section IX: Water Shortage Stage Triggers

Water shortage stage triggers are provided in Table 1, Section VIII. Each trigger point is designed to help the District identify the severity of water shortage and corresponding actions that should be taken to help address the shortage. While the trigger points are reliable indicators, the condition of the District's water supply is also dependent on other factors that cannot be predicted or quantified. These factors could create scenarios where the District's water supply is in better or worse condition than indicated by the trigger points. For this reason, the District may rely on one or all trigger points to determine the appropriate water shortage stage. The District Board may also choose to make modifications to the triggers based on a real-time comprehensive water supply assessment.

Conditions related to water shortage stage triggers will be monitored by the responsible parties below. Each party shall inform the District General Manager as soon as practical when a trigger point has been reached. Responsible monitoring parties are as follows:

- Stanislaus River Flows – TUD staff.
- Groundwater Wells Capacity – Operations Manager, or designee.
- Water Sources and Storage – Operations Manager, or designee.
- Catastrophic Water Supply Failures – Operations Manager, or designee.
- State Emergency Declarations/Regulations – General Manager, or designee.

The General Manager will be responsible for declaring and terminating water shortage Stages 1-2 based on specified triggers. The District Board of Directors will be responsible for declaring and terminating water shortage Stages 3-6, based on specified triggers, the recommendation of the General Manager, and staff assessment of water supply conditions. Decisions to initiate water shortage stages that require conservation actions specified in Conservation Phases II-IV must be made by the District Board as outlined in Ordinance 22, Article 7 – Conservation Measures (see Appendix A).

Water shortage stages will be terminated when:

- Trigger points used to declare the water shortage stage cease to exist for 15 continuous days; and/or
- An assessment of the District's water supply conditions reveal that the water shortage stage is no longer warranted, in the opinion of the General Manager and/or District Board; and/or
- An emergency declaration or regulation by TUD or the State is rescinded.

Section X: Conservation Phases

District Ordinance 22, Article 7 (see Appendix A) establishes four Conservation Phases that set forth specific conservation actions and penalties during water shortages. Table 1, Section VIII, provides a guideline for which Conservation Phases will be implemented during each water shortage stage. To empower the District with flexibility needed to best address specific water shortage scenarios, which will vary based on a number of

unpredictable factors, some water shortage stages have multiple options for the Conservation Phase and Water Reduction Goals that can be implemented. The District Board may also choose to make modifications to the Conservation Phase and Water Reduction Goal ranges based on a real-time comprehensive water supply assessment.

The four Conservation Phases include (see Ordinance 22, Article 7 in Appendix A for specific conservation actions required by each Phase):

- Phase I – Ongoing Water Conservation
- Phase II – Voluntary Water Conservation Measures
- Phase III – Mandatory Water Conservation Measures
- Phase IV – Mandatory Water Conservation Measures for Extreme Emergency

Conservation Phases II-IV may only be initiated and terminated by the District Board of Directors as outlined in Ordinance 22, Article 7 – Conservation Measures (see Appendix A). The Board's decision to initiate and terminate a Conservation Phase will be based on the specific water shortage stage, the recommendation of the General Manager, staff assessment of water supply conditions, and any emergency declarations or regulations placed on the District by the State or TUD.

Section XI: Water Shortage Notifications and Contacts

Customer Notifications

Customer notifications may be by the following methods:

- Method 1: Bill Note
- Method 2: Social Media
- Method 3: Bill Insert
- Method 4: Website
- Method 5: Press Release: www.mymotherlode.com, Union Democrat, KVML
- Method 6: Email to Customer Lists
- Method 7: Separate Mailing
- Method 8: Community Meeting
- Method 9: Signs in Prominent District Locations
- Method 10: Door to Door and/or Door Tags
- Method 11: Customer Phone Calls
- Method 12: Others, as determined appropriate.

The General Manager, or designee, may determine the best customer notification methods to use for each Conservation Phase and specific water shortage situation. However, each Conservation Phase shall include the minimum notifications in the below table.

Conservation Phase	Minimum Customer Notifications
Phase I	Ongoing – General Manager, or designee, determine best forms of notification
Phase II	3 or more Methods
Phase III	5 or more Methods
Phase IV	7 or more Methods

Public Safety Contacts

The District General Manager, or designee, shall determine the appropriate public safety contacts to notify based on the specific Water Shortage Stage, Conservation Phase and unique water supply conditions. Public safety contacts are provided in the below table.

Organization or Department	Name & Position	Telephone	Email
Tuolumne Utilities District (Water Supplier & Mutual Aid)	Eric Hall – Operations Manager Don Perkins – General Manager	209-533-5536	ehall@tudwater.com dperkins@tudwater.com
Tuolumne County Office of Emergency Services	Dore Bietz – OES Coordinator	209-533-5516	dbietz@co.tuolumne.ca.us
State Water Board Drinking Water Division	Austin Ferreria – Water Resource Control Engineer	559-447-3399	Austin.ferreria@waterboards.ca.gov
Tuolumne County Environmental Health Specialist	Nadine Martelli	209-533-5692	NMartelli@co.tuolumne.ca.us
Tuolumne County Public Health	Michelle Jachetta	209-533-7401	Health@tuolumnecounty.ca.gov
Twain Harte Fire Department	Neil Gamez – Fire Chief	209-586-4800	Ngamez@twainhartecsd.com
Cal Fire - Twain Harte	Paul Karpus – Battalion Chief	209-586-3362	Paul.karpus@fire.ca.gov
Twain Hare Area Community Emergency Response Team (CERT)	Carol Hallett – Program Manager	408-858-7961	twainhartecert@gmail.com

California WARN Mutual Aid Network	Karla Tejada – Region 4 Chair	714-535-7711 Ext 241	Kala.tejada@gswater.com
Tuolumne-Stanislaus Integrated Regional Water Management (IRWM) Authority	Lindsay Mattos - Administrator	209-559-9066	lindsay@tcrcd.org

Support Services Contacts

The following is a listing of support services that may be appropriate for a water shortage emergency.

Organization or Department	Name & Position	Telephone	Email
Pacific Gas & Electric (PG&E)	Will Harris – Public Safety Specialist	209-373-6137	WKH4@pge.com
Suburban Propane	Jennifer McChoul	209-984-5283	jmchoul@suburbanpropane.com
Electrician – Macklin Electric	Justin Macklin - Owner	209-586-9506	electricmacklin@gmail.com
Emergency Contractor – Peterson Excavation	Clay Peterson - Owner	209-743-6738	Dirtguy76@yahoo.com
Water Hauler – Sonora Water Delivery	Reuben Cover	209-768-4037	reubencover@gmail.com
Bottled Water - Walmart	None	209-533-2617	None
Storage Tanks - Abbey Water Well Service	None	209-887-2990	None
Storage Tanks & Pumps – Rain for Rent	None	209-466-5602	info@rainforrent.com
Portable Toilets & Showers – The Lavatory	Michael V. - Manager	209-202-3741	None
Well Pump Technician – Precision Pump Service, Inc.	Scott Chaffee - Owner	209-768-5535	pumppgd@yahoo.com

Well Drilling – Canepa & Sons, Inc.	Ricky Canepa	209-532-1136	csonsdrilling@gmail.com
Twain Harte Lake	Erik Helseth – General Manager	209-586-4449	thlake@sbcglobal.net
Twain Harte Homeowners	John Kinsfather - President	209-586-7837	twainhartehomeowners@gmail.org
Twain Harte Chamber of Commerce	Diane Knepper - President	209-586-4482	info@twainhartecc.com

Section XII: Enforcement

Enforcement actions for failure to comply with Conservation Phase requirements are specified in Ordinance 22, Article 7 (Conservation Measures), attached as Appendix A. They generally include written warnings, placement of flow restriction devices, and monetary penalties.

Section XIII: Variances

In accordance with Ordinance 22, Article 7 (attached as Appendix A), variances may be granted from Conservation Phase requirements by the General Manager, upon written application that states the detailed circumstances meriting special consideration. Appeals of decisions by the General Manager may be taken to the Board of Directors.

Variances will typically be granted if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance. However, the General Manager may also grant variances for other circumstances, such as when alternative methods can be implemented to achieve the same level of water use reduction or compliance with the specific requirements creates a significant hardship.

Written variance requests must include the following information (as applicable):

- Name and address of the customer(s).
- Purpose of water use.
- Specific requirement from which the customer is requesting relief.
- Description of how the requirement adversely affects the customer or others.
- Period of time for which the variance is sought (if applicable).
- Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.

To protect human health during Conservation Phases III-IV, the General Manager may use the below consumption chart for residential customers. Consumption levels provided in the chart are based on Water Code Section 10609.4 for the standard residential water

use (starting in 2025) of 47 gallons per person per day. Although this amount may not be applicable in some situations, it attempts to recognize the severity of the water shortage while maintaining standard sanitation practices.

Persons per Household[1]	Gallons per Month
3	4,380
4	5,840
5	7,300
6	8,760
7+	To be calculated by District

1 – General Manager may require verification of household members

Appendix A: Ordinance 22, Article 7 – Conservation Measures

ARTICLE 7. CONSERVATION MEASURES

7.1 General

It is the District's Policy to take reasonable and prudent measures to conserve water and energy in the operations and development of the District. The District in its operation shall:

1. Develop pricing structures to encourage conservation of water and energy.
2. Promote through public relations a public consciousness of the need to conserve.
3. Assist customers to optimize efficient use of water.
4. Maintain facilities to conserve water.
5. Design facilities with conservation of water and energy in mind.
6. Construct facilities to conserve or retrieve water and energy.
7. Seek to halt all illegal use of water.

7.2 Phased Water Conservation Programs

The District shall have the power to restrict use of District water during any shortage or other emergency, upon the making of any findings or the taking of any other actions that may be authorized or required by law, including Sections 350-359 and 71640-71644 of the Water Code.

7.2.1 Phase I – Ongoing Water Conservation

The District will implement the following conservation measures on an ongoing basis:

1. Education programs.
2. Promotion of water-saving landscaping.
3. Community education programs.
4. Requirement of low-flow fixtures in new developments.
5. Meter and/or flow control for all customer accounts and plant production activities.
6. Maintain tiered water rates for treated water.
7. Prohibit wasteful use of water.
8. Review for accuracy water measuring and/or metering devices.

7.2.2 Phase II – Voluntary Conservation Measures

If the District Board of Directors determines that there is a potential threat of an emergency or water shortage based on forecasted precipitation, snowpack and reservoir levels, or if Tuolumne Utilities District calls for Phase II conservation measures, the District Board of Directors shall adopt a resolution that:

1. Declares a threat of emergency or shortage exists; and
2. Identifies a water reduction goal; and
3. Implements Phase II conservation measures immediately.

Phase II conservation measures include:

1. Increase public awareness.

2. Prohibit fire hydrant flow testing.

3. Restaurants shall serve water only upon customer request.

4. Voluntary customer water usage reduction:

   Notify water customers of low water year, request reduction from previous year's usage, and provide information on conservation methods.

5. Contact high water users:

   Contact highest water users to encourage use of water conservation methods.

7.2.3 Phase III – Mandatory Water Conservation Measures

If the District Board of Directors determines that an emergency or water shortage exists based on forecasted precipitation, snowpack and reservoir levels, or if Tuolumne Utilities District calls for Phase III conservation measures, the District Board of Directors shall adopt a resolution that:

1. Declares a state of emergency for the District service area until such time that the Board of Directors determines that conditions no longer merit Phase III conservation measures; and
2. Identifies a water reduction goal; and
3. Implements Phase III conservation measures immediately.

The meeting to consider the resolution must be a public hearing, providing customers the opportunity to be heard regarding the declaration of water shortage emergency conditions.

Phase III conservation measures include (in addition to Phase II measures):

1. Water reduction goal:

   Establish a Phase III water reduction goal based on severity of the emergency, for approval by the District Board of Directors. If Tuolumne Utilities District has declared Phase III conservation measures, the District's water reduction goal must match or exceed the water reduction goal

identified by Tuolumne Utilities District. The water reduction goal may be updated as conditions change.

The water reduction goal is defined as a percent reduction of the prior year's water usage. The water reduction goal may not exceed 50%.

2. Landscape watering restrictions:
    a. Watering of lawns, gardens and other outdoor vegetation by use of irrigation systems, hoses, faucets or other outlets connected to the public water supply is prohibited, unless specified otherwise below.
    b. Individual garden plants or trees may be irrigated only by the use of buckets, containers or properly maintained irrigation drip systems.
    c. Watering lawns is allowed whenever the reduction goal is 40% or less.
    d. Landscape watering allowed under this section may only be undertaken at the following times:
        i. Properties with addresses ending in an even number may irrigate only on Thursday and Sunday.
        ii. Properties with addresses ending in an odd number may irrigate only on Wednesday and Saturday.
        iii. Irrigation may only occur between 7:00 p.m. and 9:00 a.m.
    e. Irrigation which results in water running onto driveways, gutters, streets, adjoining property, and/or any other water runoff is prohibited.

3. Washing of cars, boats, trailers, equipment or other vehicles by hose or by use of water directly from faucets or outlets connected to the public water supply is prohibited. Washing such vehicles may occur at District-approved commercial washing facilities that utilize water recycling capabilities.

4. Washing of sidewalks, walkways, driveways, patios, parking lots, graveled areas, tennis courts or other hard-surfaced areas, including commercial establishments, by hose or by use of water from faucets or other outlets connected to the public water supply is prohibited.

5. New construction service applications shall be granted upon condition that water shall be used only for interior purposes and landscaping that does not require watering. Any landscaping requiring the use of water shall be delayed until repeal of Phase III restrictions.

6. Use of water in decorative fountains, pools, recreational ponds and the like shall be limited to the minimum necessary to preserve aquatic life if present.

7. Use of water for dust control, earth compaction, and other outdoor construction activities is prohibited.

8. Filling of new or existing swimming pools, spas and recreation ponds is prohibited.

9. Fire hydrants shall be used only for emergency purposes.

10. Leak Restrictions:

    a. Allowing any plumbing system leak to remain un-repaired, without reasonable cause, for seven calendar days following written notification by the District is prohibited.

    b. Failure to repair leaks as specified is subject to the following special enforcement:

        i. Water service will be shut off until such time that leak(s) are repaired.

        ii. Reinstatement of water service will be subject to the fees listed on the District's most current rate schedule.

11. Excessive Water Use:

    a. Excessive water use, without reasonable cause, is prohibited.

    b. Excessive water use is defined as monthly water use that exceeds a certain percentage of the prior year's usage for the same month. This percentage varies based on the reduction goal and is determined by the following chart:

Reduction Goal	Excessive Use Percentage
20 to 25%	90%
30 to 35%	85%
40 to 45%	80%
50%	75%

    Example: If the reduction goal is 40%, excessive water use is monthly use that exceeds 80% of last year's monthly use.

    c. Monthly water use less than 3,000 gallons will not be considered excessive.

    d. Commercial and industrial customers may contact the District to discuss the individual water needs required to maintain their business.

    e. Excessive water use is subject to the following special enforcement:

        i. <u>First Violation.</u> Payment of a $50 penalty.

        ii. <u>Second Violation.</u> Payment of a $100 penalty and customer's service will be restricted by a flow restriction device for 30 days.

        iii. <u>Third Violation.</u> Payment of a $500 penalty and customer's water service will be restricted by a flow restriction device until the Board of Directors repeals the state of emergency or threat of emergency or shortage.

        iv. <u>Continued Violation.</u> Payment of a $500 penalty and continued water service restriction. District may pursue misdemeanor charges pursuant to Water Code 71644, resulting in 30 days in jail, or a $600 fine, or both.

7.2.4 Phase IV – Mandatory Water Conservation Measures for Extreme Emergency

If the District Board of Directors determines that an extreme emergency or water shortage exists based on forecasted precipitation, snowpack and reservoir levels, or an emergency event, or if Tuolumne Utilities District calls for Phase IV conservation measures, the District Board of Directors shall adopt a resolution that:

1. Declares a state of emergency for the District service area until such time that the Board of Directors determines that conditions no longer merit Phase III conservation measures; and
2. Identifies a water reduction goal; and
3. Implements Phase IV conservation measures immediately.

The meeting to consider the resolution must be a public hearing, providing customers the opportunity to be heard regarding the declaration of water shortage emergency conditions.

Phase IV conservation measures include (in addition to Phase III measures):

1. Water reduction goal:

   Establish a Phase IV water reduction goal based on severity of the emergency, for approval by the District Board of Directors. If Tuolumne Utilities District has declared Phase IV conservation measures, the District's water reduction goal must match or exceed the water reduction goal identified by Tuolumne Utilities District. The water reduction goal may be updated as conditions change.

   The water reduction goal is defined as a percent reduction of the prior year's water usage. The water reduction goal may not exceed 50%.

2. Immediately notify appropriate media outlets, and post local road signage notifying the public of the current water use restrictions.

3. Landscape/outdoor watering by hose or by use of water directly from faucets or outlets connected to the public water supply shall be strictly prohibited.

4. New construction services shall not be started until after the repeal of Phase IV restrictions.

5. Excessive Water Use:

   a. Excessive water use, without reasonable cause, is prohibited.

   b. Excessive water use is defined as monthly water use that exceeds a certain percentage of the prior year's usage for the same month. This percentage varies based on the reduction goal and is determined by the following chart:

Reduction Goal	Excessive Use Percentage
20%	90%
25%	85%
30%	80%
35%	75%
40%	70%
45%	65%
50%	60%

Example: If the reduction goal is 40%, excessive water use is monthly use that exceeds 70% of last year's monthly use.

c. Monthly water use less than 3,000 gallons will not be considered excessive.

d. Commercial and industrial customers may contact the District to discuss the individual water needs required to maintain their business.

e. Excessive water use is subject to the following special enforcement:

i. First Violation. Payment of a $50 penalty and customer's service will be restricted by a flow restriction device for 30 days.

ii. Second Violation. Payment of a $100 penalty and customer's water service will be restricted by a flow restriction device until the Board of Directors repeals the state of emergency or threat of emergency or shortage.

iii. Third Violation. Payment of a $500 penalty and continued water service restriction. District may pursue misdemeanor charges pursuant to Water Code 71644, resulting in 30 days in jail, or a $600 fine, or both.

7.3 Enforcement

In addition to any and all lawful remedies, violations of this section shall result in the following penalties, unless special enforcement measures are otherwise specified:

1. First Violation:

   Customer will receive a written warning from the District that a further violation will result in water restrictions and penalties.

2. Second Violation:

   Customer's water service will be restricted by a flow restriction device for 30 days. The device will be removed upon payment of the reconnection fee established in the District's Schedule of Rates and Charges.

3. Third Violation:

   Customer's water service will be restricted by a flow restriction device until the Board of Directors repeals the state of emergency or threat of emergency or

shortage and upon payment of the reconnection fee established in the District's Schedule of Rates and Charges.

7.4 Variances

Variances may be granted from any of the above regulations by the General Manager upon application in writing stating the detailed circumstances meriting special consideration. Appeals of decisions by the General Manager may be taken to the Board of Directors.

7.5 Low Water Use Plumbing Fixtures Required

All applicants for new water service connections for new construction shall be required to furnish proof of installation in residential, commercial and/or industrial buildings, ultra-low flow toilets with a maximum tank size or flush capacity of 1.6 gallons and shower heads with a maximum flow capacity of 3 gallons per minute.

PASSED AND ADOPTED, by the Board of Directors of Twain Harte Community Services District, County of Tuolumne, State of California at their Special Meeting of said Board held on February 25, 2014 by the following vote:

AYES: Sipperley, Johnson, Knudson, Jordan
NOES:
ABSENT: Maxwell
ABSTAIN:

Gary Sipperley, Board President

ATTEST:

Carolyn Higgins, Board Secretary

Appendix B: Water Shortage Contingency Plan Adopting Resolution

TWAIN HARTE COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 23-26

ADOPTING THE TWAIN HARTE COMMUNITY SERVICES DISTRICT WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, in 2014, the Twain Harte Community Services District (District) revised its Ordinance #22 (Water Ordinance) by adding Article 7 – Conservation Measures (Article 7); and

WHEREAS, Article 7 sets forth requirements for ongoing water conservation and for specific water conservation and use restrictions that the District Board can implement during various levels of water shortages; and

WHEREAS, the District has successfully implemented the requirements of Article 7 to protect its water supply during past drought situations; and

WHEREAS, in September 2021, Governor Newsom signed Senate Bill 522 (SB 522) into law to require Small Water Suppliers (those serving between 1,000 and 2,999 connections) to adopt a Water Shortage Contingency Plan (WSCP) to ensure sufficient water supply during water shortages and interruptions; and

WHEREAS, although Article 7 meets many of the SB 522 WSCP requirements, a few additional provisions must be added to comply with SB 522; and

WHEREAS, a District WSCP was created to meet SB 522 requirements by combining existing Article 7 requirements with SB 522 requirements; and

WHEREAS, the District WSCP must be adopted by the District Board by July 1, 2023, to comply with SB 522.

NOW, THEREFORE, BE IT RESOLVED, by the District Board of Directors that the attached Twain Harte Community Services District Water Shortage Contingency Plan be adopted and made effective immediately.

PASSED AND ADOPTED, by the Board of Directors of Twain Harte Community Services District on June 14, 2023, by the following vote:

AYES: Mannix, Sipperley, Knudson, Bohlman, deGroot
NOES: ——
ABSENT: ——
ABSTAIN: ——

Eileen Mannix
Eileen Mannix, Board President

ATTEST:
Kimberly Silva
Kimberly Silva, Board Secretary