



VICTORVILLE WATER DISTRICT

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# Water Shortage Contingency Plan

## Final

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Prepared by Water Systems Consulting, Inc.





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# LIST OF ACRONYMS

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Annual Assessment	Annual Water Supply and Demand Assessment
AWIA	America’s Water Infrastructure Act
City	City of Victorville
City’s Code	City’s Municipal Code
CWC	California Water Code
DWR	State of California Department of Water Resources
ERP	Emergency Response Plan
RRA	Risk and Resilience Assessment
State	State of California
UWMP	2020 Urban Water Management Plan
VWD	Victorville Water District
WSCP	Water Shortage Contingency Plan

# Water Shortage Contingency Plan

**This Water Shortage Contingency Plan (WSCP) is a strategic plan that the Victorville Water District uses to prepare for and respond to water shortages.**

A water shortage occurs when water supply available is insufficient to meet the normally expected customer water use at a given point in time. A shortage may occur due to a number of reasons, such as water supply quality changes, climate change, drought, regional power outage, and catastrophic events (e.g., earthquake). Additionally, the State of California (State) may declare a statewide drought emergency and mandate that water suppliers reduce demands, as occurred in 2014. The WSCP serves as the operating manual that VWD will use to prevent catastrophic service disruptions through proactive, rather than reactive, mitigation of water shortages. This WSCP provides a process for an Annual Water Supply and Demand Assessment and structured steps designed to respond to actual conditions. This level of detailed planning and preparation provide accountability and predictability and will help VWD maintain reliable supplies and reduce the impacts of any supply shortages and/or interruptions.

This WSCP was prepared in conjunction with VWD's 2020 Urban Water Management Plan (UWMP) and is a standalone document that can be modified as needed. This document is compliant with the California Water Code (CWC) Section 10632 and incorporated guidance from the State of California Department of Water Resources (DWR) UWMP Guidebook.

The WSCP describes the following:

1. **Water Service Reliability Analysis:** Summarizes VWD's water supply analysis and reliability and identifies any key issues that may trigger a shortage condition.
2. **Annual Water Supply and Demand Assessment Procedures:** Describes the key data inputs, evaluation criteria, and methodology for assessing the system's reliability for the coming year, and the steps to formally declare any water shortage levels and response actions.
3. **Six Shortage Stages:** Establishes water shortage levels to clearly identify and prepare for shortages.
4. **Shortage Response Actions:** Describes the response actions that may be implemented or considered for each stage to reduce gaps between supply and demand.
5. **Communication Protocols:** Describes communication protocols under each stage to ensure customers, the public, and government agencies are informed of shortage conditions and requirements.
6. **Compliance and Enforcement:** Defines compliance and enforcement actions available to administer demand reductions.
7. **Legal Authority:** Lists the legal documents that grant VWD the authority to declare a water shortage and implement and enforce response actions.
8. **Financial Consequences of WSCP Implementation:** Describes the anticipated financial impact of implementing water shortage stages and identifies mitigation strategies to offset financial burdens.
9. **Monitoring and Reporting:** Summarizes the monitoring and reporting techniques to evaluate the effectiveness of shortage response actions and overall WSCP implementation. Results are used to determine if additional shortage response actions should be activated or if efforts are successful and response actions should be reduced.
10. **WSCP Refinement Procedures:** Describes the factors that may trigger updates to the WSCP and outlines how to complete an update.
11. **Special Water Features Distinctions:** Water use for decorative features shall be limited unless necessary to sustain aquatic life. Decorative features include ornamental fountains, ponds, and other aesthetic features.
12. **Plan Adoption, Submittal, and Availability:** Describes the process for the WSCP adoption, submittal, and availability after each revision.

## 1.1 Water Supply Reliability Analysis

As part of the 2020 UWMP, VWD completed a water supply reliability analysis for normal, single-dry, and five-year consecutive dry year periods. As described in Chapter 7 of VWD's 2020 UWMP, the effects of a local drought are not immediately recognized because the region uses the local groundwater basins to simulate a large reservoir for long-term storage. VWD is able to pump additional groundwater to meet increased demands in dry years and participates in efforts to replenish the basins with imported and local water through regional recharge programs. Based on the analysis, VWD does not anticipate any supply shortage due to single or consecutive dry years. Even though localized drought conditions should not affect supply, VWD participates in several ongoing water conservation measures and regional recharge projects to optimize and enhance the use of regional water resources. VWD will use this WSCP as appropriate to reduce the demand during critical drought years or other supply emergencies.

A Drought Risk Assessment was also performed to analyze supply reliability for the next five years, 2021 through 2025. Similarly, the results show that VWD's water supply is reliable and is not expected to see impactful change under drought conditions.

## 1.2 Annual Water Supply and Demand Assessment

As an urban water supplier, VWD must prepare and submit an Annual Water Supply and Demand Assessment (Annual Assessment) per CWC Section 10632.1. Starting in 2022, the Annual Assessment will be due by July 1 of every year. The Annual Assessment is an evaluation of the near-term outlook for supplies and demands to determine whether the potential for a supply shortage exists and whether there is a need to trigger a WSCP shortage level and response actions in the current calendar year to maintain supply reliability. This process will take place at the same time each year based on known circumstances and information available to VWD at the time of analysis and can be update or revised at any time if circumstances change.

VWD will establish and convene an internal WSCP Team to conduct the Annual Assessment each year. The WSCP may include the following staff:

- General Manager
- Water Supply/Engineering Staff
- Water Conservation Staff
- Public Works Staff
- Finance

The Annual Assessment procedure, including key data inputs and evaluation criteria, is summarized in **Table 1-1**.

**Table 1-1. Annual Assessment Procedure**

<b>TIMING</b>	<b>ASSESSMENT ACTIVITIES</b>	<b>PROCEDURE, KEY DATA INPUTS, EVALUATION CRITERIA AND OTHER CONSIDERATIONS</b>	<b>STAFF RESPONSIBLE</b>
<b>Oct-Nov</b>	Estimate unconstrained demands for coming year	Demands will be estimated based on water sales forecasts from annual budget or prior year demands plus any anticipated changes	Water Supply/Engineering
<b>Oct-Nov</b>	Estimate available supplies for the year, considering the following year will be dry	Previous year supplies (from Electronic Annual Report Water Supply) will be reviewed and compared to estimated demands for the coming up year to determine estimated supplies. VWD will coordinate with Mojave Water Agency to determine availability of Regional Recharge and Recovery Project water supply.	Water Supply/Engineering
<b>Jan - Feb</b>	Consider potential constraints that may impact supply delivery	Identify any known regional or VWD infrastructure issues that may pertain to near-term water supply reliability, including repairs, construction, and environmental mitigation measures that may temporarily constrain capabilities, as well as any new projects that may add to system capacity.  Identify any facilities out of service due to water quality problems, equipment failure, etc. that may impact normal water deliveries.	Water Supply/Engineering
<b>Feb</b>	Convene WSCP Team to conduct Annual Assessment	Compare supplies and demands and discuss any constraints that may impact supply delivery. If the potential for a shortage exists, determine which shortage response level and actions are recommended to reduce/eliminate the shortage.  Additionally, if the State declares a drought state of emergency and requires demand reductions, the WSCP Team will determine which water shortage level and response actions are needed to comply with the State mandate.	WSCP Team
<b>Jun</b>	City of Victorville (City) Council review and action	If the potential for a shortage exists or the State has mandated demand reductions, the results of the Annual Assessment will be presented to the VWD City Council, including the recommended shortage level and response actions. City Council may order the implementation of a shortage level and will adopt a resolution declaring the applicable water shortage level.	General Manager City Council
<b>On-going</b>	Implement WSCP actions, if needed	Relevant members of VWD staff will implement shortage response actions associated with the declared water shortage level	WSCP Team
<b>By July 1</b>	Submit Retail Annual Assessment	Send Final Retail Annual Assessment to DWR	WSCP Team



## 1.3 Six Standard Water Shortage Levels

Water agencies relying solely on groundwater sources which are being managed under an adjudication, such as the VWD, are less likely to experience water shortages than those agencies relying primarily on surface water, due to the limited influence of climatic variability on groundwater supplies. Nevertheless, it is still important for groundwater agencies to reduce production during drought years to avoid excessive overdraft of the groundwater basin. VWD's rationing plan will be invoked during declared water shortages. Each stage includes a water reduction objective expressed as a percentage of normal demands. The rationing plan is dependent on the cause, severity, and anticipated duration of the water supply shortage.

### Stage 1: Normal Water Supply Condition (Year-Round Water Conservation)

Stage 1 (when VWD is able to meet all the water demands of its customers in the immediate future) shall be in effect at all times, unless the City Council otherwise declares under the provisions of Section 10.05.070 of VWD Ordinance No. VWD-012 that one or more of the VWD's stages are in effect. During Conservation Stage 1, it shall be unlawful and a violation of VWD Ordinance No. VWD-012 for any water user to make, cause, use, or permit the use of water in any manner contrary to the provisions of the prohibitions listed in **Table 1-3**. The VWD's Ordinance No VWD-012 is available in Attachment 2.

### Stage 2: Threatened Water Supply Shortage

Stage 2 shall be in effect when VWD's ability to provide water for ordinary domestic and commercial uses may be adversely impaired or threatened. Shortage Stage 2 will be implemented when a 10% to 28% reduction in total potable water production or water usage must be met. The actual percentage reduction required (based on State conservation mandates and other contributing factors) will be indicated in the VWD resolution enacting Shortage Stage 2. During Shortage Stage 2, it shall be unlawful and a violation of VWD Ordinance No. VWD-012 for any water user to make, cause, use, or permit the use of water in any manner contrary to the prohibitions listed in **Table 1-3**.

### Stage 3: Critical Water Supply Shortage

Stage 3 shall be in effect when VWD's ability to provide water for ordinary domestic and commercial uses may be critically impaired or threatened. Shortage Stage 3 will be implemented when a 29% to 40% reduction in total potable water production or water usage must be met. The actual percentage reduction required (based on State conservation mandates and other contributing factors) will be indicated in the VWD resolution enacting Shortage Stage 3. During Shortage Stage 3, it shall be unlawful and a violation of VWD Ordinance No. VWD-012 for any water user to make, cause, use, or permit the use of water in any manner contrary to the prohibitions listed in **Table 1-3**.

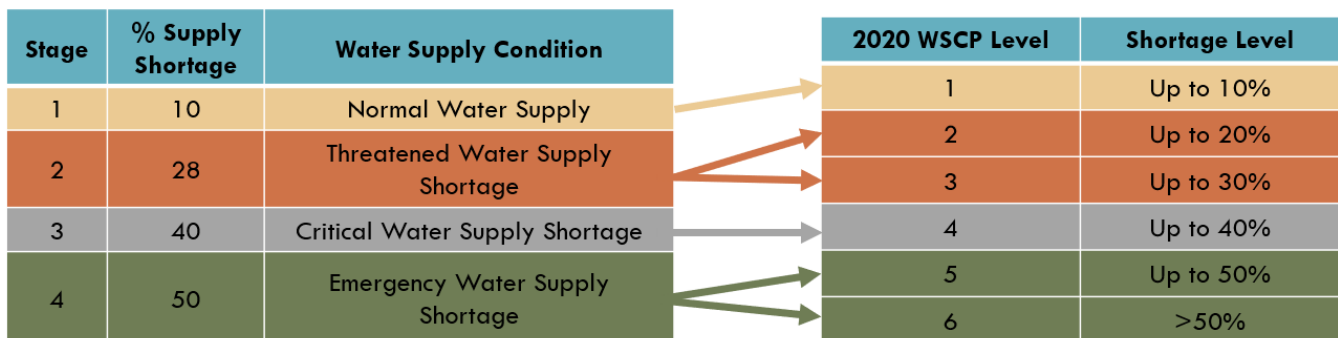
### Stage 4: Emergency Water Supply Shortage

Stage 4 shall be in effect when a disaster or other major disruption in the water supply or any emergency that prevents VWD from meeting the water demands of water users is threatened or exists. Shortage Stage 4 will be implemented when a total potable water production or water usage reduction in excess of 41%. The actual percentage reduction required (based on State conservation mandates and other contributing factors) will be indicated in the VWD resolution enacting Shortage Stage 4. Prohibitions during stage 4 are provided in **Table 1-3**.

The City Manager shall promulgate a drought management plan containing regulations setting forth the criteria for implementation and termination of various water use reduction stages. The City Manager is authorized to declare a water shortage, and to implement a water shortage management plan, in response to events including (but not limited to) reductions in supply from any water purveyor or when an insufficient supply appears likely due to water system limitations or structural failure. Such declaration may designate the entire area of the City or a portion of it if the shortage is not citywide.

The CWC outlines six standard water shortage levels that correspond to a gap in supply compared to normal year availability. The six standard water shortage levels correspond to progressively increasing estimated shortage conditions (up to 10%, 20%, 30%, 40%, 50%, and greater than 50% shortage compared to the normal reliability condition) and align with the response actions that a water supplier would implement to meet the severity of the impending shortages.

The CWC allows suppliers with an existing water shortage contingency plan that uses different water shortage levels to comply with the six standard levels by developing and including a cross-reference relating its existing shortage categories to the six standard water shortage levels. VWD is maintaining the current four shortage stages for this WSCP. A crosswalk defines how VWD's current water shortage stages will align with the DWR's standardized six levels of shortage. A visual representation of this alignment is shown in **Figure 1-1**. **Table 1-2** summarizes DWR's WSCP levels and where VWD's levels align.



**Figure 1-1. Crosswalk to DWR's Six Shortage Stages**

**Table 1-2. DWR Water Shortage Contingency Plan Levels**

SHORTAGE LEVEL	PERCENT SHORTAGE RANGE <sup>1</sup> (NUMERICAL VALUE AS A PERCENT)	WATER SHORTAGE CONDITION
1	Up to 10%	Normal Water Supply (VWD Stage 1)
2	Up to 20%	Threatened Water Supply Shortage (VWD Stage 2)
3	Up to 30%	Threatened Water Supply Shortage (VWD Stage 2)
4	Up to 40%	Critical Water Supply Shortage (VWD Stage 3)
5	Up to 50%	Emergency Water Supply Shortage (VWD Stage 4)
6	>50%	Emergency Water Supply Shortage (VWD Stage 4)

<sup>1</sup> One stage in the Water Shortage Contingency Plan must address a water shortage of 50%.

## 1.4 Shortage Response Actions

This section was completed pursuant to CWC Section 10632(a)(4) and 10632.5(a) and describes the response actions that must be implemented or considered for each stage to minimize social and economic impacts to the community.

### 1.4.1 Demand Reduction

Mandatory compliance measures enacted during a water shortage are more severe than voluntary measures, produce greater savings, and are less costly to the utility. The principal drawback to these measures could result from customer resentment if the measures are not seen as equitable. Therefore, such measures need to be accompanied by a good public relations campaign. The demand reduction actions for each stage are shown in **Table 1-3**.

**Table 1-3. Demand Reduction Actions**

DWR Table 8-2

SHORTAGE LEVEL	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
1	CII - Restaurants may only serve water upon request	0-1%	Providing glasses of drinking water (except upon request) to customers in restaurants or other public places where food is routinely served is prohibited.	Yes
1	Landscape - Limit landscape irrigation to specific times	0-5%	<u>Summer Outdoor Sprinkler Restrictions:</u> From June 1 through September 30, irrigation/watering is permitted only between the hours of 10:00 p.m. and 6:00 a.m. <u>Winter Outdoor Sprinkler Restrictions:</u> From October 1 through May 31, irrigation/watering is permitted only between the hours of 9:00 a.m. and 3:00 p.m. <u>Summer Outdoor Sprinkler Restrictions (Large Systems):</u> From June 1, through September 30, irrigation/watering for facilities with Large Systems is only permitted between the hours of 10:00 p.m. and 9:00 a.m. <u>Winter Outdoor Sprinkler Restrictions (Large Systems):</u> From October 1, through May 31, irrigation/watering for facilities with Large Systems is only permitted between the hours of 9:00 a.m. and 3:00 p.m.	Yes
1	Landscape - Other landscape restriction or prohibition	0-5%	Irrigation with potable water of ornamental turf on public street medians is prohibited.	Yes
1	Landscape - Other landscape restriction or prohibition	0-1%	Irrigation/watering is permitted at any time if a handheld hose fitted with a positive shut-off nozzle is used or a Low-Volume Irrigation System is used, provided that the Low-Volume Irrigation System is not on an irrigation Station which operates at the same time as a sprinkler system	Yes
1	Landscape - Other landscape restriction or prohibition	0-5%	Application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall is prohibited.	Yes
1	Landscape - Other landscape restriction or prohibition	0-5%	It is prohibited to plant any Water-intensive Landscape or Turf: a. In any Right-of-Way, narrow pathway, parking strip, roadway median, or along foundations of buildings. b. Having a width of less than five (5) feet, unless adjacent to a planter bed or other landscaped area which will catch Overspray.	Yes
1	Landscape - Restrict or prohibit runoff from landscape irrigation	0-5%	Water Users are prohibited from causing or permitting any water furnished to their properties/premises by the VWD to run or to escape from any hose, pipe, valve, faucet, sprinkler or irrigation device onto any sidewalk, parking lot, adjacent property, street, or gutter or to otherwise escape, if such running or escaping can be prevented.	Yes
1	Landscape - Restrict or prohibit runoff from landscape irrigation	0-5%	Watering of turf, ground cover, open ground, shrubbery, crops, gardens, and trees, including agricultural irrigation, or any outdoor dispensing of water in a manner or to an extent which allows Excess Runoff is prohibited. However, a minimum amount of runoff, which is a natural consequence of conservative watering, either by hand or by mechanical or automated sprinkling facilities, is permitted, so long as such runoff does not amount to Excess Runoff.	Yes
1	Other	0-1%	Irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.	Yes
1	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	0-1%	Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the Water User's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected is prohibited. Upon receiving notice from the VWD of the existence of any such break, leak or other malfunction, Water Users shall identify the source of the water and within 48 hours, stop the source, by turning off the valve that supplies the water, and within 7 days, evaluate the extent of the problem and repair or correct same.	Yes
1	Other - Prohibit use of potable water for washing hard surfaces	0-1%	Washing down of impervious surfaces, including but not limited to walkways, patios, tennis courts, driveways, sidewalks or other paved surfaces (except in emergencies to remove spills of hazardous materials or eliminate dangerous conditions) is prohibited.	Yes
1	Other - Require automatic shut of hoses	0-1%	Using a hose that dispenses potable water for any outside purpose (including the washing of a motor vehicle), except where the hose is fitted with a positive shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use, is prohibited.	Yes
1	Other water feature or swimming pool restriction	0-1%	Use of potable water in fountains or other decorative water features, except where the water is part of a recirculating system, is prohibited.	Yes

SHORTAGE LEVEL	DEMAND REDUCTION ACTIONS	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE	PENALTY, CHARGE, OR OTHER ENFORCEMENT
2	Landscape - Limit landscape irrigation to specific days	0-5%	<p><u>Summer Outdoor Sprinkler Restrictions</u> - From June 1, through September 30, it shall be prohibited to: a) Apply potable water to any outdoor landscape at properties with street addresses ending in an even number (0, 2, 4, 6, or 8) except on Tuesdays, Thursdays, or Saturdays between the hours of 10:00 pm and 6:00 am. b) Apply potable water to any outdoor landscape at properties with street addresses ending in an odd number (1, 3, 5, 7, or 9) except on Wednesdays, Fridays, and Sundays between the hours of 10:00 pm and 6:00 am. c) Apply potable water to any outdoor landscape at facilities such as schools, parks, cemeteries, golf courses or industrial sites and areas without street address numbers, such as landscape maintenance assessment districts ("LMADS"), except on Mondays, Tuesdays, Thursdays, Fridays and Sundays, between the hours of 10:00 p.m. and 9:00 a.m., unless such facilities have Large Systems with approved Reduction Plans. Water users at facilities with approved Reduction Plans may water in accordance with the provisions of those Reduction Plans so long as the Water Users maintain full compliance with the provisions of such Reduction Plans. Water users which fail to meet the minimum required Reduction Plan percentage during any one (1) billing cycle more than two (2) times in one twelve- month period, shall not be considered in full compliance and must immediately resume watering in accordance with the first sentence of this Subsection. Failure to immediately resume watering in accordance therewith shall constitute a violation of this Ordinance.</p> <p><u>Winter Outdoor Sprinkler Restrictions</u> - from October 1 through May 31, it shall be prohibited to: a) Apply potable water to any outdoor landscape at properties with street addresses ending in an even number (0,2,4,6, or 8) except on Tuesdays, Thursdays, or Saturdays between the hours of 9:00 a.m. and 3:00 p.m. b) Apply potable water to any outdoor landscape at properties with street addresses ending in an odd number (1,3,5,7, or 9) except on Wednesdays, Fridays, and Sundays between the hours of 9:00 a.m. and 3:00 p.m. c) Apply potable water to any outdoor landscape at facilities such as schools, parks, cemeteries, golf courses or industrial sites and areas without street address numbers, such as landscape maintenance assessment districts ("LMADS") except on Mondays, Tuesdays, Thursdays, Fridays and Sundays, between the hours of 9:00 a.m. and 3:00 p.m., unless such facilities have Large Systems with approved Reduction Plans. Water Users at facilities with approved Reduction Plans may water in accordance with the provisions of those Reduction Plans so long as the Water Users maintain full compliance with the provisions of such Reduction Plans. Water Users which fail to meet the minimum required Reduction Plan percentage during any one (1) billing cycle more than two (2) times in one twelve-month period, shall not be considered in full compliance and must immediately resume watering in accordance with the first sentence of this Subsection. Failure to immediately resume watering in accordance therewith shall constitute a violation of this ordinance.</p>	Yes
2	Landscape - Other landscape restriction or prohibition	5-20%	Fall overseeding of Turf areas, unless irrigated with Reclaimed Water for non-residential water intensive landscape, shall be prohibited.	Yes
2	Landscape - Other landscape restriction or prohibition	0-5%	Exterior landscape plans for all new multi-family, commercial and industrial development must be presented to and approved by VWD prior to issuance of a will serve letter.	Yes
2	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	0-1%	Using water for washing of motor vehicles is prohibited, except when done by commercial car wash facilities equipped with a recirculation system.	Yes
2	Pools and Spas - Require covers for pools and spas	0-1%	All swimming pools, spas and hot tubs must be covered when not in use.	Yes
3	Landscape - Other landscape restriction or prohibition	5-20%	It shall be unlawful to use a sprinkler system in the irrigation of outdoor landscaping of any kind.	Yes
3	Other	0-1%	Use of water from fire hydrants shall be limited to firefighting or other authorized or approved water uses that are necessary to maintain health, safety, and welfare.	Yes
3	Other - Prohibit use of potable water for construction and dust control	0-1%	All existing construction meters shall be removed and no installation of or new construction meters shall be permitted.	Yes
4	Landscape - Prohibit all landscape irrigation	10-30%	The watering of turf, lawns, grass, shrubbery, ground cover or other outdoor landscaping with potable water at any time is prohibited; the watering of parks, school grounds and golf courses with potable water is also prohibited.	Yes
4	Other water feature or swimming pool restriction	0-1%	The use, filling or adding water to swimming pools or spas of any size, fountains, ponds, water courses, waterfalls and other artificial water structures filled or refilled with water from any source is prohibited.	Yes
4	Other	0-1%	The washing of vehicles, trucks, trailers, boats, airplanes, and other types of mobile equipment with potable water, is prohibited unless such washing is necessary for the immediate interest of the public health or safety, and such washing occurs upon the immediate premises of commercial vehicle washes using recirculated water.	Yes
4	CII - Other CII restriction or prohibition	5-10%	All existing nurseries shall discontinue all potable irrigation watering.	Yes

## 1.4.2 Supply Augmentation

**Table 1-4** identifies the supply augmentation actions VWD can take in the event of a water shortage condition. VWD currently maintains interconnections with Mojave Water Agency. During water shortage emergencies, VWD may be able to obtain supplemental water supply through this connection, if available.

**Table 1-4. Supply Augmentation & Other Actions**

DWR Table 8-3

SHORTAGE LEVEL	SUPPLY AUGMENTATION METHODS AND OTHER ACTIONS BY WATER SUPPLIER	HOW MUCH IS THIS GOING TO REDUCE THE SHORTAGE GAP?	ADDITIONAL EXPLANATION OR REFERENCE
4	Other purchases	0-15%	Purchase additional water from Mojave Water Agency if available

## 1.4.3 Emergency Response Plan

In 2020, VWD completed a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) in accordance with America's Water Infrastructure Act (AWIA) of 2018. The purpose of the RRA and ERP is to meet the AWIA compliance requirements and plan for long-term resilience of VWD's infrastructure. The RRA assessed VWD's water system to identify critical assets and processes that may be vulnerable to human and natural hazards, and to identify measures that can be taken to reduce risk and enhance resilience from service disruption for the benefit of customers. The RRA identifies and characterizes both infrastructure-specific and system-wide vulnerabilities and threats and quantifies the consequences of disruption. The RRA also identifies various options (and constraints) in addressing and mitigating risk. The RRA, in conjunction with the ERP, charts a course for water system resilience. The RRA also provided various recommendations to increase reliability of VWD's system. Because critical pieces of infrastructure and specific vulnerabilities are detailed in the RRA and ERP, the contents of the document are confidential and for use by VWD's staff only. However, VWD can confirm that these plans meet the requirements set forth by AWIA and evaluate seismic risks and mitigation actions to VWD's infrastructure.

In the event of a water shortage emergency resulting from equipment failure, power outage, or other catastrophe, VWD is prepared to purchase emergency water supplies from nearby agencies while repairs or other remedial actions are underway. VWD may also implement its four-stage plan for conservation, as described above, with either voluntary or mandatory reductions depending on the severity of the shortage. For severe disasters (Stage 4), mandatory water use reductions are specified.

## 1.4.4 Seismic Risk Assessment and Mitigation Plan

Disasters, such as earthquakes, can and will occur without notice. VWD has assessed the risk and mitigations for water facilities. VWD has identified a set of hazard mitigation actions that are intended to reduce the impact of hazards, including:

- Installed isolation valves on main transmission lines.
- Replaced pipes in areas of moderate to high liquefaction or traverse active faults.
- Strengthened concrete tank walls on large reservoirs.
- Retrofitted water tanks.
- Installed well discharge piping to accommodate differential settlement.
- Installed flexible connections for pipeline connections to pump stations.

### 1.4.5 Shortage Response Action Effectiveness

VWD has estimated the effectiveness of shortage response actions when data pertaining to such actions is available. Estimates of the effectiveness for actions has been included in the DWR submittal tables. It is expected that response actions effectiveness is also a result of successful communication and outreach efforts.

## 1.5 Communication Protocols

VWD prioritizes effective communication, especially in times of a water shortage emergency. VWD routinely communicates to customers about details on when a stage is announced. Communication actions may include bill inserts, handouts, informative flyers, and direct mail pieces to newspaper and bus shelter advertisements, news releases, social media outreach, and website content. VWD continues to provide reminders about shortage levels and encourages conservation at all times.

## 1.6 Compliance and Enforcement

Section 10 of VWD's Ordinance No. VWD-012, sets forth the four-stage WSCP, where violations to all mandatory provisions are a misdemeanor and violators may be punished by imprisonment, fine or both. In addition to these criminal penalties, the following civil actions can be initiated by VWD:

- For a first violation of any provision of the WSCP, the enforcement officer shall issue a written notice of first violation and provide the violator with educational materials on landscape water conservation, including a copy of this chapter. The notice shall give the designated water user a reasonable period of time to correct the violation. Failure to correct the violation within a reasonable period of time shall constitute a second violation.
- For a second violation of any provision of this chapter, the City shall issue a written notice of second violation to the designated water user imposing a fine in an amount not to exceed \$100 and requiring immediate correction of the violation.
- For a third violation of any provision of this section, the City shall issue a written notice of third violation to the designated water user imposing a fine in an amount not to exceed \$200 and requiring immediate correction of the violation.
- For a fourth or subsequent violation of this section, the City shall impose a fine in an amount not to exceed \$500. The fourth and each subsequent violation of this chapter shall be deemed a public nuisance, which may be abated pursuant to the procedures provided in Chapter 13.02 "nuisances" of the City's Municipal Code (City's Code).

Any citations issued and fines imposed on designated water users for violations of the chapter shall be served, administered, collected, and appealed in accordance with the procedures of Chapter 1.05 "administrative remedies" of the City's Code.

## 1.7 Legal Authorities

The City's Code Chapter 13.60 addresses water conservation and establishes water waste prohibitions. This section of the City's Code is adopted through Ordinances 2114, 2133, 2135, and 2338. City Ordinance No. 2338, revised Chapter 13.60 of the City's Code to include provisions for water efficient landscaping as well as restrictions and prohibitions related to water waste. VWD also has adopted Ordinance Number VWD-012 on May 19, 2015, which adopts a conservation program and amends the VWD's WSCP.

## 1.8 Financial Consequences of WSCP

In May of 2021, VWD updated its comprehensive water rate study from 2015 for several reasons, including meeting long-term revenue requirements, providing revenue stability and adequate funding for capital improvements, and complying with legal requirements, including Proposition 218. The rates proposed in this study were developed in a manner that is consistent with industry standards, including court rulings affecting how the cost bases for water rates should be established.

The rate study specifically addressed several key issues, including:

- **Revenue Requirements and Financial Planning** – The long-range financial plan for VWD was closely examined and adjusted to best meet annual operating expenses, capital improvement costs, annual other post-employment benefits funding requirements, and established reserve requirements.
- **Rate Structure** – VWD’s rate structure was evaluated to ensure it is consistent with industry standards and addresses other key objectives. The fixed monthly charge will continue to be based on meter size which provides greater revenue stability. VWD also compared a number of volumetric rate alternatives, including tiered and uniform volumetric alternatives. Given VWD’s source of supply and costs, the proposed 2-Tier volumetric rates for single-family residential customers with a uniform volumetric rate for all other customers is best suited for VWD.
- **Fixed vs. Variable Charges** – The amount of revenue collected from fixed charges vs. volumetric rates was carefully examined. The proposed rate design will collect the projected water supply costs from volumetric charges and the remaining revenue requirement from fixed charges. In the first year of the rate adjustment, new rates will continue to collect 27% of revenue from fixed charges and 73% from volumetric charges but will transition to a 40% fixed and 60% volumetric split by Year 5 of the proposed rates to move closer to the 53% fixed and 47% volumetric split that resulted from the cost-of-service analysis. By adjusting the fixed vs. volumetric split, VWD is increasing revenue stability while still promoting conservation.
- **Statewide Conservation** – The State imposed drought-related conservation level 2 (25% Statewide) back in 2015 and VWD was mandated to reduce water consumption by 28% beginning in April 2015. As the State may be heading into another drought, the current and projected future consumption levels were closely evaluated and incorporated into the rate study.
- **Long-Term Conservation** – The assumptions and recommendations contained in the rate study assume that water supplies will continue to be limited in the future and that, in the long run, customers will reduce consumption accordingly. Therefore, the drought rates developed in the rate study will allow VWD to meet its annual revenue requirements at various stages of conservation even if drought conditions worsen over the next five years.

The new volumetric rate structure recommended by the rate study is set to the marginal cost of water, meaning that changes in consumption would cause matching changes in revenue and expenses. Under this structure, a reduction in water sales due to conservation would not have a negative fiscal impact on VWD. Drought rates can be implemented by VWD at various conservation levels that range from 20% through 50%; however, due to the higher marginal cost savings provided by the new rate structure, drought rates would not be needed after Year 2 since the losses from drought revenue reductions would be offset by marginal cost reductions. Drought rates were developed in 10% increments that VWD can implement for 20% through 50% conservation levels.

The new rates are subject to the substantive and procedural requirements of Proposition 218 (Cal. Const. Art. XIII D). Section 6 of Article XIII D sets forth standards for setting rates that reflect the proportional cost of providing water services, as well as requirements for providing notice, a public hearing, and the ability to protest such proposed revisions to and increases in charges and fees for water service.



To ensure VWD customers comply with Ordinance 225 and CWC Chapter 3.3 (Excessive Residential Water Use During Drought), additional staff costs will be incurred to monitor and enforce response actions. The incurred cost may vary depending on the shortage stage and duration of the water shortage emergency.

## **1.9 Monitoring and Reporting**

The water savings from implementation of the WSCP will be determined based on monthly production reports, which are reviewed and compared to production reports and pumping statistics from prior months and the same period of the prior year. Under shortage conditions, these production reports could be prepared as often as daily. At first, the cumulative consumption for the various sectors (e.g., residential, commercial, etc.) will be evaluated for reaching the target level. Then if needed, individual accounts will be monitored. Weather and other possible influences may be accounted for in the evaluation.

## **1.10 WSCP Refinement Procedures**

The WSCP is best prepared and implemented as an adaptive management plan. VWD will use results obtained from their monitoring and reporting program to evaluate any needs for revisions. Potential changes to the WSCP that would warrant an update include, but are not limited to, any changes to trigger conditions, changes to the shortage stage structure, and/or changes to customer reduction actions.

Any prospective changes to the WSCP would need to be presented to City Council for discretionary approval. Once discretionary approval has been granted, VWD will hold a public hearing, obtain any comments and adopt the updated WSCP. Notices for refinement and the public hearing date will be published in the local newspaper in advance of any public meetings.

## **1.11 Plan Adoption, Submittal, and Availability**

VWD adopted this WSCP with the 2020 UWMP. The 2020 UWMP and WSCP were made available for public review in June 2021 and a public hearing was held on June 15, 2021 to receive public input on the draft 2020 UWMP and the WSCP. The City Council adopted the 2020 UWMP and the WSCP at a public meeting on June 15, 2021. The resolution of adoption is included in Attachment 1.

This WSCP was submitted to DWR through the WUEdata portal before the deadline of July 1, 2021. This WSCP will be available to the public on the City's web site.

If VWD identifies the need to amend this WSCP, it will follow the same procedures for notification to cities, counties and the public as used for the 2020 UWMP and for initial adoption of the WSCP.

# 1

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## WSCP Resolution of Adoption

**VICTORVILLE WATER DISTRICT  
RESOLUTION NO. VWD 21-007**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
VICTORVILLE WATER DISTRICT ADOPTING THE VICTORVILLE  
WATER SHORTAGE CONTINGENCY PLAN (WSCP)**

**WHEREAS**, The California Urban Water Management Planning Act, Water Code Section 10610 *et seq.* (the Urban Water Management Planning Act), mandates that every urban supplier of water providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre feet of water annually, prepare and adopt, in accordance with prescribed requirements, a Water Shortage Contingency Plan (“**WSCP**”); and

**WHEREAS**, The Victorville Water District meets the definition of an urban water supplier for purposes of the Urban Water Management Planning Act (the “**UWMP Act**”); and

**WHEREAS**, the UWMP Act specifies the requirements and procedures for adopting such Water Shortage Contingency Plans; and

**WHEREAS**, pursuant to recent amendments to the UWMP Act, urban water suppliers are required to adopt and electronically submit their WSCP to the California Department of Water Resources by July 1, 2021; and

**WHEREAS**, The Victorville Water District (the “**District**”) has prepared a WSCP in accordance with the UWMP Act and SB X7-7, and in accordance with applicable legal requirements, has undertaken certain coordination, notice, public involvement, public comment, and other procedures in relation to its WSCP; and

**WHEREAS**, the WSCP references and incorporates the provisions of the Water Conservation Program of the Victorville Water District’s Ordinance No. VWD-012 adopted on May 19, 2015; and

**WHEREAS**, in accordance with the UWMP Act, the Victorville Water District has prepared its WSCP with its own staff, with the assistance of consulting professionals, and in cooperation with other governmental agencies, and has utilized and relied upon industry standards and the expertise of industry professionals in preparing its WSCP, and has also utilized the California Department of Water Resources Guidebook for Urban Water Suppliers to Prepare 2020 Urban Water Management Plans, in preparing its WSCP; and

**WHEREAS**, in accordance with applicable law, including Water Code Sections 10608.26 and 10642, and Government Code Section 6066, a Notice of a Public Hearing regarding the Victorville Water District’s WSCP was published within the jurisdiction of the Valley Wide Newspaper on May 28; and

**WHEREAS**, in accordance with applicable law, including but not limited to Water Code Sections 10608.26 and 10642, a public hearing was held on June 15, 2021 or soon thereafter, in the Council Chambers of the City of Victorville in order to provide members of the public and other interested entities with the opportunity to be heard in connection

with proposed adoption of the WSCP and issues related thereto; and

**WHEREAS**, pursuant to said public hearing on the WSCP, the District, among other things, encouraged the active involvement of diverse social, cultural, and economic members of the community within the District's service area with regard to the preparation of the WSCP, encouraged community input regarding Victorville Water District's WSCP; and

**WHEREAS**, the Board of Directors of the District (the "**Board of Directors**") has reviewed and considered the purposes and requirements of the UWMP Act, the contents of the WSCP, and the documentation contained in the administrative record in support of the WSCP, and has determined that the factual analyses and conclusions set forth in the WSCP are legally sufficient; and

**WHEREAS**, the Board of Directors desires to adopt the WSCP in order to comply with the UWMP Act.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals**

The above Recitals are true and correct and incorporated as an operative part of this Resolution.

**Section 2. Adoption of the WSCP**

The Water Shortage Contingency Plan is hereby adopted as amended by changes incorporated by the Board of Directors as result of input received (if any) at the public hearing and ordered filed with the Secretary of the Board of Directors.

**Section 3. Further Authorizations**

The General Manager, or his/her designee ("**General Manager**"), is hereby authorized and directed to include a copy of this Resolution in the Victorville Water District's WSCP;

The General Manager is hereby authorized and directed, in accordance with Water Code Sections 10621(d) and 10644(a)(1)-(2), to electronically submit a copy of the WSCP to the California Department of Water Resources no later than July 1, 2021;

The General Manager is hereby authorized and directed, in accordance with Water Code section 10644(a), to submit a copy of the WSCP to the California State Library, and any city or county within which the Victorville Water District provides water supplies no later than thirty (30) days after this adoption date;

The General Manager is hereby authorized and directed, in accordance with Water Code Section 10645, to make the WSCP available for public review at the Victorville Water District's offices during normal business hours and on the Victorville Water District's

website no later than thirty (30) days after filing a copy of the WSCP with the California Department of Water Resources;

The General Manager is hereby authorized and directed, in accordance with Water Code Section 10635(b), to provide that portion of the WSCP prepared pursuant to Water Code Section 10635(a) to any city or county within which The Victorville Water District provides water supplies no later than sixty (60) days after submitting a copy of the WSCP with the California Department of Water Resources; and

The General Manager is hereby authorized and directed to implement the WSCP in accordance with the UWMP Act and to provide recommendations to the Board of Directors regarding the necessary budgets, procedures, rules, regulations or further actions to carry out the effective and equitable implementation of the WSCP.

**Section 4. Compliance with Law; Severability**

If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby.

**Section 5. Certification**

The Board Secretary shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the District; and shall make a minute of passage and adoption thereof in the records of the proceedings of the District, in the minutes of the meeting at which this Resolution is passed and adopted.

**Section 6. Effective Date**

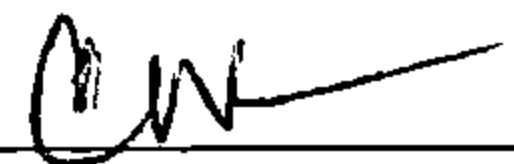
This Resolution shall take effect immediately upon its adoption.

Resolution No. VWD 21-007

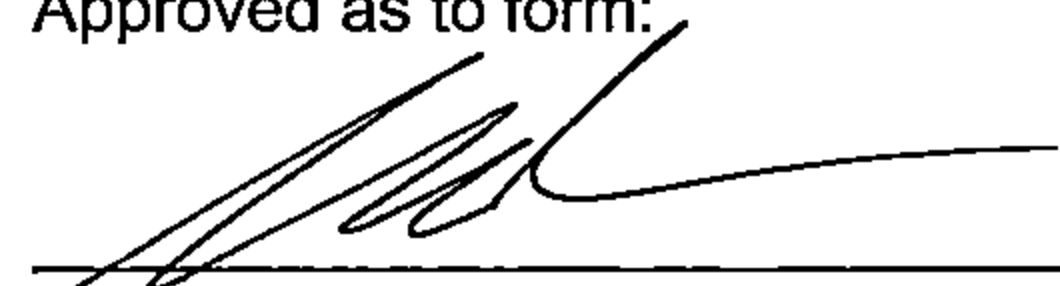
PASSED, APPROVED AND ADOPTED this 15<sup>th</sup> day of JUNE 2021.

  
\_\_\_\_\_  
Debra Jones, Chairman of the Board

Attest:

  
\_\_\_\_\_  
Charlene Robinson, Board Secretary

Approved as to form:

  
\_\_\_\_\_  
Legal Counsel

I, Charlene Robinson, City Clerk of the City of Victorville and ex-officio Clerk to the Victorville Water District of said City, do hereby certify that the foregoing is a true and correct copy of Resolution No. VWD 21-007 and was adopted at a meeting held on the 15<sup>th</sup> day of June 2021, by the following roll call vote, to wit:

AYES: Board Members Jones, Becerra, Gomez and Irving

NOES: None

ABSENT: None

ABSTAIN: None

# 2

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## Ordinance No. VWD-012

**ORDINANCE NO. VWD-012**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT ADOPTING A WATER CONSERVATION PROGRAM PURSUANT TO WATER CODE SECTION 375 AND AMENDING THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN TO COMPLY WITH EMERGENCY REGULATIONS ADOPTED BY THE STATE WATER RESOURCES CONTROL BOARD PERTAINING TO DROUGHT CONSERVATION**

**WHEREAS**, California is experiencing one of the most severe droughts on record; and

**WHEREAS**, in January 2014, California Governor Jerry Brown declared a drought state of emergency, requiring Californians in certain areas to curtail regular water use by twenty percent (20%) due to ongoing water shortfalls and further declared a continued drought state of emergency on April 25 and December 22, 2014; and

**WHEREAS**, on July 15, 2014 the State Water Resources Control Board ("SWRCB") adopted emergency water conservation regulations requiring urban water suppliers to implement mandatory water use restrictions and adopt a water shortage contingency plan ("Plan"); and

**WHEREAS**, on March 17, 2015, the SWRCB re-adopted amended emergency regulations mandating that urban water suppliers, such as the Victorville Water District (the "District"): (1) implement all requirements and actions of the stage of their Plans that includes mandatory restrictions on the number of days that outdoor irrigation of ornamental landscapes or turf with potable water is allowed; or (2) amend their Plans to include the mandatory restrictions to be implemented by May 11, 2015; and

**WHEREAS**, Governor Brown further issued Executive Order No. B-29-15 on April 1, 2015, which declared that all prior executive orders relating to the drought state of emergency remained in full force and ordered the SWRCB to impose restrictions on urban water suppliers to achieve a Statewide twenty-five percent (25%) reduction in urban potable water usage through February 2016; and

**WHEREAS**, in response to this Executive Order, the SWRCB further revised and released its emergency regulations, the final version of which repealed many provisions of the March 17, 2015 emergency regulations and now requires the District to cut its Total Potable Water Production (as defined herein and in SWRCB Regulation 865(a)(3) set forth in Title 23 of the California Code of Regulations) by twenty-eight percent (28%) for each month, as compared to the amount used in the same months in 2013, effective June 1, 2015; and

**WHEREAS**, to meet this new conservation standard, District staff has determined that adoption of its amended Plan (which includes the various water supply shortage stages/responses set forth in this Ordinance) must occur on or before June 1, 2015; and



**WHEREAS**, following notice and a public hearing and making appropriate findings of necessity, the District is authorized by California Water Code section 375 *et seq.* to adopt and enforce a water conservation program to reduce the quantity of water used for the purposes of conserving the District's water supplies; and

**WHEREAS**, on April 10, 2015, the District published notice that a public hearing on the adoption of this Ordinance would be held on April 21, 2015, which public hearing was duly held and subsequently continued to May 5, 2015 and now to May 19, 2015 to ensure full public comment and implement the revised water reduction mandates finally adopted on May 5, 2015 by the SWRCB; and

**WHEREAS**, the District is further authorized by Water Code section 350 *et seq.* to: (1) declare water shortage emergency conditions when it finds and determines that the ordinary demands and requirements of its water customers cannot be satisfied without depleting the District's water supply to the extent that there would be insufficient water for human consumption, sanitation, and fire protection; and (2) adopt regulations and restrictions that include discontinuance of service as an enforcement option where a water shortage emergency condition has been declared; and

**WHEREAS**, given the increasingly serious and ongoing drought conditions throughout the State, the need to conserve scarce and precious water resources in the District's boundaries, and the time constraints for meeting the conservation standard currently set forth in the SWRCB draft regulations, the District Board of Directors ("District Board") finds that on or before May 31, 2015, it is necessary to: (1) adopt this Ordinance; and (2) subsequently adopt a resolution declaring and implementing the provisions of Water Supply Shortage Stage 2 as provided for in this Ordinance, to ensure the continued health, safety, welfare, and quality of life of the water users within the District's boundaries, including those in the City of Victorville; and

**WHEREAS**, the District Board finds that the adoption of this Ordinance is exempt from the provisions of Public Resources Code section 21000 *et seq.* (the California Environmental Quality Act ) as a project undertaken as immediate action necessary to prevent or mitigate an emergency pursuant to Title 14, California Code of Regulations section 15269 and as a project undertaken to assure the maintenance, restoration or enhancement of a natural resource pursuant to Title 14, California Code of Regulations section 15307.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. RECITALS.**

The recitals and findings set forth above are true and correct, and are hereby incorporated by this reference as if set forth in their entirety.

## **SECTION 2. ADDITION OF NEW CHAPTER 10.05.**

A new Chapter 10.05, titled “**Victorville Water District Conservation Program and Water Shortage Contingency Plan**” (to be temporarily codified for reference purposes only in Title 10 of the City of Victorville Municipal Code) is hereby added to read in its entirety as follows:

### **10.05.010 Intent and Purpose.**

The intent of this Chapter is for the Victorville Water District (the “District”) to establish and adopt standards, guidelines and procedures for year-round water conservation to prevent the waste or unreasonable use of water within its territorial boundaries and to further prescribe, define and enforce restrictions, prohibitions and exclusions on water use deemed necessary by the District Board of Directors (“District Board”) pursuant to California Water Code section 350 *et seq.* and the regulations of the State Water Resources Control Board (“SWRCB”) for the purposes of:

- (a) Restricting the use of water necessary for ordinary domestic and commercial purposes during threatened or existing water supply shortages and enabling implementation of the District’s Water Supply Shortage Contingency Plan stages to respond to the State’s historic drought and meet the Total Potable Water Production reduction percentage required by the SWRCB emergency regulations; and
- (b) Protecting and promoting the public health, safety, and welfare by ensuring continued availability of water for necessary uses; and
- (c) Protecting the physical and economic stability of the District by insuring an adequate supply of water to its customers and reducing hazards to the public resulting from inappropriate use of water.

### **10.05.020 Application of Chapter.**

The provisions of this Chapter shall apply to all Water Users (as defined in Section 10.05.030) including the City of Victorville (the “City”). The restrictions or prohibitions in this Chapter shall not apply to water use, runoff or flow: (1) resulting from firefighting, hydrant flushing or fire training activities; (2) necessary to prevent or abate threats to the public health or safety; or (3) from routine maintenance of any District-owned water system, well flushing or from temporary water system failures or malfunctions. During Water Supply Shortage Stages 2 through 4, flushing operations will be reduced to the absolute minimum needed to maintain water quality in conformance with Federal drinking water standards and where practicable, the water from these flushing operations will be utilized beneficially.

### **10.05.030 Definitions.**

Whenever used in this Chapter, the following definitions shall apply:

(a) "Active Recreational Area" means a turf area which measures a minimum of one hundred feet long and one hundred feet wide designated and primarily used for organized sports, including, without limitation, softball, baseball, football, soccer or a similar related sport, including all amenities related to the activity.

(b) "Administrative Fine" means a monetary civil penalty assessed for violations of this Chapter by issuance of an administrative citation.

(c) "Appellant" means any Person against whom an Administrative Fine is levied pursuant to an administrative citation issued under this Chapter and who contests or disputes such Administrative Fine. "Appellant" shall also include Persons appealing the General Manager's denial of a Hardship Exception and Persons appealing a written notice of water service discontinuation under Sections 10.05.120(b) and 10.05.190(c) of this Chapter.

(d) "Controller" means an irrigation controller, which is an automated device to operate valve stations to set days, length of time to water and frequency of water application for lawn sprinklers and Low-Volume irrigation systems.

(e) "Enforcement Officer" means any officer or employee of the District (including such officers or employees of the City serving the District in an ex officio capacity by virtue of the District's status as a subsidiary district of the City) with the authority to enforce this Chapter, including the General Manager, District staff or City code enforcement officers designated by the General Manager or empowered by Water Code section 30546 to enforce this Chapter.

(f) "Excess Runoff" means water accumulation on streets, sidewalks, gutters, adjacent properties or other areas in amounts sufficient to cause the escape or flow of water in such quantity as to: cause flooding; impede vehicular or pedestrian traffic; create a hazardous condition; or cause damage to any public or private right-of way through failure or neglect to properly operate or maintain any irrigation, water delivery or drainage system.

(g) "General Manager" means the General Manager of the District and/or his/her duly authorized designees. The Victorville City Manager serves ex officio as the District's General Manager.

(h) "Ground Cover" means various low growing shrubs and perennials used in a landscape in place of grass or where grass is difficult to grow, planted on slopes to prevent erosion and/or to prevent weed growth. Ground cover includes low-growing, clumping, trailing, creeping, or sprawling vegetation.

(i) "Hardscapes" means any inorganic decorative landscape materials, including but not limited to, stones, boulders, cobblestones, pavers, decorative concrete, decomposed granite and/or mulch, incorporated into an overall landscape design.

(j) "Hearing Officer" means any person appointed by the General Manager to preside over the administrative appeal hearings provided for in this Chapter.

(k) "Impermeable/impervious surfaces mean solid surfaces that do not allow water to penetrate, forcing runoff; such as: asphalt, concrete, traditional stone, brick or concrete pavers.

(l) "Large System" means an irrigation system that has both multiple Controllers and more than ten (10) watering Zones.

(m)"Lot" means a legally created parcel of land occupied or intended for occupancy by one main building together with its accessory buildings, and uses customarily incidental to it, including the open space required by the City's zoning ordinance, and having its principal frontage upon a street as defined in said zoning ordinance.

(n) "Low-Volume Irrigation Systems" means appropriately designed irrigation systems that utilize low volume devices appropriate to the climate and site factors. Such heads include micro sprinkler heads, drip emitters and bubbler emitters.

(o) "May" means any act, service, or performance that is permissive.

(p) "Model Home" means a facility used exclusively for the promotion and sale of homes similar to the model.

(q) "Native Plant" means a plant that lives or grows naturally in a particular region without direct or indirect human intervention.

(r) "New Model Home" and "New Residential Development" means Model Homes or Residential Developments not yet built/constructed or not occupied since built.

(s) "New Non-Residential Facilities" means Non-Residential Facilities not yet built/constructed or not occupied since built.

(t) "Overspray" means water which is delivered beyond landscaped areas; wetting pavements, walks, structures, impermeable surfaces or other non-landscaped areas.

(u) "Responsible Person(s)" means a natural person or legal entity who causes, maintains or allows a violation of this Chapter to occur or continue by action or failure to act. A Responsible Person includes, but is not limited to: the owner, tenant, co-tenant, lessee, sub-lessee or other person with any right to possession of the property/premises where a violation of this Chapter occurs; the on-site manager

who normally works daily at the site when the business is open and is responsible for the activities at such premises; and the owner, majority stockholders, corporate officers, trustees and general partners of a legal entity. There may be more than one Responsible Person for a violation.

(v) "Person" means a natural person or entity, an individual, firm, association, business, trust, organization, corporation, partnership, company or any other entity which is recognized by laws as the subject of rights or duties.

(w) "Reclaimed or Recycled Water" means water which has been processed by a municipal or comparable wastewater treatment plant and/or otherwise made available for reuse which meets California Code of Regulations Title 22 requirements and has been approved by all applicable Federal, State or local regulatory agencies.

(x) "Residential" means any type of dwelling or domiciling unit or units suitable or designed for human habitation, including, but not limited to, single family homes, condominiums, townhomes, apartment or manufactured homes, but not including hotels, motels, licensed convalescent homes, commercially operated retirement homes, time share units or the like.

(y) "Right-of-Way" means land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility or pedestrian walkway purposes.

(z) "Shall" or "will" means any act, service, or performance that is mandatory or otherwise required.

(aa) "Station" means an area or Zone served by one water valve or by a set of water valves that operate simultaneously.

(bb) "Total Potable Water Production" means all potable water that enters into the District's distribution system, excluding water placed into storage and not withdrawn for use during a SWRCB-mandated reporting period, or water exported outside the District's service area.

(cc) "Turf" means a surface layer of earth containing grass with its roots.

(dd) "Water-intensive Landscape" means an area of land that is watered with a permanent water application system (such as in-ground sprinklers) and planted primarily with plants not listed in the District's adopted Water-wise Plant list. Included is the total surface area of all water features (*i.e.* swimming pools of any size, fountains, ponds, water courses, waterfalls and other artificial water structures) filled or refilled with water from any source.

(ee) "Water Reduction Plan" or "Reduction Plan" means a written plan submitted to the General Manager that insures a minimum monthly potable water use reduction of twenty-five percent (25%) for any of the facilities listed in Subsection 10.05.090(b)(1)c of this Chapter with Large Systems, compared to the amount used for the same months in 2013, or such other baseline year as may be revised from time-to-time by District resolution. The General Manager will provide facilities with Large Systems with information regarding the average monthly water use by the facility for the baseline year, and the General Manager's decision to approve or disapprove a Reduction Plan is final. Water Users with approved Reduction Plans are subject to the investigation and enforcement provisions of this Chapter and must be in full compliance with such Reduction Plans at all times.

(ff) "Water Supply Shortage" means any water shortage caused by drought or any other threatened or existing water shortage, disaster or facility failure, earthquake, extended loss of electrical power, pipeline failure or other condition which results in or threatens to result in the District's inability to meet the water demands of its customers.

(gg) "Water User" means any person, firm, partnership, association, corporation, political entity, customer, property owner, or property owner agent/assignee whose premises are supplied water by the District.

(hh) "Water Waste" means any unreasonable or non-beneficial use of water, or any unreasonable method of use of water, any excessive dissipation of water, intentional or unintentional, including, but not limited to; the use of water for any purpose which allows flooding or runoff over sidewalks, in gutters, driveways, streets or adjacent lands; the use of water in violation of any of the specific uses prohibited and restricted by this Chapter as hereinafter set forth.

(ii) "Water-wise Plants" means plants that perform well in the District's service area and have been selected according to their ability to withstand the extreme hot/cold desert climate and fluctuating temperatures; adaptability to drought conditions; and ability to survive once established with a limited amount of supplemental water. The District has adopted the list developed by the Alliance for Water Awareness and Conservation as its Water-wise Plant List (the "WWP List").

(jj) "Xeriscaping" means a water conservation concept that stresses the use of the appropriate plant material and irrigation techniques which are well suited for the local micro-climate. This concept incorporates native plants, selected Hardscapes, and proper planting and irrigation techniques that improve the overall water efficiency of a landscape system.

(kk) "Zone" means an area served by one valve or by a set of valves that operate simultaneously, sometimes also referred to as a Station.

**10.05.040 Year Round Voluntary Conservation and Public Education Measures.**

(a) Even when there is no Water Supply Shortage, all Water Users must use water wisely, take reasonable steps to prevent the waste or unreasonable use of water, and reduce water consumption necessary for ordinary domestic and commercial purposes.

(b) The District will provide new Water Users with: information about: designing, installing and maintaining water efficient landscapes; proper water uses; water conservation methods; a full copy of the ordinance creating this Chapter (or a summary thereof); and notification of any stage of the District's Water Supply Shortage Contingency Plan currently in effect.

(c) Voluntary measures are encouraged at all times to reduce water usage and to use water wisely. Such measures include:

- (1) Converting lawns to drought tolerant, low water use or native plants, incorporating the principals of Xeriscaping.
- (2) Using low volume irrigation systems for ground cover, gardens, shrubs and trees.
- (3) Performing a self-audit and/or an assessment of water consumption history.
- (4) Providing proper installation and use of pool covers.
- (5) Incorporating Hardscapes and/or permeable/porous surfaces into landscape design.
- (6) Winterizing pipes and valves.
- (7) Installation and use of water saving devices such as rain sensors, low-flow showerheads, faucet aerators and sprinkler and irrigation watering valves; low-flow or waterless toilets; high-efficiency, low water use washing machines and dishwashers; and automated irrigation timers and/or Controllers.
- (8) Adjusting sprinklers and irrigation systems to avoid Overspray; avoiding sprinkler irrigation watering on windy days.
- (9) Minimizing shower times and shutting off water while brushing teeth or shaving.
- (10) Installing and properly using mulch as a substitution for ground cover.

**10.05.050 The Water-wise Plant List (“WWP List”).**

Many factors determine whether a Water-wise Plant will adapt or perform well, and even though a plant appears on the WWP List, there is no assurance it will adapt or thrive. Therefore, from time to time, the General Manager will amend the WWP List as necessary to add or remove plants. The currently effective WWP List will be posted on the District’s website and will be available in printed form in the District offices.

**10.05.060 Year-Round Prohibited Water Waste - Conservation Stage 1.**

(a) Year-Round Water Conservation Stage 1 (“Conservation Stage 1”) (when the District is able to meet all the water demands of its customers in the immediate future) shall be in effect at all times, unless the District Board otherwise declares under the provisions of Section 10.05.070 of this Chapter that one or more of the District’s Water Supply Shortage Contingency Plan (“WSSCP”) stages are in effect.

(b) During Conservation Stage 1, all voluntary water conservation measures specified in Section 10.050.040 of this Chapter, and the following additional mandatory measures and prohibitions on water use shall be in effect:

(1) Water Waste (as defined in this Chapter) is prohibited.

(2) The irrigation/watering of lawns, gardens, landscaped areas, trees, shrubs, ground cover or other plants utilizing sprinkler systems except in accordance with the following provisions is prohibited:

a. Summer Outdoor Sprinkler Restrictions: From June 1 through September 30, irrigation/watering is permitted only between the hours of 10:00 p.m. and 6:00 a.m.

b. Winter Outdoor Sprinkler Restrictions: From October 1 through May 31, irrigation/watering is permitted only between the hours of 9:00 a.m. and 3:00 p.m.

c. Summer Outdoor Sprinkler Restrictions (Large Systems): From June 1, through September 30, irrigation/watering for facilities with Large Systems is only permitted between the hours of 10:00 p.m. and 9:00 a.m.

d. Winter Outdoor Sprinkler Restrictions (Large Systems): From October 1, through May 31, irrigation/watering for facilities with Large Systems is only permitted between the hours of 9:00 a.m. and 3:00 p.m.

(3) Irrigation/watering is permitted at any time if a handheld hose fitted with a positive shut-off nozzle is used or a Low-Volume Irrigation System is used,



provided that the Low-Volume Irrigation System is not on an irrigation Station which operates at the same time as a sprinkler system.

(4) Water Users are prohibited from causing or permitting any water furnished to their properties/premises by the District to run or to escape from any hose, pipe, valve, faucet, sprinkler or irrigation device onto any sidewalk, parking lot, adjacent property, street or gutter or to otherwise escape, if such running or escaping can be prevented.

(5) Excessive use, loss or escape of water through breaks, leaks or other malfunctions in the Water User's plumbing or distribution system for any period of time after such escape of water should have reasonably been discovered and corrected is prohibited. Upon receiving notice from the District of the existence of any such break, leak or other malfunction, Water Users shall identify the source of the water and within 48 hours, stop the source, by turning off the valve that supplies the water, and within 7 days, evaluate the extent of the problem and repair or correct same.

(6) Use of potable water in fountains or other decorative water features, except where the water is part of a recirculating system, is prohibited.

(7) Washing down of impervious surfaces, including but not limited to: walkways, patios, tennis courts, driveways, sidewalks or other paved surfaces (except in emergencies to remove spills of hazardous materials or eliminate dangerous conditions) is prohibited.

(8) Using a hose that dispenses potable water for any outside purpose (including the washing of a motor vehicle), except where the hose is fitted with a positive shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use, is prohibited.

(9) Watering of turf, ground cover, open ground, shrubbery, crops, gardens and trees, including agricultural irrigation, or any outdoor dispensing of water in a manner or to an extent which allows Excess Runoff is prohibited. However, a minimum amount of runoff, which is a natural consequence of conservative watering, either by hand or by mechanical or automated sprinkling facilities, is permitted, so long as such runoff does not amount to Excess Runoff as defined in this Chapter.

(10) Providing glasses of drinking water (except upon request) to customers in restaurants or other public places where food is routinely served is prohibited.

(11) Application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall is prohibited.

(12) Irrigation with potable water of ornamental turf on public street medians is prohibited.

(13) Irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(14) It is prohibited to plant any Water-intensive Landscape or Turf:

a. In any Right-of-Way, narrow pathway, parking strip, roadway median, or along foundations of buildings.

b. Having a width of less than five (5) feet, unless adjacent to a planter bed or other landscaped area which will catch Overspray.

(15) All rehabilitated or New Non-residential Facilities shall limit Water-intensive Landscape and Turf within landscaped area to the following percentages of the total Lot area, and all other areas required to be landscaped with plants shall consist of plants on the WWP List as set forth in Section 10.05.050 of this Chapter:

a. Churches: Twenty five percent (25%) of total lot area.

b. Resorts, including hotels and motels: Ten percent (10%) of the total lot area.

c. Commercial and industrial uses, fewer than nine thousand square feet: Ten percent (10%) of the total lot area.

d. Commercial and industrial uses, nine thousand square feet and greater: Ten percent (10%) of the first nine thousand square feet, and five percent (5%) of the remaining lot area.

e. Common areas in residential developments: Ten percent (10%) of the first acre and five percent (5%) of each additional acre up to five acres. Residential developments larger than five acres shall not plant any additional water intensive landscape and turf in common areas.

f. Active Recreational Area shall not be considered in calculating the percentage of the total Lot area and shall not be considered in determining compliance with this Section.

(16) Any rehabilitated or New Model Homes and/or rehabilitated or New Residential Developments shall limit Water-intensive Landscape and Turf area at

the following percentages of the total Lot area, and all remaining landscaped area, as required by the City's development standards, shall consist of Water-wise Plants described in Section 10.05.050 of this Chapter:

- a. Nine thousand square feet or less: Ten percent (10%) of the total lot area.
- b. Greater than nine thousand square feet to one acre: Ten percent (10%) of the first nine thousand square feet and five percent (5%) of the remainder of the lot area.
- c. Water intensive landscape or turf shall only be located in rear yards.
- d. No Water-Intensive Landscape or Turf shall be planted in any Right-of-Way.
- e. Prior to closing on a new residential unit, the developer shall provide the homeowner with a copy of the District's water conservation ordinance. Upon receipt, the homeowner shall sign an affidavit of acceptance. The developer shall permanently maintain the signed affidavit and submit a copy to the General Manager.

(c) During Conservation Stage 1, it shall be unlawful and a violation of this Chapter for any Water User to make, cause, use or permit the use of water in any manner contrary to the provisions of this Section.

**10.05.070 Water Supply Shortage Contingency Plan; Declaration of Water Supply Shortage Conditions and /Stages.**

(a) In accordance with this Section, the District Board shall require or impose water use reduction measures as are necessary for the District to comply with water use restrictions imposed by Federal, State or regional water agencies, or to respond to local or regional water shortage conditions and emergencies. Depending on the expected duration and severity of the shortage, such measures may include, but are not limited to, some or all of the actions listed in the District's WSSCP Stages 2 through 4 in Sections 10.05.090, 10.05.100 and 10.05.110 of this Chapter. Each elevated stage will include all of the elements of the previous stage(s), and are intended to be more restrictive than the previous stage(s). The Water Supply Shortage condition, response and use reduction percentages for each WSSCP stage are shown in the table in Section 10.05.080 of this Chapter.

(b) Based on changing conditions and the severity of the Water Supply Shortage, the General Manager will determine when Water Supply Shortage conditions exist and notify the District Board of the necessity to declare Water Supply Shortage emergencies and enact or rescind WSSCP Stages 2, 3 or 4 (collectively hereinafter "WSSCP Stages").

(c) Acting upon the recommendation of the General Manager, the District Board is authorized to enact or rescind any or all WSSCP Stages by adopting resolutions setting forth the criteria for implementation or termination of such WSSCP Stages, following publication of the declaration and notice of the public hearing to be held thereon, at least seven (7) days prior to the date of the hearing.

(d) Each declaration implementing or terminating a WSSCP Stage shall be published in a newspaper of general circulation in accordance with Government Code section 6061 and shall designate the entire area of the District or the affected portion thereof if the shortage is not District-wide. A notice shall also be included in the water customer bills mailed for the billing cycle immediately following the date a resolution declaring or implementing a WSSCP Stage change is adopted.

(e) It is the responsibility of all property owners to notify any Person(s) that use their premises, including, but not limited to, weekend rentals, multi-unit apartments, motels and commercial buildings, of any water use restrictions and the WSSCP Stage currently in effect.

(f) The General Manager will review Water User data District-wide based on gallons per capita per day (GPDC) for at least the past twelve (12) consecutive months in order to calculate the baseline water usage amount for purposes of determining the reduction demand requirements as a percentage.

**10.05.080 WSSCP TABLE - Condition/Response Stages; Reduction Requirement.**

<i>Water Supply Condition/ Demand Reduction Requirement</i>	<i>Year-round Water Conservation</i>	<i>Water Shortage Response Stage</i>
<b>Year-Round Water Conservation</b> Water waste prohibitions/mandatory restrictions in effect.	<b>Stage 1</b>	
<b>Threatened Water Supply Shortage</b> Ten percent (10%) to twenty-eight percent (28%) reduction.		<b>Stage 2</b>
<b>Critical Water Supply Shortage</b> Twenty-nine percent (29%) to forty percent (40%) reduction.		<b>Stage 3</b>
<b>Emergency Water Supply Shortage</b> Forty-one percent (41%) or more required.		<b>Stage 4</b>

**10.05.090 WSSCP Threatened Water Supply Shortage – Shortage Stage 2.**

(a) A Stage 2 Threatened Water Supply Shortage (“Shortage Stage 2”) shall be in effect when the District’s ability to provide water for ordinary domestic and commercial uses may be adversely impaired or threatened. Shortage Stage 2 will be implemented when a ten percent (10%) to twenty-eight percent (28%) reduction in Total Potable Water Production or water usage must be met. The actual percentage reduction required (based on State conservation mandates and other contributing factors) will be indicated in the District resolution enacting Shortage Stage 2.

(b) During Shortage Stage 2, all prohibitions contained in Section 10.05.060 (Conservation Stage 1) shall continue, and the following additional provisions and prohibitions shall also be in effect:

(1) Summer Outdoor Sprinkler Restrictions - From June 1, through September 30, it shall be prohibited to:

a. Apply potable water to any outdoor landscape at properties with street addresses ending in an even number (0,2,4,6, or 8) except on Tuesdays, Thursdays, or Saturdays between the hours of 10:00 pm and 6:00 am.

b. Apply potable water to any outdoor landscape at properties with street addresses ending in an odd number (1,3,5,7, or 9) except on Wednesdays, Fridays, and Sundays between the hours of 10:00 pm and 6:00 am.

c. Apply potable water to any outdoor landscape at facilities such as schools, parks, cemeteries, golf courses or industrial sites and areas without street address numbers, such as landscape maintenance assessment districts (“LMADS”), except on Mondays, Tuesdays, Thursdays, Fridays and Sundays, between the hours of 10:00 p.m. and 9:00 a.m., unless such facilities have Large Systems with approved Reduction Plans. Water Users at facilities with approved Reduction Plans may water in accordance with the provisions of those Reduction Plans so long as the Water Users maintain full compliance with the provisions of such Reduction Plans. Water Users which fail to meet the minimum required Reduction Plan percentage during any one (1) billing cycle more than two (2) times in one twelve-month period, shall not be considered in full compliance and must immediately resume watering in accordance with the first sentence of this Subsection c. Failure to immediately resume watering in accordance therewith shall constitute a violation of this Chapter.

(2) Winter Outdoor Sprinkler Restrictions - from October 1 through May 31, it shall be prohibited to:

a. Apply potable water to any outdoor landscape at properties with street addresses ending in an even number (0,2,4,6, or 8) except on Tuesdays, Thursdays, or Saturdays between the hours of 9:00 a.m. and 3:00 p.m.

b. Apply potable water to any outdoor landscape at properties with street addresses ending in an odd number (1,3,5,7, or 9) except on Wednesdays, Fridays, and Sundays between the hours of 9:00 a.m. and 3:00 p.m.

c. Apply potable water to any outdoor landscape at facilities such as schools, parks, cemeteries, golf courses or industrial sites and areas without street address numbers, such as landscape maintenance assessment districts (“LMADS”) except on Mondays, Tuesdays, Thursdays, Fridays and Sundays, between the hours of 9:00 a.m. and 3:00 p.m., unless such facilities have Large Systems with approved Reduction Plans. Water Users at facilities with approved Reduction Plans may water in accordance with the provisions of those Reduction Plans so long as the Water Users maintain full compliance with the provisions of such Reduction Plans. Water Users which fail to meet the minimum required Reduction Plan percentage during any one (1) billing cycle more than two (2) times in one twelve-month period, shall not be considered in full compliance and must immediately resume watering in accordance with the first sentence of this Subsection c. Failure to immediately resume watering in accordance therewith shall constitute a violation of this Chapter.

(3) Fall overseeding of Turf areas, unless irrigated with Reclaimed Water for non-residential water intensive landscape, shall be prohibited.

(4) Using water for washing of motor vehicles is prohibited, except when done by commercial car wash facilities equipped with a recirculation system.

(5) All swimming pools, spas and hot tubs must be covered when not in use.

(6) Exterior landscape plans for all new multi-family, commercial and industrial development must be presented to and approved by the District prior to issuance of a will serve letter.

(c) During Shortage Stage 2, it shall be unlawful and a violation of this Chapter for any Water User to make, cause, use or permit the use of water in any manner contrary to the provisions of this Section.

### **10.05.100 WSSCP Critical Water Supply Shortage – Shortage Stage 3.**

(a) A Stage 3 Critical Water Supply Shortage (“Shortage Stage 3”) shall be in effect when the District’s ability to provide water for ordinary domestic and commercial uses may be critically impaired or threatened. Shortage Stage 3 will be implemented when a twenty-nine percent (29%) to forty percent (40%) reduction in

Total Potable Water Production or water usage must be met. The actual percentage reduction required (based on State conservation mandates and other contributing factors) will be indicated in the District resolution enacting Shortage Stage 3.

(b) During Shortage Stage 3, all prohibitions contained in Section 10.05.060 (Conservation Stage 1) and Section 10.05.090 (Shortage Stage 2) shall continue, and the additional provisions and prohibitions set forth below shall also be in effect:

(1) Use of water from fire hydrants shall be limited to firefighting or other authorized or approved water uses that are necessary to maintain health, safety, and welfare.

(2) The use of water from fire hydrants and dispersed for purposes other than those shown in paragraph (1), above, is prohibited. All existing construction meters shall be removed and no installation of or new construction meters shall be permitted.

(3) Outdoor irrigation is only permitted during the specified months and on such days and hours as specified in the subdivision of Sections 10.05.090(b)(1) and (2) of this Chapter if a handheld hose fitted with a positive shut-off nozzle is used or a Low-Volume Irrigation System is used, provided such system is not on an irrigation Station which operates at the same time as a sprinkler system. Reduction Plans will not be available for facilities with Large Systems unless otherwise specified in the District resolution enacting Stage 3.

(4) It shall be unlawful to use a sprinkler system in the irrigation of outdoor landscaping of any kind.

(c) During Shortage Stage 3, it shall be unlawful and a violation of this Chapter for any Water User to make, cause, use or permit the use of water in any manner contrary to the provisions of this Section.

#### **10.05.110 WSSCP Emergency Water Supply Shortage – Shortage Stage 4.**

(a) An Emergency Water Supply Shortage Stage 4 (“Shortage Stage 4”) shall be in effect when a disaster or other major disruption in the water supply or any emergency that prevents the District from meeting the water demands of water users is threatened or exists. Shortage Stage 4 will be implemented when a Total Potable Water Production or water usage reduction in excess of forty-one percent (41%) is needed.. The actual percentage reduction required (based on State conservation mandates and other contributing factors) will be indicated in the District resolution enacting Shortage Stage 4.

(b) During Shortage Stage 4, no new will serve letters or hydrant flow meter permits will be issued, and all prohibitions contained in Section 10.05.060 (Conservation Stage 1), Section 10.05.090 (Shortage Stage 2), and Section

10.05.100 (Shortage Stage 3) shall continue. In addition, the following provisions and prohibitions shall also be in effect during Shortage Stage 4:

(1) The watering of Turf, lawns, grass, shrubbery, ground cover or other outdoor landscaping with potable water at any time is prohibited; the watering of parks, school grounds and golf courses with potable water also is prohibited.

(2) The use, filling or adding of water to swimming pools or spas of any size, fountains, ponds, water courses, waterfalls and other artificial water structures filled or refilled with water from any source is prohibited.

(3) The washing of vehicles, trucks, trailers, boats, airplanes, and other types of mobile equipment with potable water, is prohibited unless such washing is necessary for the immediate interest of the public health or safety, and such washing occurs upon the immediate premises of commercial vehicle washes using recirculated water.

(4) All existing nurseries shall discontinue all potable irrigation watering.

(c) During Shortage Stage 4, it shall be unlawful and a violation of this Chapter for any Water User to make, cause, use or permit the use of water in any manner contrary to the provisions of this Section.

**10.05.120 Hardship Exceptions.**

(a) The General Manager may grant exceptions (“Hardship Exceptions”) for uses of water otherwise prohibited under the provisions of this Chapter if he/she finds that special circumstances make compliance impossible or that applying the restrictions herein would cause an emergency condition affecting the health, sanitation, fire protection ability or safety of the Water User (or the public) or would create an unnecessary and undue hardship to the Water User.

(b) Hardship Exceptions may be granted only upon written application by the Water User made to the General Manager on a form provided by the District. The application must state the nature of the hardship and include all facts and circumstances supporting the requested exception. The General Manager shall review such applications and provide a written determination to the Water User advising of his/her decision, which written determination shall include the reasons supporting the determination. If a Hardship Exemption is granted, the General Manager may impose in the written determination any conditions and/or terms he/she finds to be just and proper under the circumstances. If the General Manager determines no Hardship Exception is warranted, the Water User may appeal the General Manager’s decision in the manner set forth in Section 10.05.200.



**10.05.130 Reclaimed water pipelines.**

(a) Reclaimed water pipelines in new residential tract developments shall be installed in accordance with the provisions of District's Recycled Water Ordinance. Such pipelines shall be connected to the District's Reclaimed water system, where available and/or appropriate. The foregoing requirements are not applicable to individual residential Lots.

(b) It is District policy to encourage the use of Reclaimed water, whenever such use is appropriate and safe, in order to conserve potable water. To further these efforts, all Water Users with Reclaimed water pipelines should make reasonable efforts to use Reclaimed water for landscaping purposes, whenever Reclaimed water is readily available and will not pose a danger to human health and safety.

**10.05.140 Limited exemption to restrictions for users of Reclaimed water.**

To the extent that users of Reclaimed or Recycled Water are exempted from restrictions under the WSSCP Stages set forth in this Chapter, such users shall clearly post notices stating that the water being used is not potable, not from the public drinking water supply, and is in conformance with the District's WSSCP.

**10.05.150 Enforcement.**

Enforcement Officers (as defined in Section 10.05.030 of this Chapter) shall be empowered to investigate instances of Water Waste and enforce all provisions of this Chapter. Enforcement Officers will issue any notice of violation ("NOV") or administrative citation in accordance with the provisions of this Chapter.

**10.05.160 Administrative Citations and Administrative Fines.**

(a) Any Person or Water User violating any provision of this Chapter may be issued an administrative citation by an Enforcement Officer as provided for in this Chapter.

(b) Each and every day a violation of any provision of this Chapter exists constitutes a separate and distinct violation. Each provision of this Chapter which is violated also constitutes a separate violation.

(c) An Administrative Fine for violations of any provisions of this Chapter may be assessed by means of an administrative citation issued by an Enforcement Officer. Administrative Fines so assessed shall be payable directly to the District.

(d) Administrative Fines assessed by means of administrative citations shall be due and payable as set forth in the administrative citation and shall be collected in accordance with the District's currently-effective Water Regulations and Service provisions as adopted by ordinance (presently codified in Chapter 10.04 of this Code).

**10.05.170 Notices of Violation and Administrative citations; service and posting.**

(a) Upon discovery or observing any violation of this Chapter for which an Administrative Fine has been prescribed, the Enforcement Officer may issue a NOV prior to an administrative citation to the Responsible Person(s), which NOV shall be delivered in accordance with the provisions of this Section. The NOV and administrative citation shall be issued on forms prescribed by the General Manager.

(b) The Enforcement Officer may obtain the signature of the Responsible Person(s) on the NOV or administrative citation. If the Responsible Person(s) refuses or fails to sign the NOV or administrative citation, the failure or refusal to sign shall not affect the validity of the NOV or administrative citation or any subsequent proceedings.

(c) The Enforcement Officer shall hand-deliver the NOV or administrative citation to the Responsible Person(s) at the premises where the violation occurred, or if no Responsible Person(s) are present, shall post the NOV or administrative citation by affixing it to a surface in a conspicuous place on the premises where the violation occurred. Failure of a NOV or administrative citation to remain in place after posting shall in no way affect the validity of the NOV or administrative citation or any subsequent proceedings.

(d) The Enforcement Officer shall also mail a copy of the NOV or administrative citation (by first class mail, postage prepaid and by certified mail, return receipt requested) to the address of the Water User (customer) account associated with the premises where the violation occurred, and to the address of any other Responsible Person(s) known to the District. The failure of the person to whom the NOV or administrative citation is addressed to receive the NOV or administrative citation shall not affect the validity of the NOV, the administrative citation or any subsequent proceedings.

(e) The NOV and administrative citation shall include all of the following:

- (1) A brief description of the violation(s) or repeat of violation(s);
- (2) The date and approximate time of the violation and the location at which the violation(s) was observed;
- (3) The Section of this Chapter violated;
- (4) The corrective action required;
- (5) The time frame in which the violation(s) must be corrected or abated (not less than twenty-four (24) hours after delivery of the NOV or administrative citation or within such time as the Enforcement Officer determines is reasonable

under the circumstances); but in no event later than fourteen (14) days from the date the violation was first observed;

(6) The consequences of the failure to correct the violation, including the amount of any Administrative Fine to be imposed for the violation(s), and a statement explaining that each day violation(s) are not abated after the specified deadline constitute new violation(s) for which additional NOV's and administrative citations may be issued, and for which additional Administrative Fines may be assessed;

(7) A statement advising that any Administrative Fines shall be placed on the water utility bill of the Water User (customer) account associated with the premises upon which the violation occurred, to be paid and collected in accordance with the District's currently-effective Water Regulations and Service provisions as adopted by ordinance (currently codified in Chapter 10.04 of this Code); and

(8) A statement describing the rights of appeal.

#### **10.05.180 Administrative Fine Schedule.**

(a) Administrative Fines shall be assessed as follows:

(1) For a first violation of any prohibition of this Chapter prior to the issuance of an administrative citation, a NOV shall be issued in accordance with the procedures for service and posting set forth in Section 10.05.170 of this Chapter. The NOV will include a copy of this Chapter (or a summary thereof).

(2) For violation(s) of any prohibitions during Conservation Stage 1, Administrative Fines may be assessed for each violation of the provisions of Section 10.05.060 in the amount of one hundred dollars (\$100.00).

(3) For violation(s) of any prohibitions during Shortage Stage 2, Administrative Fines may be assessed for each violation of the provisions of Section 10.05.090 in the amount of two hundred dollars (\$200.00).

(4) For violation(s) of any prohibitions during Shortage Stage 3, Administrative Fines may be assessed for each violation of the provisions of Section 10.05.100 in the amount of three hundred dollars (\$300.00).

(5) For violation(s) of any prohibitions during Shortage Stage 4, Administrative Fines may be assessed for each violation of the provisions of Section 10.05.110 in the amount of five hundred dollars (\$500.00).

(b) The General Manager or his/her designee may waive any Administrative Fine or portion thereof assessed under this Section pursuant to written procedures (to be

developed by the General Manager) wherein mitigating circumstances or other conditions make the imposition of the Administrative Fine unreasonable.

(c) If the Responsible Person(s) fails to correct the violation(s), subsequent NOVs, administrative citations and fines may be issued for the same violation(s).

(d) Payment of the Administrative Fine shall not excuse the failure to correct the violation nor shall it bar further enforcement action up to and including discontinuance of water service (following the notice specified in Section 10.05.190(c) of this Chapter.

(e) Any fines imposed under this Section shall be collected in accordance with the District's currently-effective Water Regulations and Service provisions as adopted by ordinance (presently codified in Chapter 10.04 of this code). Such fines shall be deposited in the District's general fund.

#### **10.05.190 Other Enforcement Remedies; Penalties Cumulative.**

(a) Misdemeanor. In lieu of the Administrative Fines and other enforcement measures provided in this Chapter, or any other applicable remedies available to the District, pursuant to Water Code section 377, violations of this Chapter may be prosecuted as a misdemeanor, punishable by imprisonment in the county jail for not more than thirty (30) days, or by a fine not exceeding one thousand dollars (\$1,000), or by both.

(b) Civil suits and Injunctive Relief. In addition to any other remedies provided in this Chapter or available under applicable law, the District may alternatively file a civil suit and/or seek injunctive relief in a court of competent jurisdiction.

(c) Discontinuation of Water Service. In addition to Administrative Fines or other remedies, the District, after providing a fifteen (15) day written advance notification (to be served in the manner set forth in Section 10.05.170), may disconnect a Water User's service for repeated violations of this Chapter occurring during Shortage Stages 2 through 4, subject to the appeal process in Section 10.05.200.

(d) Penalties Cumulative. Penalties for failure to comply with any of the provisions of this Chapter are cumulative and each day that a violation of this Chapter occurs is a separate violation and may be treated as such.

#### **10.05.200 Appeals.**

(a) Recipients of NOVs, administrative citations and such other Persons as are provided a right of appeal by Sections 10.05.120(b) and 10.05.190(c) of this Chapter shall have the appeal rights set forth herein. An appeal must:

(1) Be submitted and received by the General Manager at the District Offices located at 14343 Civic Drive, Victorville, CA 92393-5001 within ten (10) calendar days from date of delivery or mailing of the NOV (or other written notice), or within ten days of the date a Hardship Exception under Section 10.05.120 is denied. If the deadline falls any day the District Offices are closed, then the deadline shall be extended until the next regular business day when the District Offices are open.

(2) Be in writing, legible and indicate a return address;

(3) Be accompanied by the amount of the Administrative Fine (or an appeal fee amount to be set by resolution of the District Board for appeals not associated with an Administrative Fine) or a hardship waiver request;

(4) Specify the basis for the appeal in detail and include a copy of the NOV, administrative citation or other notice/decision and any supporting evidence or mitigating circumstances.

(b) Upon a timely receipt of the written notice of appeal, the General Manager shall transmit same to the Hearing Officer, who shall as soon as practicable, fix a date, time, and place for appeal hearing. Written notice of the date, time, and place of the hearing will be served by first class mail to the Appellant, postage prepaid at the return address indicated on the written appeal. Service of the appeal notice must be made on the Appellant at least ten (10) calendar days prior to the date of the hearing.

(c) Appellant's timely submitted written request for an appeal hearing shall not stay the imposition of an Administrative Fine, and during the pendency of the appeal violations may still be cited and the District may take any action under this Chapter or provided for at law to address, abate, or otherwise remedy any ongoing violations. However, if it is determined by the Hearing Officer that the Administrative Fine was wrongly charged and paid, the District shall credit any amount due to the Water User's next bill and issue a check for any surplus should the Water User so request.

(d) Appellant's timely submitted written request for an appeal hearing shall stay the discontinuation of water service during the pendency of the appeal; however, violations may still be cited during the pendency of the appeal and the District may take any action under this Chapter or provided for at law to address, abate, or otherwise remedy any ongoing violations.

(e) The failure of Appellant or any other Person with an interest in the matter to receive a properly addressed notice of the hearing shall not affect the validity of any proceedings under this Chapter. Service by first class mail, postage prepaid, and via certified mail, return receipt requested shall be effective on the date of mailing.

(f) The failure of Appellant, or any other Person with an interest in the matter, to file an appeal in accordance with the provisions of this Section shall constitute a

waiver of those Persons' rights to an administrative determination of the merits of the NOV, administrative citation (or other written notice or decision) and a waiver of the right to contest the amount of the Administrative Fine. If no appeal is filed, the NOV, administrative citation, written notice ordering discontinuation of water service and/or the General Manager's written denial of a Hardship Exception shall each be deemed a final administrative order.

(g) In addition to the provisions below, the General Manager may establish other administrative regulations for implementing this Section, conducting hearings and rendering decisions:

(1) The Hearing Officer shall conduct all appeal hearings held in connection with this Chapter.

(2) The Appellant may request the General Manager excuse the Hearing Officer for reasons of actual prejudice against the Appellant's cause.

(3) The Hearing Officer shall conduct an orderly, fair hearing and accept evidence on which persons would commonly rely in the conduct of their ordinary business affairs as follows:

a. The Hearing Officer shall accept testimony by declaration under penalty of perjury relating to the violation;

b. The Responsible Person(s) or any other interested Person may present testimony or evidence concerning the violation.

(h) The Hearing Officer may reduce, waive, or conditionally reduce the Administrative Fines assessed pursuant to an administrative citation or any late fees assessed, if mitigating circumstances are shown and the Hearing Officer states specific grounds for reduction or waiver in the written decision. The Hearing Officer may impose conditions and deadlines for correction of violations, payment of outstanding fines, resumption of water service and other appropriate relief.

(i) The Hearing Officer shall make findings based on the record of the hearing and make a written decision based on the findings. The Hearing Officer shall preserve all exhibits submitted by the parties and shall serve the decision by first class mail on the Appellant within ten (10) working days after the hearing. The decisions of the Hearing Officer are final and conclusive administrative orders, subject only to review by the Superior Court. There are no appeals to the District Board.

#### **10.05.210 Review of Final Order.**

After receipt of the Hearing Officer's decision, the Appellant may file for de novo review in the Superior Court in accordance with the provisions of Government Code section 53069.4(b).

**SECTION 3. SEVERABILITY.**

The District Board declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

**SECTION 4. CONFLICTING PROVISIONS.**

The provisions of this Ordinance are in addition to all other District Regulations for Water Service, and in the event of a conflict between this Ordinance and other rules and regulations relating to the same subject matter, the conflict shall, insofar as practical, be resolved to implement the purposes of this Ordinance.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall become effective immediately upon the date of adoption as set forth in Water Code section 376.

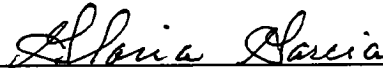
**SECTION 6. PUBLICATION.**

Following its adoption, the District Secretary shall certify to the passage of and publish this Ordinance in accordance with the provisions of Water Code section 376.

Ordinance No. VWD-012

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT ON MAY 19, 2015.

PASSED, APPROVED AND ADOPTED THIS 19<sup>th</sup> DAY OF MAY, 2015



CHAIRMAN OF THE BOARD OF DIRECTORS

ATTEST:



BOARD SECRETARY/CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

I, CAROLEE BATES, Board Secretary to the Victorville Water District of the City of Victorville and ex-officio Clerk to the City Council of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. VWD-012 which was introduced at a meeting held on May 19, 2015 and duly adopted at a meeting held on the 19<sup>th</sup> day of May 2015 by the following roll call vote, to wit:

AYES: Board Members Garcia, Kennedy and McEachron

NOES: None

ABSENT: Board Members Cox and Negrete

ABSTAIN: None



BOARD SECRETARY/CITY CLERK



**ORDINANCE NO. VWD-013**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT MAKING CERTAIN CLARIFYING AND HARMONIZING AMENDMENTS TO ORDINANCE NO. VWD-012 WHICH CREATED A NEW CHAPTER 10.5 IN TITLE 10 OF THE VICTORVILLE MUNICIPAL CODE TITLED "VICTORVILLE WATER DISTRICT CONSERVATION PROGRAM AND WATER SHORTAGE CONTINGENCY PLAN"**

**WHEREAS**, the Victorville Water District ("District") is a county water district and a subsidiary district of the City of Victorville ("City"); and

**WHEREAS**, the District and the City have an interest in maintaining landscape standards that support water conservation and have coordinated (and will continue to coordinate) their conservation efforts; and

**WHEREAS**, on May 19, 2015, in response to Governor Brown's April 1, 2015 Executive Order No. B-29-15 and the final conservation regulations of the State Water Resources Control Board (Sections 863, 864, 865 and 866 of Title 23 of California Code of Regulations, adopted on May 5, 2015); the Board of Directors of the District ("District Board") adopted Ordinance No. VWD-012; and

**WHEREAS**, Ordinance No. VWD-012 ("VWD-012") regulates (among other things) conservation landscaping standards for water users served by the District, which standards were formerly regulated by Chapter 13.60 of the Victorville Municipal Code ("VMC"); and

**WHEREAS**, it was originally contemplated by District and City staff that an ordinance to repeal VMC Chapter 13.60 would be brought to the City Council for consideration following passage of VWD-012; and

**WHEREAS**, following confirmation that some properties located within the City's territorial boundaries were not served by the District, but were still subject to the City's conservation landscaping requirements, City staff brought Ordinance No. 2338 ("Ord. 2338") to the City Council for consideration on June 2, 2015 to: (1) harmonize the conservation landscaping standards in VMC Chapter 13.60 with those VWD-012; and (2) remove certain provisions inapplicable to non-District served properties; and

**WHEREAS**, a public hearing on Ord. 2338 was opened on June 2, 2015 and subsequently continued to July 21, 2015 so that this Ordinance No. VWD-013 could be brought to the District Board to amend and harmonize certain provisions of VWD-012 with Ord. No. 2338 and ensure that any subsequent State conservation mandates were appropriately accounted for; and

**WHEREAS**, the District Board finds that the adoption of this Ordinance is exempt from the provisions of Public Resources Code section 21000 *et seq.* (the California Environmental Quality Act) as a project undertaken to assure the maintenance, restoration or enhancement of a natural resource pursuant to Title 14, California Code of Regulations section 15307; and

**WHEREAS**, the District Board finds it is necessary to adopt Ordinance No. VWD-013 to clarify and harmonize its water conservation landscape provisions with those of Ord. 2338 in the interest of protecting the health, safety and welfare of the District's water users and other residents of the City.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1. RECITALS.**

The recitals and findings set forth above are true and correct, and are hereby incorporated by this reference as if set forth in their entirety.

**SECTION 2. AMENDMENT TO SECTIONS 10.05.030(ii), 10.05.050, 10.05.060(b)(15), 10.05.060(b)(16), 10.05.090(b)(6) AND 10.05.170(d) OF TITLE 10, CHAPTER 10.05 OF THE VICTORVILLE MUNICIPAL CODE, TITLED "VICTORVILLE WATER DISTRICT CONSERVATION PROGRAM AND WATER SHORTAGE CONTINGENCY PLAN"**

**A. Subsection (ii) of Section 10.05.030 (Definitions) shall be amended in its entirety to read as follows:**

(ii) "Water-wise Plants" means plants that perform well in the District's service area and have been selected according to their ability to withstand the extreme hot/cold desert climate and fluctuating temperatures; adaptability to drought conditions; and ability to survive once established with a limited amount of supplemental water. The District will compile a list of Water-wise Plants into a comprehensive Water wise Plant List (the "WWP List").

**B. Section 10.05.050 (The Water-wise Plant List ("WWP List")) shall be amended in its entirety to read as follows:**

(a) Many factors determine whether a Water-wise Plant will adapt or perform well, and even though a plant appears on the WWP List, there is no assurance it will adapt or thrive. Therefore, from time to time, the General Manager or his/her designee will amend the WWP List as necessary to add or remove plants. The currently effective WWP List will be posted on the District's website and will be available in printed form in the District offices.

(b) The General Manager, or his/her designee, may allow Water Users to use other drought tolerant plants not contained on the WWP List, provided that, upon request, such user (or Person acting on his/her behalf) provides adequate proof that such plant(s) are suitable for use in the area at issue, are water-efficient and have a drought tolerance level equal or greater to those on the WWP List. Any such permitted deviation for use of plants not on the currently-effective WWP List shall only be effective when authorized by the General Manager, or his/her designee.

**C. Subsection (b)(15) of Section 10.05.060 (Year-Round Prohibited Water Waste - Conservation Stage 1) shall be revised in its entirety to read as follows:**

(15) All rehabilitated or New Non-residential Facilities shall limit Water-intensive Landscape and Turf within landscaped area to the following percentages of the total Lot area, and all other areas required to be landscaped with plants shall consist of plants on the WWP List, unless deviation therefrom has been authorized by the General Manager or his/her designee in accordance with Section 10.05.050(b) of this Chapter:

- a. Churches: Twenty five percent (25%) of total lot area.
- b. Resorts, including hotels and motels: Ten percent (10%) of the total lot area.
- c. Commercial and industrial uses, fewer than nine thousand square feet: Ten percent (10%) of the total lot area.
- d. Commercial and industrial uses, nine thousand square feet and greater: Ten percent (10%) of the first nine thousand square feet, and five percent (5%) of the remaining lot area.
- e. Common areas in residential developments: Ten percent (10%) of the first acre and five percent (5%) of each additional acre up to five acres. Residential developments larger than five acres shall not plant any additional water intensive landscape and turf in common areas.
- f. Active Recreational Area shall not be considered in calculating the percentage of the total Lot area and shall not be considered in determining compliance with this Section.

**D. Subsection (b)(16) of Section 10.05.060 (Year-Round Prohibited Water Waste - Conservation Stage 1) shall be revised in its entirety to read as follows:**

(16) Any rehabilitated or New Model Homes and/or rehabilitated or New Residential Developments shall limit Water-intensive Landscape and Turf area at the following percentages of the total Lot area, and all remaining landscaped area, as required by the City's development standards, shall consist of plants on the WWP List, unless deviation therefrom has been authorized by the General Manager or his/her designee in accordance with Section 10.05.050(b) of this Chapter:

- a. Nine thousand square feet or less: Ten percent (10%) of the total lot area.
- b. Greater than nine thousand square feet to one acre: Ten percent (10%) of the first nine thousand square feet and five percent (5%) of the remainder of the lot area.
- c. Water intensive landscape or turf shall only be located in rear yards.
- d. No Water-Intensive Landscape or Turf shall be planted in any Right-of-Way.
- e. Prior to closing on a new residential unit, the developer shall provide the homeowner with a copy of the District's water conservation ordinance. Upon receipt, the homeowner shall sign an affidavit of acceptance. The developer shall permanently maintain the signed affidavit and submit a copy to the General Manager.

**E. Subsection (b)(6) of Section 10.05.090 (WSSCP Threatened Water Supply Shortage – Shortage Stage 2) shall be revised in its entirety to read as follows:**

(6) Exterior landscape plans for all new multi-family, commercial and industrial development must be presented to and approved by the District prior to issuance by the City of a building permit.

**F. Subsection (d) of Section 10.05.170 (Notices of Violation and Administrative citations; service and posting) shall be revised in its entirety to read as follows:**

(d) The Enforcement Officer shall also mail a copy of the NOV or administrative citation (by first class mail, postage prepaid or by certified mail, return receipt requested) to the address of the Water User (customer) account

associated with the premises where the violation occurred, and to the address of any other Responsible Person(s) known to the District. The failure of the person to whom the NOV or administrative citation is addressed to receive the NOV or administrative citation shall not affect the validity of the NOV, the administrative citation or any subsequent proceedings.

**SECTION 3. SEVERABILITY.**

The District Board declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

**SECTION 4. CONFLICTING PROVISIONS.**

The provisions of this Ordinance are in addition to all other District Regulations for Water Service, and in the event of a conflict between this Ordinance and other rules and regulations relating to the same subject matter, the conflict shall, insofar as practical, be resolved to implement the purposes of this Ordinance.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect thirty (30) days after its final passage.

**SECTION 6. CERTIFICATION.**

The District Secretary is hereby directed to certify to the passage and adoption of this Ordinance and to cause it to be published as required by law.

**RESOLUTION NO. VWD 15-006**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT DECLARING A WATER SHORTAGE EMERGENCY AND CALLING FOR IMMEDIATE IMPLEMENTATION OF STAGE 2 THREATENED WATER SUPPLY SHORTAGE (“SHORTAGE STAGE 2”) PURSUANT TO ORDINANCE NO. VWD-012**

**WHEREAS**, the State of California is experiencing historic and serious drought conditions, as evidenced by the drought states of emergency declared by Governor Brown in January, April and December 2014; and

**WHEREAS**, Article 10, Section 2 of the California Constitution declares that waters of the State of California are to be put to beneficial use, and that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

**WHEREAS**, following another record dry winter and dwindling snowpack levels in the Sierra Nevada Mountains, Governor Brown issued Executive Order No. B-29-15 on April 1, 2015 declaring that all prior executive orders relating to the drought state of emergency remained in full force and ordering the State Water Resources Control Board (“SWRCB”) to impose new restrictions on urban water suppliers, such as the Victorville Water District (the “District”), to achieve a State-wide twenty-five percent (25%) reduction in urban potable water usage through February 2016; and

**WHEREAS**, in response to this Executive Order, on April 20, 2015 and April 28, 2015, SWRCB staff revised and released emergency water conservation regulations, the final version of which was adopted by the SWRCB on May 5, 2015; and

**WHEREAS**, among other things, these final SWRCB regulations (Sections 863, 864, 865 and 866 of Title 23 of California Code of Regulations) now require the District to reduce its total potable water production by twenty-eight percent (28%) for each month as compared to the amount used in the same months in 2013, beginning June 1, 2015; and

**WHEREAS**, to promote water conservation; preserve the precious water resources of the State and the District; comply with the Governor’s Executive Orders; and meet the conservation standard set forth the final SWRCB emergency water conservation regulations, District staff drafted, revised and presented to the District Board of Directors (“District Board”) Ordinance No. VWD-012 to establish a water conservation program and amend the District’s Water Supply Shortage Contingency Plan (“WSSCP”); and

CMX

**WHEREAS**, on or about May 19, 2015, following duly-noticed and subsequently continued public hearings, the District Board adopted Ordinance No. VWD-012 (“VWD-012”), which included as part of the District’s WSSCP, various Water Supply Shortage Stages to be declared and implemented by District resolution as needed (upon the recommendation of the General Manager and following public notice and hearing) to respond to escalating drought conditions and other water supply shortage events; and

**WHEREAS**, Water Code section 350 *et seq.*, permits the District to: (1) declare water shortage emergency conditions when it finds and determines that the ordinary demands and requirements of its water customers cannot be satisfied without depleting the District’s water supply to the extent that there would be insufficient water for human consumption, sanitation, and fire protection; and (2) adopt regulations and restrictions that include discontinuance of service as an enforcement option where a water shortage emergency condition has been declared; and

**WHEREAS**, in accordance with Section 10.05.070 of VWD-012 and the provisions of Water Code section 350 *et seq.*, public notice of the hearing to be held on the proposed adoption of Resolution No. VWD 15-006 (“this Resolution”) was duly published on May 8, 2015, and a public hearing was held in accordance therewith on May 19, 2015; and

**WHEREAS**, Section 10.05.090 of VWD-012 indicates that a Stage 2 Threatened Water Supply Shortage (“Shortage Stage 2”) shall be in effect following the recommendation of the General Manger and adoption of a resolution by the District Board when the District’s ability to provide water for ordinary domestic and commercial uses may be adversely impaired or threatened and shall be implemented when a ten percent (10%) to twenty-eight percent (28%) reduction in total potable water production or use must be met; and

**WHEREAS**, in order to respond to Governor’s latest Executive Order and to meet the twenty-eight percent (28%) total potable water production reduction mandate applicable to the District as set forth in the final SWRCB regulations adopted on May 5, 2015, the General Manager of the District hereby recommends that the District Board adopt this Resolution to immediately implement Shortage Stage 2; and

**WHEREAS**, in light of the continuing drought conditions, the Governor’s Executive Orders, the SWRCB’s final emergency conservation regulations, the approaching summer months, and such other matters as are described in these Recitals, the District Board finds it is necessary to declare a water shortage emergency, and determines that the ordinary demands and requirements of its Water Users cannot be satisfied without depleting the water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection; and

**WHEREAS**, in light of the water shortage emergency; the mandate to meet the 28% reduction in potable water production beginning June 1, 2015; and to protect the health, safety and welfare of the District’s water users; the District Board finds it is necessary to adopt this Resolution declaring a water shortage emergency and implementing Shortage Stage 2, effective immediately.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** That the findings and facts set forth in the above Recitals are true and correct are incorporated into and made part of this Resolution No. VWD 15-006 (“this Resolution”) by this reference.

**Section 2.** That a water shortage emergency is hereby declared, and that the Stage 2 Threatened Water Supply Shortage (“Shortage Stage 2”) provisions and prohibitions as set forth in Ordinance No. VWD-012 (“VWD-012”) are hereby implemented and will become effective immediately upon the adoption of this Resolution.

**Section 3.** That nothing in this Resolution shall restrain or inhibit the District’s ability to declare further water shortage emergencies, activate higher Water Supply Shortage Stages and/or adopt additional measures and prohibitions under VWD-012 and/or other applicable provisions of State law.

**Section 4.** That this Resolution shall take effect immediately upon its adoption (provided that the District Board of Directors shall have first passed, approved and adopted VWD-012).

**Section 5.** That the Secretary to the Board shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the Victorville Water District; and shall make a minute of passage and adoption thereof in the records of the proceedings of the Victorville Water District, in the minutes of the meeting at which this Resolution is passed and adopted.

**[END OF PAGE]**



Resolution No. VWD 15-006

PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of MAY 2015.

  
\_\_\_\_\_  
CHAIRMAN OF THE BOARD OF DIRECTORS

ATTEST:

  
\_\_\_\_\_  
BOARD SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LEGAL COUNSEL FOR VICTORVILLE WATER DISTRICT


I, CAROLEE BATES, City Clerk of the City of Victorville and ex-officio Clerk to the Victorville Water District of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. VWD 15-006 and was adopted at a meeting held on the 19<sup>th</sup> day of May 2015, by the following roll call vote, to wit:

AYES: Board Members Garcia, Kennedy and McEachron

NOES: NONE

ABSENT: Board Members Cox and Negrete

ABSTAIN: NONE

  
\_\_\_\_\_  
CITY CLERK



**AGENDA ITEM**

**PUBLIC HEARING**

**VICTORVILLE WATER DISTRICT BOARD OF DIRECTORS**

MEETING OF: May 19, 2015

DATE: May 12, 2015

SUBMITTED BY: Douglas B. Robertson, District General Manager  
Donna McCormick, Water Conservation Supervisor  
Reviewed by: District Counsel

SUBJECT: Consideration of Proposed Resolution No. VWD 15-006: **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VICTORVILLE WATER DISTRICT DECLARING A WATER SHORTAGE EMERGENCY AND CALLING FOR IMMEDIATE IMPLEMENTATION OF STAGE 2 THREATENED WATER SUPPLY SHORTAGE (“SHORTAGE STAGE 2”) PURSUANT TO ORDINANCE NO. VWD-012**

RECOMMENDATION: That the Honorable Board of Directors: (1) Open the Public Hearing; (2) Take Testimony; (3) Close the Public Hearing; and (4) adopt Proposed Resolution No. VWD 15-006.

ATTACHMENTS: Resolution No. VWD 15-006

FISCAL IMPACT: Undetermined at this time; but enforcement costs are anticipated to be supplemented by administrative fines.

PROJECT BUDGET: \$  
PROJECT COST: \$  
PROJECT BALANCE: \$

BUDGET ACCT NO: None

<b>--Finance Use Only--</b>
Additional Expense:
_____ No
_____ Yes/\$Amount:
Additional Revenue:
_____ No
_____ Yes/\$Amount:
CFO Review
_____

SUMMARY: Ordinance No. VWD-012 (“VWD-012”) established the Victorville Water District (“District”) standards, guidelines and procedures for year-round water conservation to prevent the waste or unreasonable use of water; and (2) specified restrictions, prohibitions and limitations on water use pursuant to the State Water Resources Control Board (“SWRCB”) final regulations implemented in response to the Governor’s Executive Order B-29-15 calling for action to address the State’s escalating drought and water shortage conditions.



Upon its adoption, VWD-012 immediately activated a number of water conservation measures and prohibitions on water waste as part of its "Conservation Stage 1." However, to promote flexibility and provide for increasingly more stringent water use prohibitions and conservation requirements when drought and water supply shortage conditions intensify; VWD-012 contains three Water Supply Shortage Stages (Shortage Stages 2, 3 and 4) which can be activated by resolutions adopted by the District Board of Directors ("District Board") when the District's General Manager so recommends (following noticed public hearings). These Shortage Stages can likewise be deactivated in the same fashion when drought and water supply shortage conditions cease or become less severe.

Because of the current drought state of emergency and the final emergency water conservation regulations adopted by the SWRCB on May 5, 2015 ("Final Regs."); the District must reduce its total potable water production by twenty-eight percent (28%) each month (over 2013 water usage figures for the same months) beginning as of June 1, 2015.

Although Conservation Stage 1 measures are now in effect, the General Manager and District staff know that additional water use restrictions are needed to reach the 28% reduction required by the Final Regs. It is therefore recommended that the District Board adopt Resolution No. VWD 15-006 which both: (1) declares a water shortage emergency; and (2) immediately implements/activates Water Supply Shortage Stage 2 ("Shortage Stage 2"). Shortage Stage 2 prohibitions are in Section 10.05.090 of VWD-012 and read, in pertinent part, as follows:

(b) During Shortage Stage 2, all prohibitions contained in Section 10.05.060 (Conservation Stage 1) shall continue, and the following additional provisions and prohibitions shall also be in effect:

(1) Summer Outdoor Sprinkler Restrictions - From June 1, through September 30, it shall be prohibited to:

a. Apply potable water to any outdoor landscape at properties with street addresses ending in an even number (0,2,4,6, or 8) except on Tuesdays, Thursdays, or Saturdays between the hours of 10:00 pm and 6:00 am.

b. Apply potable water to any outdoor landscape at properties with street addresses ending in an odd number (1,3,5,7, or 9) except on Wednesdays, Fridays, and Sundays between the hours of 10:00 pm and 6:00 am.

c. Apply potable water to any outdoor landscape at facilities such as schools, parks, cemeteries, golf courses or industrial sites and areas without street address numbers, such as landscape maintenance assessment districts ("LMADS"), except on Mondays, Tuesdays, Thursdays, Fridays and Sundays, between the hours of 10:00 p.m. and 9:00 a.m., unless such facilities have Large



- Systems with approved Reduction Plans. Water Users at facilities with approved Reduction Plans may water in accordance with the provisions of those Reduction Plans so long as the Water Users maintain full compliance with the provisions of such Reduction Plans. Water Users which fail to meet the minimum required Reduction Plan percentage during any one (1) billing cycle more than two (2) times in one twelve-month period, shall not be considered in full compliance and must immediately resume watering in accordance with the first sentence of this Subsection c. Failure to immediately resume watering in accordance therewith shall constitute a violation of this Chapter.
- (2) Winter Outdoor Sprinkler Restrictions - from October 1 through May 31, it shall be prohibited to:
- a. Apply potable water to any outdoor landscape at properties with street addresses ending in an even number (0,2,4,6, or 8) except on Tuesdays, Thursdays, or Saturdays between the hours of 9:00 a.m. and 3:00 p.m.
  - b. Apply potable water to any outdoor landscape at properties with street addresses ending in an odd number (1,3,5,7, or 9) except on Wednesdays, Fridays, and Sundays between the hours of 9:00 a.m. and 3:00 p.m.
  - c. Apply potable water to any outdoor landscape at facilities such as schools, parks, cemeteries, golf courses or industrial sites and areas without street address numbers, such as landscape maintenance assessment districts ("LMADS") except on Mondays, Tuesdays, Thursdays, Fridays and Sundays, between the hours of 9:00 a.m. and 3:00 p.m., unless such facilities have Large Systems with approved Reduction Plans. Water Users at facilities with approved Reduction Plans may water in accordance with the provisions of those Reduction Plans so long as the Water Users maintain full compliance with the provisions of such Reduction Plans. Water Users which fail to meet the minimum required Reduction Plan percentage during any one (1) billing cycle more than two (2) times in one twelve-month period, shall not be considered in full compliance and must immediately resume watering in accordance with the first sentence of this Subsection c. Failure to immediately resume watering in accordance therewith shall constitute a violation of this Chapter.
- (3) Fall overseeding of Turf areas, unless irrigated with Reclaimed Water for non-residential water intensive landscape, shall be prohibited.
- (4) Using water for washing of motor vehicles is prohibited, except when done by commercial car wash facilities equipped with a recirculation system.
- (5) All swimming pools, spas and hot tubs must be covered when not in use.
- (6) Exterior landscape plans for all new multi-family, commercial and industrial development must be presented to and approved by the District prior to issuance of a will serve letter.



During Shortage Stage 2, it is unlawful and a violation of VWD-012 for any water user to make, cause, use or permit the use of water in any manner contrary to the provisions set forth above. Water conservation education, public outreach, notices of violation, administrative fines, criminal penalties and other measures contained in VWD-012 will be used to enforce the provisions of both Conservation Stage 1 and Shortage Stage 2.

Although it is anticipated that implementation of Shortage Stage 2 is will achieve the 28% reduction mandate; adoption of future resolutions implementing Stages 3 and 4 and/or other conservation measures/water use prohibitions may still be required should Shortage Stage 2 prohibitions prove inadequate. Because the Final Regs. include a number of mandatory reporting requirements; the District will be better positioned to determine the effectiveness of Shortage Stage 2 within the next three to six months, and will return to the District Board with additional resolutions as needed.

Staff remains available to answer any questions.

Ordinance No. VWD-013

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT ON SEPTEMBER 17, 2015.

PASSED, APPROVED AND ADOPTED THIS 18<sup>th</sup> DAY OF AUGUST, 2015

*Alicia Garcia*  
CHAIRMAN OF THE BOARD OF DIRECTORS

ATTEST:

*Marcie Wolters, Assistant*  
BOARD SECRETARY/CITY CLERK

8-19-15  
DATE

APPROVED AS TO FORM:

  
CITY ATTORNEY

I, CAROLEE BATES, Board Secretary to the Victorville Water District of the City of Victorville and ex-officio Clerk to the City Council of said City, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. VWD-013 which was introduced at a meeting held on July 21, 2015 and duly adopted at a meeting held on the 18<sup>th</sup> day of August 2015 by the following roll call vote, to wit:

AYES: Board Members Garcia, Cox, Kennedy, McEachron and Negrete

NOES: None

ABSENT: None

ABSTAIN: None

*Marcie Wolters, Assistant*  
BOARD SECRETARY/CITY CLERK

# Victorville Water District Water-wise Plant Coverage List

Water-wise Plants means plants that perform well in the District's service area and have been selected according to their ability to withstand the extreme hot/cold desert climate and fluctuating temperatures; adaptability to drought conditions; and ability to survive once established with a limited amount of supplemental water.

Many factors determine whether a Water-wise Plant will adapt or perform well, and even though a plant appears on the WWP List, there is no assurance it will adapt or thrive. Therefore, from time to time, the General Manager or his/her designee will amend the WWP List as necessary to add or remove plants.

The Water-wise plant list is a tool for use whether designing a new landscape or converting from traditional turf to a desert wise water efficient landscape. The plant canopy coverage is derived mathematically by multiplying the mature diameter of the plant by a formula to provide the square footage number. Determining the mature width of plants can be tricky. It may take many years or even decades for a plant to reach its ultimate width.

**Check out our Plant data base** for additional resources on selecting Desert-friendly Plants for Victorville Landscapes by visiting [www.victorvilleca.gov/waterconservation/](http://www.victorvilleca.gov/waterconservation/)

<u>Common Name</u>	<u>Genus</u>	<u>Species</u>	<u>Variety</u>	<u>Cultivar Name</u>	<u>Other Plant Names</u>	<u>Height (feet)</u>	<u>Width (feet)</u>	<u>Plant Coverage ( Sq. Ft)</u>
<b><u>Plant Type: Tree</u></b>								
Mulga Acacia	<i>Acacia</i>	<i>aneura</i>				20	20	<b>314</b>
Guijillo	<i>Acacia</i>	<i>berlandieri</i>				15	12	<b>113</b>
White Thorn Acacia	<i>Acacia</i>	<i>constricta</i>				10	15	<b>177</b>
Leatherleaf Acacia	<i>Acacia</i>	<i>craspedocarpa</i>				10	8	<b>50</b>
Sweet Acacia	<i>Acacia</i>	<i>farnesiana</i>			( <i>Acacia smallii</i> , <i>A. minuta</i> )	25	20	<b>314</b>
Cat-claw Acacia	<i>Acacia</i>	<i>greggii</i>				15	12	<b>113</b>
Weeping Acacia	<i>Acacia</i>	<i>pendula</i>				40	25	<b>368</b>
Blackbrush Acacia	<i>Acacia</i>	<i>rigidula</i>				12	15	<b>177</b>
Willow Acacia	<i>Acacia</i>	<i>salicina</i>				30	20	<b>314</b>
Blue Leaf Wattle	<i>Acacia</i>	<i>saligna</i>				20	20	<b>314</b>
Twisted Acacia	<i>Acacia</i>	<i>schaffneri</i>				20	25	<b>368</b>
Shoestring Acacia	<i>Acacia</i>	<i>stenophylla</i>				30	20	<b>314</b>
Palo Blanco	<i>Acacia</i>	<i>willardiana</i>				20	10	<b>79</b>
Silk Tree	<i>Albizia</i>	<i>julibrissin</i>				40	40	<b>1,257</b>
Hong Kong Orchid Tree	<i>Bauhinia</i>	<i>blakeana</i>				20	20	<b>314</b>
White Orchid Tree	<i>Bauhinia</i>	<i>lunarioides</i>				8	6	<b>28</b>
Purple Orchid Tree	<i>Bauhinia</i>	<i>variegata</i>				25	30	<b>707</b>
Bismarck Palm	<i>Bismarckia</i>	<i>nobilis</i>				30	10	<b>314</b>
Bottle Tree	<i>Brachychiton</i>	<i>populneus</i>				50	20	<b>314</b>

<u>Common Name</u>	<u>Genus</u>	<u>Species</u>	<u>Variety</u>	<u>Cultivar Name</u>	<u>Other Plant Names</u>	<u>Height (feet)</u>	<u>Width (feet)</u>	<u>Plant Coverage ( Sq. Ft)</u>
Mexican Blue Palm	<i>Brahea</i>	<i>armata</i>				15	10	79
Pindo Palm	<i>Butia</i>	<i>capitata</i>				20	20	314
Cascalote	<i>Caesalpinia</i>	<i>cacalaco</i>				15	15	177
Weeping Bottle Brush	<i>Callistemon</i>	<i>viminialis</i>				30	15	177
Blue Atlas Cedar	<i>Cedrus</i>	<i>atlantica</i>		'Glauca'		60	30	707
Cedar	<i>Cedrus</i>	<i>deodora</i>				80	40	1,257
Canyon Hackberry	<i>Celtis</i>	<i>reticulata</i>				25	25	368
Chinese Hackberry	<i>Celtis</i>	<i>sinensis</i>				40	40	1,257
Carob Tree	<i>Ceratonia</i>	<i>siliqua</i>				40	40	1,257
Western Redbud	<i>Cercis</i>	<i>occidentalis</i>				15	15	177
Mediterranean Fan Palm	<i>Chamaerops</i>	<i>humilis</i>				10	8	50
Desert Willow	<i>Chilopsis</i>	<i>linearis</i>				25	20	314
Chitalpa	<i>Chitalpa</i>	<i>x tashkentensis</i>				25	30	707
Silk floss Tree, Kapok	<i>Chorisia</i>	<i>speciosa</i>				40	30	707
Smoke Tree	<i>Cotinus</i>	<i>coggygria</i>				15	15	177
Arizona Cypress	<i>Cupressus</i>	<i>arizonica</i>				40	20	314
Italian Cypress	<i>Cupressus</i>	<i>sempervirens</i>				60	8	50
Indian Rosewood	<i>Dalbergia</i>	<i>sisso</i>				40	30	707
Texas Ebony	<i>Ebenopsis</i>	<i>ebano</i>			( <i>Pithecellobium flexicaule</i> )	20	20	314
Loquat	<i>Eriobotrya</i>	<i>japonica</i>				15	15	177
Argyle Apple, Silver Dollar Gum	<i>Eucalyptus</i>	<i>cinerea</i>				25	25	368
Coolibah	<i>Eucalyptus</i>	<i>microtheca</i>				35	25	368
Ghost Gum, Blue Ghost Eucalyptus	<i>Eucalyptus</i>	<i>papuana</i>				30	30	707
Silver Dollar Gum	<i>Eucalyptus</i>	<i>polyanthemos</i>				35	25	368
Swamp Mallee	<i>Eucalyptus</i>	<i>spathulata</i>				25	30	707
Kidneywood	<i>Eysenhardtia</i>	<i>orthocarpa</i>				15	10	79
Fig Tree	<i>Ficus</i>	<i>carica</i>				20	20	314
Desert Olive	<i>Forestiera</i>	<i>neomexicana</i>				12	8	50
Littleleaf Ash	<i>Fraxinus</i>	<i>greggii</i>				10	8	50
Raywood Ash	<i>Fraxinus</i>	<i>oxycarpa</i>		'Raywood'		30	25	368
Majestic Beauty Ash	<i>Fraxinus</i>	<i>uhdei</i>		Majestic Beauty'		60	50	1,963
Arizona Ash	<i>Fraxinus</i>	<i>velutina</i>				25	30	707
Modesto Ash	<i>Fraxinus</i>	<i>velutina</i>		'Modesto'		50	40	1,257
Australian Willow	<i>Geijera</i>	<i>parviflora</i>				25	20	314



<u>Common Name</u>	<u>Genus</u>	<u>Species</u>	<u>Variety</u>	<u>Cultivar Name</u>	<u>Other Plant Names</u>	<u>Height (feet)</u>	<u>Width (feet)</u>	<u>Plant Coverage ( Sq. Ft)</u>
Maidenhair Tree	<i>Ginkgo</i>	<i>biloba</i>				50	40	1,257
Honey Locust	<i>Gleditsia</i>	<i>triacanthos inermis</i>				50	35	962
Mexican Ebony	<i>Havardia</i>	<i>mexicana</i>			( <i>Pithecellobium mexicanum</i> )	30	30	707
Jacaranda	<i>Jacaranda</i>	<i>mimosifolia</i>			( <i>Jacaranda acutifolia</i> )	40	30	707
Goldenrain Tree	<i>Koereuteria</i>	<i>paniculata</i>				35	35	962
Crape Myrtle	<i>Lagerstroemia</i>	<i>indica</i>				25	20	314
Sweet Gum, Liquid Amber Tree	<i>Liquidambar</i>	<i>styraciflua</i>				60	25	368
Feather Tree	<i>Lysiloma</i>	<i>watsonii</i>	var. <i>thornberi</i>		( <i>Lysiloma microphylla</i> var. <i>thornberi</i> )	20	15	177
Crabapple	<i>Malus</i>			x 'Prairifire'		20	20	314
Cajeput Tree	<i>Melaleuca</i>	<i>quinquenervia</i>				20	15	177
Fruitless Olive	<i>Olea</i>	<i>europaea</i>				25	30	707
Ironwood	<i>Olneya</i>	<i>tesota</i>				25	30	707
Blue Palo Verde	<i>Parkinsonia</i>	<i>florida</i>			( <i>Cercidium floridum</i> )	30	30	707
Hybrid Palo Verde	<i>Parkinsonia</i>			'Desert Museum'	( <i>Cercidium hybrid</i> )	25	25	368
Foothills Palo Verde	<i>Parkinsonia</i>	<i>microphylla</i>			( <i>Cercidium microphyllum</i> )	15	15	177
Palo Brea	<i>Parkinsonia</i>	<i>praecox</i>			( <i>Cercidium praecox</i> )	25	25	368
Canary Island Date Palm	<i>Phoenix</i>	<i>canariensis</i>				40	30	7077
Date Palm	<i>Phoenix</i>	<i>dactylifera</i>				60	25	368
Piñon Pine	<i>Pinus</i>	<i>edulis</i>				20	15	177
Afghan Pine, Mondell Pine	<i>Pinus</i>	<i>eldarica</i>			( <i>Pinus brutia eldarica</i> )	50	25	368
Aleppo Pine	<i>Pinus</i>	<i>halepensis</i>				50	25	368
Singleleaf Piñon Pine	<i>Pinus</i>	<i>monophylla</i>				20	15	177
Stone Pine	<i>Pinus</i>	<i>pinea</i>				60	40	1,257
Chir Pine	<i>Pinus</i>	<i>roxburghii</i>				80	40	1,257
Chinese Pistache	<i>Pistacia</i>	<i>chinensis</i>				40	35	962
Mastic Tree	<i>Pistacia</i>	<i>lentiscus</i>				15	20	314
Willow Pittosporum	<i>Pittosporum</i>	<i>phillyraeoides</i>				25	15	177
Sycamore	<i>Platanus</i>	<i>racemosa</i>				80	50	1,963
Yew Pine	<i>Podocarpus</i>	<i>macrophyllus</i>				20	10	79
Fremont Cottonwood, Poplar	<i>Populus</i>	<i>fremontii</i>				60	30	707
South American Hybrid Mesquite	<i>Prosopis</i>	<i>hybrid</i>				30	30	707
Texas Honey Mesquite	<i>Prosopis</i>	<i>glandulosa</i>	var. <i>glandulosa</i>			30	30	707
Screwbean Mesquite	<i>Prosopis</i>	<i>pubescens</i>				15	30	314
Velvet Mesquite	<i>Prosopis</i>	<i>velutina</i>			( <i>Prosopis juliflora</i> )	30	30	707

<u>Common Name</u>	<u>Genus</u>	<u>Species</u>	<u>Variety</u>	<u>Cultivar Name</u>	<u>Other Plant Names</u>	<u>Height (feet)</u>	<u>Width (feet)</u>	<u>Plant Coverage ( Sq. Ft)</u>
Purple Leaf Plum	<i>Prunus</i>	<i>cerasifera</i>		'Atropurpurea'		20	15	177
Desert Smoke Tree	<i>Psoralea</i>	<i>spinosus</i>				15	15	177
Pomegranate	<i>Punica</i>	<i>granatum</i>				12	12	113
Bradford Pear	<i>Pyrus</i>	<i>calleryana</i>		'Bradford'		50	35	962
California Coastal Live Oak	<i>Quercus</i>	<i>agrifolia</i>				40	50	1,963
Escarpment Live Oak	<i>Quercus</i>	<i>fusiformis</i>				50	50	1,963
Holly Oak	<i>Quercus</i>	<i>ilex</i>				50	50	1,963
California Black Oak	<i>Quercus</i>	<i>kelloggii</i>				40	40	1,257
Valley Oak	<i>Quercus</i>	<i>lobata</i>				70	80	5,027
Chinquapin Oak	<i>Quercus</i>	<i>muehlenbergii</i>				50	60	2,827
Cork Oak	<i>Quercus</i>	<i>suber</i>				40	40	1,257
Live Oak	<i>Quercus</i>	<i>virginiana</i>		'Heritage'		60	60	2,827
Slender Lady Palm	<i>Rhapis</i>	<i>excelsa</i>				8	10	79
African Sumac	<i>Rhus</i>	<i>lancea</i>				25	40	1,257
Common Locust	<i>Robinia</i>	<i>x ambigua</i>				40	30	707
Black Locust	<i>Robinia</i>	<i>pseudoacacia</i>				75	60	2,827
Mountain Laurel	<i>Sophora</i>	<i>secundiflora</i>				15	15	177
Silver Peso Mountain Laurel	<i>Sophora</i>	<i>secundiflora</i>		'Silver Peso'		15	15	177
Queen Palm	<i>Syagrus</i>	<i>romanzoffianum</i>			( <i>Arecastrum romanzoffianum</i> )	40	20	314
Tipu Tree	<i>Tipuana</i>	<i>tipu</i>				30	40	1,257
Windmill Palm	<i>Trachycarpus</i>	<i>fortunei</i>				15	8	50
Evergreen Elm	<i>Ulmus</i>	<i>parvifolia</i>				35	35	962
Lacebark Elm, Siberian Elm	<i>Ulmus</i>	<i>pumila</i>				50	40	1,257
Chaste Tree	<i>Vitex</i>	<i>agnus-castus</i>				20	25	368
California Fan Palm	<i>Washingtonia</i>	<i>filifera</i>				40	15	177
Mexican Fan Palm	<i>Washingtonia</i>	<i>robusta</i>				50	10	79
<b><u>Plant Type: Shrub</u></b>								
Glossy Abelia	<i>Abelia</i>	<i>x grandiflora</i>				8	5	20
Desert Abutilon, Indian Mallow	<i>Abutilon</i>	<i>palmerii</i>				4	3	20
Pineapple Guava	<i>Acca</i>	<i>sellowiana</i>			( <i>Feijoa sellowiana</i> )	12	10	79
Blue Hibiscus	<i>Alyogyne</i>	<i>huegelii</i>				5	4	13
Triangle Leaf Bursage	<i>Ambrosia</i>	<i>deltoidea</i>				2	2	3
Burrobush, White Bursage	<i>Ambrosia</i>	<i>dumosa</i>				3	3	7
Flame Honeysuckle	<i>Anisacanthus</i>	<i>quadrifidus var. wrightii</i>				3	5	20

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Howard McMinn Manzanita	<i>Arctostaphylos</i>	<i>densiflorus</i>		'Howard McMinn'		6	8	50
Powis Castle Wormwood	<i>Artemisia</i>			'Powis Castle'		3	6	28
Silver Sage	<i>Artemisia</i>	<i>filifolia</i>				5	5	20
Prairie Sagewort, Fringed Sage	<i>Artemisia</i>	<i>frigida</i>				2	2	3
Silver King Artemisia	<i>Artemisia</i>	<i>ludoviciana</i>		'Silver King'		3	3	7
Bigleaf Sage	<i>Artemisia</i>	<i>albula</i>				6	5	20
Foxtail Fern	<i>Asparagus</i>	<i>tridentata</i>				2	3	7
Four-Wing Saltbush	<i>Atriplex</i>	<i>densiflorus</i>		'Myers'		2	3	7
Centennial Broom, Coyote Bush	<i>Atriplex</i>	<i>canescens</i>				5	8	50
Centennial Broom, Coyote Bush	<i>Baccharis</i>			x 'Centennial'		8	6	28
Crimson Pygmy Barberry	<i>Berberis</i>	<i>thunbergii</i>		'Crimson Pygmy'	( <i>Berberis 'Atropurpurea Nana'</i> )	2	3	7
Butterfly Bush	<i>Buddleja</i>	<i>dauidii</i>			( <i>Buddleia dauidii</i> )	6	8	50
Wooly Butterfly Bush	<i>Buddleja</i>	<i>marrubifolia</i>				5	5	20
Japanese Boxwood	<i>Buxus</i>	<i>microphylla</i>	var. <i>japonica</i>			6	6	28
Yellow Bird of Paradise	<i>Caesalpinia</i>	<i>gilliesii</i>				6	6	28
Mexican Bird of Paradise	<i>Caesalpinia</i>	<i>mexicana</i>				10	10	79
Red Bird of Paradise	<i>Caesalpinia</i>	<i>pulcherrima</i>				6	6	28
Baja Fairy Duster	<i>Calliandra</i>	<i>californica</i>			( <i>Calliandra peninsularis</i> )	6	6	28
Pink Fairy Duster	<i>Calliandra</i>	<i>eriophylla</i>				3	3	7
Pink Powder Puff	<i>Calliandra</i>	<i>haematocephala</i>				10	10	79
Weeping Bottle Brush	<i>Callistemon</i>	<i>viminalis</i>		Little John'		3	3	7
Natal Plum	<i>Carissa</i>	<i>macrocarpa</i>			( <i>Carissa grandiflora</i> )	8	8	50
Desert Hackberry	<i>Celtis</i>	<i>pallida</i>				8	10	79
Curl-leaf Mountain Mahogany	<i>Cercocarpus</i>	<i>ledifolius</i>				15	10	79
Mountain Mahogany	<i>Cercocarpus</i>	<i>montanus</i>				5	5	20
Rabbitbrush	<i>Chrysothamnus</i>	<i>nauseosus</i>				4	4	13
Orchid Rock Rose	<i>Cistus</i>	<i>x purpureus</i>				4	4	13
Bladderpod	<i>Cleome</i>	<i>isomeris</i>			( <i>Isomeris arborea</i> )	4	6	28
Texas Olive	<i>Cordia</i>	<i>boissieri</i>				10	10	79
Little Leaf Cordia	<i>Cordia</i>	<i>parvifolia</i>				6	6	28
False Heather, Mexican Heather	<i>Cuphea</i>	<i>hyssopifolia</i>				2	2	3
Black Dalea	<i>Dalea</i>	<i>frutescens</i>				3	4	13
Pink Indigo Bush	<i>Dalea</i>	<i>pulchra</i>				5	5	20

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Hopseed Bush	<i>Dodonaea</i>	<i>viscosa</i>				10	10	79
Brittlebush	<i>Encelia</i>	<i>farinosa</i>				3	4	13
Mormon Tea	<i>Ephedra</i>	<i>viridis</i>				3	3	7
Hummingbird Trumpet	<i>Epilobium</i>	<i>canum</i>			( <i>Zauschneria californica</i> )	2	4	13
Red Eremophila	<i>Eremophila</i>	<i>maculata</i>	var. <i>brevifolia</i>			4	4	13
Turpentine Bush	<i>Ericameria</i>	<i>laricifolia</i>				2	3	7
California Buckwheat	<i>Eriogonum</i>	<i>fasciculatum</i>	var. <i>polifolium</i>			1	2	3
Apache Plume	<i>Fallugia</i>	<i>paradoxa</i>				6	4	13
Guayacan	<i>Guaiaacum</i>	<i>coulteri</i>				5	5	20
Scarlet Bush, Fire Bush	<i>Hamelia</i>	<i>patens</i>				5	5	20
Toyon	<i>Heteromeles</i>	<i>arbutifolia</i>				15	15	177
Hibiscus	<i>Hibiscus</i>	<i>rosa-sinensis</i>				10	8	50
Desert Lavender	<i>Hyptis</i>	<i>emoryi</i>				8	8	50
Yaupon Holly	<i>Ilex</i>	<i>vomitorea</i>				15	10	79
Juniper	<i>Juniperus</i>	<i>chinensis</i>		'Torulosa'	( <i>Juniperus chinensis</i> 'Kaizuka')	15	10	79
Shrimp Plant	<i>Justicia</i>	<i>brandegeana</i>			( <i>Beloperone guttata</i> )	3	3	7
Chuparosa	<i>Justicia</i>	<i>californica</i>				4	6	28
Mexican Honeysuckle	<i>Justicia</i>	<i>spicigera</i>				4	4	13
Winterfat	<i>Krascheninnikovia</i>	<i>lanata</i>			( <i>Ceratoides lanata</i> )	3	3	7
Creosote Bush	<i>Larrea</i>	<i>tridentata</i>				6	10	79
Violet Silverleaf	<i>Leucophyllum</i>	<i>candidum</i>		'Thundercloud'		3	3	7
Texas Ranger	<i>Leucophyllum</i>	<i>frutescens</i>				8	8	50
Texas Ranger	<i>Leucophyllum</i>	<i>frutescens</i>		'Compacta'		3	4	13
Chihuahuan Sage	<i>Leucophyllum</i>	<i>laevigatum</i>				4	4	13
Cinnamon Sage	<i>Leucophyllum</i>	<i>langmaniae</i>				5	5	20
Wolfberry	<i>Lycium</i>	<i>fremontii</i>				10	10	79
Oregon Grape	<i>Mahonia</i>	<i>aquifolium</i>				6	5	20
Mangle Dulce	<i>Maytenus</i>	<i>phyllanthoides</i>				10	10	79
True Myrtle	<i>Myrtus</i>	<i>communis</i>				10	10	79
Heavenly Bamboo	<i>Nandina</i>	<i>domestica</i>				6	4	13
Oleander	<i>Nerium</i>	<i>oleander</i>				10	10	79
Little Ollie Olive	<i>Olea</i>	<i>europaea</i>		'Little Ollie'		6	6	28

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Redtip Photinia	<i>Photinia</i>	<i>x fraseri</i>				10	5	20
Wheeler's Dwarf	<i>Pittosporum</i>	<i>tobira</i>		'Wheeler's Dwarf'		2	3	7
Golden Arborvitae	<i>Platyclusus</i>	<i>orientalis</i>		'Aureus'		18	10	79
White Desert Plumbago	<i>Plumbago</i>	<i>scandens</i>				3	4	13
Lavender Spice	<i>Poliomintha</i>	<i>maderensis</i>			( <i>Poliomentha longiflora</i> )	3	3	7
Western Sandcherry	<i>Prunus</i>	<i>pumila</i>	var. <i>besseyi</i>			6	6	28
Dwarf Pomegranate	<i>Punica</i>	<i>granatum</i>		'Nana'		3	3	7
Mexican Cliffrose	<i>Purshia</i>	<i>mexicana</i>			( <i>Cowania mexicana</i> )	6	6	28
Pyracantha	<i>Pyracantha</i>	<i>crenatoserrata</i>			( <i>Pyracantha fortuneata</i> )	10	10	79
Formosa Pyracantha	<i>Pyracantha</i>	<i>koidzumii</i>				10	6	28
Desert Scrub Oak	<i>Quercus</i>	<i>turbinella</i>				4	6	28
Indian Hawthorn	<i>Rhaphiolepis</i>	<i>indica</i>				8	6	28
Flame-leaf Sumac	<i>Rhus</i>	<i>lanceolata</i>				20	20	314
Sugar Bush	<i>Rhus</i>	<i>ovata</i>				10	10	79
Squaw Bush	<i>Rhus</i>	<i>trilobata</i>				12	12	113
Evergreen Sumac	<i>Rhus</i>	<i>virens</i>				9	9	64
Matilija Poppy	<i>Romneya</i>	<i>coulteri</i>				6	6	28
Shrub Rose	<i>Rosa</i>	<i>species</i>				6	6	28
Rosemary	<i>Rosmarinus</i>	<i>officinalis</i>				3	4	13
Ruellia	<i>Ruellia</i>	<i>brittoniana</i>				4	4	13
Ruellia	<i>Ruellia</i>	<i>peninsularis</i>				2	4	13
Chaparral Sage	<i>Salvia</i>	<i>clevelandii</i>				3	5	20
Mojave Desert Sage	<i>Salvia</i>	<i>dorrii</i>	var. <i>dorrii</i>			2	2	3
Autumn Sage	<i>Salvia</i>	<i>greggii</i>				4	3	7
Mexican Bush Sage	<i>Salvia</i>	<i>leucantha</i>				3	4	13
Lavender Cotton	<i>Santolina</i>	<i>chamaecyparis</i>				2	4	13
Green Santolina	<i>Santolina</i>	<i>virens</i>				5	6	28
Feathery Senna	<i>Senna</i>	<i>artemisioides</i>	var. <i>filifolia</i>		( <i>Cassia artemisioides</i> )	6	6	28
Shrubby Senna	<i>Senna</i>	<i>wislizenii</i>			( <i>Cassia wislizenii</i> )	8	8	50
Jojoba	<i>Simmondsia</i>	<i>chinensis</i>				8	8	50
Tecoma Hybrid	<i>Tecoma</i>			'Orange Bells'		10	8	50
Yellow Bells	<i>Tecoma</i>	<i>stans</i>				10	8	50

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Cape Honeysuckle	<i>Tecomaria</i>	<i>capensis</i>	<i>var. angustata</i>			10	10	79
Silver Germander, Bush Germander	<i>Teucrium</i>	<i>fruticans</i>			( <i>Teucrium chamaedrys</i> )	8	8	50
Lucky Nut	<i>Thevetia</i>	<i>peruviana</i>				10	15	177
Mexican Buckeye	<i>Ungnadia</i>	<i>speciosa</i>				10	8	50
Goldeneye	<i>Viguiera</i>	<i>deltoidea</i>				3	3	7
Skeleton Leaf Goldeneye	<i>Viguiera</i>	<i>stenoloba</i>				2	2	3
Arizona Rosewood	<i>Vauquelinia</i>	<i>californica</i>				10	15	177
Skeleton Leaf Goldeneye	<i>Viguiera</i>	<i>stenoloba</i>				2	2	3
Arabian Lilac	<i>Vitex</i>	<i>trifolia</i>				15	15	177
Xylosma	<i>Xylosma</i>	<i>congestum</i>				8	10	79
Gray Thorn	<i>Zizyphus</i>	<i>obtusifolia</i>				6	6	28
<b><u>Plant Type: Groundcover</u></b>								
Trailing Acacia	<i>Acacia</i>	<i>redolens</i>		'Prostrata', 'Desert Carpet'		2	10	79
Asparagus Fern	<i>Asparagus</i>	<i>densiflorus</i>		'Sprengeri'		3	3	7
Calylophus, Sundrops	<i>Calylophus</i>	<i>hartweggii</i>	<i>var. fendleri</i>			1	2	3
Snow-in-Summer	<i>Cerastium</i>	<i>tomentosum</i>				1	1	1
Damianta	<i>Chrysactinia</i>	<i>mexicana</i>				2	2	3
Bush Morning Glory	<i>Convolvulus</i>	<i>cneorum</i>				2	3	7
Ground Morning Glory	<i>Convolvulus</i>	<i>mauritanicus</i>				1	2	3
Creeping Cotoneaster	<i>Cotoneaster</i>	<i>adpressus</i>				2	6	28
Rock Cotoneaster	<i>Cotoneaster</i>	<i>horizontalis</i>				3	15	177
Sierra Gold Dalea	<i>Dalea</i>	<i>capitata</i>				1	3	7
Prostrate Indigo Bush	<i>Dalea</i>	<i>greggii</i>				1	15	177
Treasure Flower, Gazania	<i>Gazania</i>	<i>linearis</i>				1	2	3
Trailing Gazania	<i>Gazania</i>	<i>rigens</i>	<i>leucolaena</i>			1	2	3
Goodding Verbena	<i>Glandularia</i>	<i>gooddingii</i>			( <i>Verbena gooddingii</i> )	1	2	3
Moss Verbena	<i>Glandularia</i>	<i>pulchella</i>			( <i>Verbena pulchella</i> )	1	3	7
Sandpaper Verbena	<i>Glandularia</i>	<i>rigida</i>				1	3	7
Blue Chip Juniper	<i>Juniperus</i>	<i>horizontalis</i>		'Blue Chip'		1	6	28
Shore Juniper	<i>Juniperus</i>	<i>rigida</i>	<i>conferta</i>			1	6	28
Trailing Lantana	<i>Lantana</i>	<i>montevidensis</i>				1	3	7
New Gold Lantana	<i>Lantana</i>			'New Gold'		2	3	7
Copper Ice Plant	<i>Malephorea</i>	<i>crocea</i>				1	6	28

<u>Common Name</u>	<u>Genus</u>	<u>Species</u>	<u>Variety</u>	<u>Cultivar Name</u>	<u>Other Plant Names</u>	<u>Height (feet)</u>	<u>Width (feet)</u>	<u>Plant Coverage ( Sq. Ft)</u>
Prostrate Myoporum	<i>Myoporum</i>	<i>parvifolium</i>				1	9	64
Mexican Evening Primrose	<i>Oenothera</i>	<i>berlandieri</i>			( <i>Oenothera speciosa</i> )	1	3	13
Tufted Evening Primrose	<i>Oenothera</i>	<i>caespitosa</i>				1	2	7
Saltillo Primrose	<i>Oenothera</i>	<i>stubbei</i>				1	3	7
Pyracantha, Firethorn	<i>Pyracantha</i>	<i>koidzumii</i>		'Santa Cruz'	( <i>'Santa Cruz Prostrata'</i> )	4	4	13
Prostrate Rosemary	<i>Rosmarinus</i>	<i>officinalis</i>		'Prostratus'		2	8	50
Lamb's Ear	<i>Stachys</i>	<i>byzantina</i>				1	3	7
Scarlet Betony, Texas Betony	<i>Stachys</i>	<i>coccinea</i>				1	2	3
Creeping Germander	<i>Teucrium</i>	<i>chamaedrys</i>		'Prostratum'		1	3	7
Creeping Thyme	<i>Thymus</i>	<i>serpyllum</i>				1	3	7
Periwinkle	<i>Vinca</i>	<i>major</i>				1	6	28
Vinca, Dwarf Periwinkle	<i>Vinca</i>	<i>minor</i>				1	4	13
Wedelia	<i>Wedelia</i>	<i>texana</i>			( <i>Zexmenia hispida</i> )	3	3	7
Yellow Dot	<i>Wedelia</i>	<i>trilobata</i>				1	6	28
<b><u>Plant Type: Vine</u></b>								
Coral Vine, Queen's Wreath	<i>Antigonon</i>	<i>leptopus</i>				15	30	707
Bougainvillea	<i>Bougainvillea</i>	<i>species</i>				15	30	707
Trumpet Creeper Vine	<i>Campsis</i>	<i>radicans</i>				20	25	368
Grape Ivy, Arizona Grape Ivy	<i>Cissus</i>	<i>trifoliata</i>				40	40	1,257
Wintercreeper	<i>Euonymus</i>	<i>fortunei</i>				1	15	177
Creeping Fig	<i>Ficus</i>	<i>pumila</i>				30	30	707
Carolina Jessamine	<i>Gelsemium</i>	<i>sempervirens</i>				20	20	314
Lilac Vine	<i>Hardenbergia</i>	<i>violacea</i>				15	10	79
Primrose Jasmine	<i>Jasminum</i>	<i>mesnyi</i>				10	10	79
Hall's Honeysuckle	<i>Lonicera</i>	<i>japonica</i>		'Halliana'		25	25	368
Cat's Claw	<i>Macfadyena</i>	<i>unguis-cati</i>				30	30	707
Yellow Orchid Vine	<i>Mascagnia</i>	<i>macroptera</i>				15	15	177
Merremia	<i>Merremia</i>	<i>aurea</i>				10	10	79
Virginia Creeper	<i>Parthenocissus</i>	<i>quinquefolia</i>				50	50	1,963
Boston Ivy	<i>Parthenocissus</i>	<i>tricuspidata</i>				50	50	1,963
Hacienda Creeper Vine	<i>Parthenocissus</i>	<i>tricuspidata</i>		'Hacienda Creeper'		25	25	368
Passion Flower Vine	<i>Passiflora</i>	<i>x alatocaerulea</i>				30	30	707
Baja Passion Flower vine	<i>Passiflora</i>	<i>foetida</i>	<i>longipedunculata</i>			10	10	79
Pink Trumpet Vine	<i>Podranea</i>	<i>ricasoliana</i>				20	20	314
Lady Bank's Rose	<i>Rosa</i>	<i>banksiae</i>				20	25	368

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Potato Vine	<i>Solanum</i>	<i>laxum</i>				30	10	79
Star Jasmine	<i>Trachelospermum</i>	<i>jasminoides</i>				25	30	707
Snail Vine	<i>Vigna</i>	<i>caracalla</i>			( <i>Phaseolus caracalla</i> )	30	30	707
Grape Vine	<i>Vitis</i>	<i>species</i>				20	20	314
Japanese Wisteria	<i>Wisteria</i>	<i>floribunda</i>				20	20	314
Chinese Wisteria	<i>Wisteria</i>	<i>sinensis</i>				20	20	314
<b><u>Plant Type: Grass-like</u></b>								
Sideoats Grama	<i>Bouteloua</i>	<i>curtipendula</i>				2	2	3
Blue Grama Grass	<i>Bouteloua</i>	<i>gracilis</i>				2	2	3
Feather Reed Grass	<i>Calamagrostis</i>	<i>acutiflora</i>		'Karl Forester'		4	2	3
Mexican Grass Tree	<i>Dasyllirion</i>	<i>longissimum</i>				5	5	20
Canyon Prince Wild Rye	<i>Elymus</i>	<i>condensatus</i>		'Canyon Prince'		1	1	1
Blue Fescue	<i>Festuca</i>	<i>glauca</i>				1	1	1
Blue Oat Grass	<i>Helictotrichon</i>	<i>sempervirens</i>				1	2	3
Japanese Blood Grass	<i>Imperata</i>	<i>cylindrica</i>		'Rubra'		2	1	1
Japanese Silver Grass	<i>Miscanthus</i>	<i>sinensis</i>				6	4	13
Pink Muhly	<i>Muhlenbergia</i>	<i>capillaris</i>				3	4	13
Bamboo Muhly	<i>Muhlenbergia</i>	<i>dumosa</i>				5	5	20
Bull Grass	<i>Muhlenbergia</i>	<i>emersleyi</i>				5	4	13
Autumn Glow Muhly	<i>Muhlenbergia</i>	<i>lindheimeri</i>		'Autumn Glow'		5	5	20
Deer Grass	<i>Muhlenbergia</i>	<i>rigens</i>				4	4	13
Mexican Feather Grass	<i>Nasella</i>	<i>tenuissima</i>			( <i>Stipa tenuissima</i> )	2	2	3
Devil's Shoestring	<i>Nolina</i>	<i>lindheimeriana</i>				3	3	7
Tree Beargrass	<i>Nolina</i>	<i>matapensis</i>				15	6	28
Beargrass	<i>Nolina</i>	<i>microcarpa</i>				6	8	50
Texas Beargrass	<i>Nolina</i>	<i>texana</i>				3	3	13
Switch Grass	<i>Panicum</i>	<i>virgatum</i>				5	5	20
Red Fountain Grass	<i>Pennisetum</i>	<i>setaceum</i>		'Rubrum'		5	4	13
<b><u>Plant Type: Cacti</u></b>								
Saguaro	<i>Carnegiea</i>	<i>gigantea</i>				50	6	50
Hildmann's Cereus	<i>Cereus</i>	<i>hildmannianus</i>			( <i>Cereus peruvianus</i> )	15	10	79
Buckhorn Cholla	<i>Cylindropuntia</i>	<i>acanthocarpa</i>			( <i>Opuntia acanthocarpa</i> )	4	5	20
Staghorn Cholla	<i>Cylindropuntia</i>	<i>versicolor</i>			( <i>Opuntia versicolor</i> )	10	8	50
Golden Barrel Cactus	<i>Echinocactus</i>	<i>grusonii</i>				1	3	7



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Strawberry Hedgehog	<i>Echinocereus</i>	<i>engelmannii</i>				1	2	3
Claret Cup	<i>Echinocereus</i>	<i>triglochidiatus</i>				1	3	7
Compass Barrel	<i>Ferocactus</i>	<i>cylindraceus</i>			( <i>Ferocactus acanthodes</i> )	3	2	3
Fishhook Barrel	<i>Ferocactus</i>	<i>wislizenii</i>				3	2	3
Senita	<i>Lophocereus</i>	<i>schottii</i>				10	10	79
Totem Pole	<i>Lophocereus</i>	<i>schottii</i>	<i>monstruosus</i>		( <i>Pachocereus schottii</i> )	10	10	79
Beavertail Cactus	<i>Opuntia</i>	<i>basilaris</i>				1	4	13
Teddy Bear Cholla	<i>Opuntia</i>	<i>bigelovii</i>				6	3	7
Engelmann's Prickly Pear	<i>Opuntia</i>	<i>engelmannii</i>				4	8	50
Texas Prickly Pear	<i>Opuntia</i>	<i>engelmannii</i>	<i>lindheimeri</i>			5	10	79
Indian Fig Prickly Pear	<i>Opuntia</i>	<i>ficus-indica</i>				12	15	177
Cow's Tongue Prickly Pear	<i>Opuntia</i>	<i>lindheimeri</i>	<i>var. linguiformis</i>			6	6	28
Bunny Ears	<i>Opuntia</i>	<i>microdasys</i>				3	5	20
Prickly Pear	<i>Opuntia</i>	<i>phaeacantha</i>				3	8	50
Giant Prickly Pear	<i>Opuntia</i>	<i>robusta</i>				10	10	79
Purple Prickly Pear	<i>Opuntia</i>	<i>santa-rita</i>			( <i>Opuntia violacea santa-rita</i> )	4	5	20
Mexican Fencepost	<i>Pachocereus</i>	<i>marginatus</i>			( <i>Stenocereus marginatus</i> )	10	6	28
Organ Pipe Cactus	<i>Stenocereus</i>	<i>thurberi</i>				10	10	79
Spruce Cones	<i>Tephrocactus</i>	<i>articulatus</i>	<i>inermis</i>			1	3	7
Argentine Hedgehog	<i>Trichocereus</i>	<i>huascha</i>				2	3	7
<b><u>Plant Type: Succulent</u></b>								
Century Plant, American Agave	<i>Agave</i>	<i>americana</i>				10	12	113
Blue Glow Agave	<i>Agave</i>			'Blue Glow'		2	3	7
Cow's Horn Agave	<i>Agave</i>	<i>bovicornuta</i>				4	5	20
Mescal Ceniza	<i>Agave</i>	<i>colorata</i>				3	4	13
Desert Agave	<i>Agave</i>	<i>deserti</i>				2	2	3
Smooth Agave	<i>Agave</i>	<i>desmettiana</i>				3	3	7
Threadleaf Agave	<i>Agave</i>	<i>filifera</i>				2	2	3
Twin-Flowered Agave	<i>Agave</i>	<i>geminiflora</i>				3	3	7
Harvard Agave	<i>Agave</i>	<i>hvardiana</i>				3	3	7
Thorn-Crested Agave, Holly Agave	<i>Agave</i>	<i>lophantha</i>				3	5	20
Murphey's Agave	<i>Agave</i>	<i>murpheyi</i>				3	3	7

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Artichoke Agave	<i>Agave</i>	<i>parryi</i>				3	3	7
Utah Agave	<i>Agave</i>	<i>utahensis</i>				1	2	3
Queen Victoria Agave	<i>Agave</i>	<i>victoria-reginae</i>				1	2	3
Octopus Agave	<i>Agave</i>	<i>vilmoriniana</i>				4	5	20
Weber's Agave	<i>Agave</i>	<i>weberi</i>				6	5	20
Tree Aloe	<i>Aloe</i>	<i>arborescens</i>				10	6	28
Blue Elf Aloe	<i>Aloe</i>			'Blue Elf'		2	2	3
Ferox Agave	<i>Aloe</i>	<i>ferox</i>				12	5	20
African Aloe	<i>Aloe</i>	<i>saponaria</i>				1	10	50
Variegated Aloe	<i>Aloe</i>	<i>variegata</i>				1	1	1
Aloe Vera	<i>Aloe</i>	<i>vera</i>			( <i>Aloe barbadensis</i> )	2	3	7
Threadleaf Milkweed	<i>Asclepias</i>	<i>linearis</i>				3	3	7
Desert Milkweed	<i>Asclepias</i>	<i>subulata</i>				4	3	7
Pony Tail Palm	<i>Beaucarnea</i>	<i>recurvata</i>				15	10	79
Yellow Bulbine	<i>Bulbine</i>	<i>frutescens</i>				1	2	3
Japanese Sago Palm	<i>Cycas</i>	<i>revoluta</i>				5	5	20
Green Desert Spoon	<i>Dasyllirion</i>	<i>acrotriche</i>				6	5	20
Desert Spoon	<i>Dasyllirion</i>	<i>wheeleri</i>				6	5	20
Crown of Thorns	<i>Euphorbia</i>	<i>milli</i>				4	2	3
Gopher Plant	<i>Euphorbia</i>	<i>rigida</i>				2	4	13
Ocotillo	<i>Fouquieria</i>	<i>splendens</i>				20	15	177
Giant Hesperaloe	<i>Hesperaloe</i>	<i>funifera</i>				6	6	28
Red Yucca	<i>Hesperaloe</i>	<i>parviflora</i>				3	5	20
Our Lord's Candle	<i>Hesperoyucca</i>	<i>whipplei</i>				2	3	7
Madagascar Palm	<i>Pachypodium</i>	<i>lamerei</i>				15	4	13
Lady's Slipper	<i>Pedilanthus</i>	<i>macrocarpus</i>				3	2	3
Elephant's Food	<i>Portulacaria</i>	<i>afra</i>				3	4	13
Spanish Bayonet	<i>Yucca</i>	<i>aloifolia</i>				10	4	13
Banana Yucca	<i>Yucca</i>	<i>baccata</i>				3	5	20
Joshua Tree	<i>Yucca</i>	<i>brevifolia</i>				30	30	707
Soaptree Yucca	<i>Yucca</i>	<i>elata</i>				20	8	50
Adam's Needle	<i>Yucca</i>	<i>filamentosa</i>				3	4	13
Faxon Yucca	<i>Yucca</i>	<i>faxoniana</i>				15	10	79
Soapweed Yucca, Narrowleaf Yucca	<i>Yucca</i>	<i>glauca</i>				4	4	13
Spanish Dagger	<i>Yucca</i>	<i>gloriosa</i>				10	8	50

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New Mexico Yucca	<i>Yucca</i>	<i>harrimaniae</i>				1	1	1
Pale Leaf Yucca	<i>Yucca</i>	<i>pallida</i>				2	3	7
Weeping Yucca	<i>Yucca</i>	<i>recurvifolia</i>				6	6	28
Blue Yucca	<i>Yucca</i>	<i>rigida</i>				12	5	20
Beaked Yucca, Thompson's Yucca	<i>Yucca</i>	<i>rostrata</i>			( <i>Yucca thompsoniana</i> )	12	10	79
Twisted Leaf Yucca	<i>Yucca</i>	<i>rupicola</i>				2	2	3
Mojave Yucca	<i>Yucca</i>	<i>schidigera</i>				4	3	7
<b><u>Plant Type: Perennial</u></b>								
Common Yarrow	<i>Achillea</i>	<i>millefolium</i>				3	2	3
Woolly Yarrow	<i>Achillea</i>	<i>tomentosa</i>				2	2	3
Lily of the Nile	<i>Agapanthus</i>	<i>praecox</i>	<i>orientalis</i>			2	2	3
Anise Hyssop	<i>Agastache</i>	<i>foeniculum</i>				3	3	7
Hummingbird Mint	<i>Agastache</i>	<i>rupestris</i>				3	2	3
Golden Columbine	<i>Aquilegia</i>	<i>chrysantha</i>				3	2	3
Marguerite	<i>Argyranthemum</i>	<i>frutescens</i>			( <i>Chrysanthemum frutescens</i> )	3	3	7
Desert Marigold	<i>Baileya</i>	<i>multiradiata</i>				1	1	1
Chocolate Flower	<i>Berlandiera</i>	<i>lyrata</i>				1	2	3
Dusty Miller	<i>Centaurea</i>	<i>cineraria</i>				2	2	3
Kaffir Lily	<i>Clivia</i>	<i>miniata</i>				2	2	3
Lanceleaf Coreopsis	<i>Coreopsis</i>	<i>lanceolata</i>				2	2	3
Sunray Coreopsis	<i>Coreopsis</i>	<i>verticillata</i>				1	2	3
Bat-faced Cuphea	<i>Cuphea</i>	<i>laevea</i>				2	3	7
Peacock Flower	<i>Dietes</i>	<i>bicolor</i>				2	2	3
Purple Coneflower	<i>Echinacea</i>	<i>purpurea</i>				4	2	3
Green Gold	<i>Euryops</i>	<i>pectinatus</i>		'Viridis'		4	3	7
Blanket Flower	<i>Gaillardia</i>	<i>aristata</i>			( <i>Gaillardia grandiflora</i> )	2	2	3
Gaura	<i>Gaura</i>	<i>lindheimeri</i>				1	2	3
Gazania	<i>Gazania</i>	<i>splendens</i>				1	1	1
Snakeweed	<i>Gutierrezia</i>	<i>sarothrae</i>				1	2	3
Baby's Breath	<i>Gypsophila</i>	<i>paniculata</i>				3	3	7
Maximilian Sunflower	<i>Helianthus</i>	<i>maximilianii</i>				10	2	3
Daylily	<i>Hemerocallis</i>	<i>hybrid</i>				2	3	7
Coral Bells	<i>Heuchera</i>	<i>sanguinea</i>				1	1	1
Bearded Iris	<i>Iris</i>	<i>germanica</i>				2	2	3

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Red-Hot Poker	<i>Kniphofia</i>	<i>uvaria</i>				3	3	7
English Lavender	<i>Lavandula</i>	<i>angustifolia</i>		'Munstead'		3	3	7
French Lavender	<i>Lavandula</i>	<i>dentata</i>				3	3	7
Blue Lavandin	<i>Lavandula</i>	<i>x intermedia</i>		'Grosso'		2	3	7
Spanish Lavender	<i>Lavandula</i>	<i>stoechas</i>				4	3	7
Shasta Daisy	<i>Leucanthemum</i>	<i>x superbum</i>			( <i>Chrysanthemum maximum</i> )	3	2	3
Blackfoot Daisy	<i>Melampodium</i>	<i>leucanthum</i>				1	2	3
Missouri Evening Primrose	<i>Oenothera</i>	<i>macrocarpa</i>			( <i>Oenothera missouriensis</i> )	1	2	3
Oregano	<i>Origanum</i>	<i>laevigatum</i>				2	3	3
Oriental Poppy	<i>Papaver</i>	<i>orientale</i>				3	2	3
Rock Penstemon	<i>Penstemon</i>	<i>baccharifolius</i>				2	3	7
Firecracker Penstemon	<i>Penstemon</i>	<i>eatonii</i>				1	2	3
Parry's Penstemon	<i>Penstemon</i>	<i>parryi</i>				2	2	3
Pineleaf Penstemon	<i>Penstemon</i>	<i>pinnifolius</i>				1	2	3
Royal Beardtongue	<i>Penstemon</i>	<i>spectabilis</i>				1	1	1
Coral Penstemon	<i>Penstemon</i>	<i>superbus</i>				2	3	7
Star Flower	<i>Pentas</i>	<i>lanceolata</i>				3	3	7
Russian Sage	<i>Perovskia</i>	<i>atriplicifolia</i>				3	4	13
Jerusalem Sage	<i>Phlomis</i>	<i>fruticosa</i>				3	3	7
Paperflower	<i>Psilostrophe</i>	<i>cooperi</i>				1	3	7
Wooly Paperflower	<i>Psilostrophe</i>	<i>tagetina</i>				1	3	7
Mexican Hat	<i>Ratibida</i>	<i>columnifera</i>				2	2	3
Black-eyed Susan	<i>Rudbeckia</i>	<i>hirta</i>				3	3	7
Dwarf Ruellia, Desert Petunia	<i>Ruellia</i>	<i>brittoniana</i>		'Katie'		1	1	1
Mealy Cup Sage	<i>Salvia</i>	<i>farinacea</i>				2	2	3
Royal Purple Autumn Sage	<i>Salvia</i>	<i>muelleri</i>				2	2	3
Compact Indigo Spires Sage	<i>Salvia</i>			'Mystic Spires Blue'		3	3	7
Blue Queen Sage	<i>Salvia</i>		<i>x superba</i>			2	2	3
Desert Senna	<i>Senna</i>	<i>covesii</i>				3	3	7
Globe Mallow	<i>Sphaeralcea</i>	<i>ambigua</i>				3	3	7
Mountain Marigold	<i>Tagetes</i>	<i>lemmonii</i>				5	5	20
Licorice Marigold	<i>Tagetes</i>	<i>lucida</i>				4	4	13
Angelita Daisy	<i>Tetraneuris</i>	<i>acaulis</i>			( <i>Hymenoxys acaulis</i> )	1	1	1
Golden Dysodia	<i>Thymophylla</i>	<i>pentachaeta</i>			( <i>Dyssodia pentachaeta</i> )	1	1	1
Society Garlic	<i>Tulbaghia</i>	<i>violacea</i>				1	1	1

<u>Common Name</u>	<u>Genus</u>	<u>Species</u>	<u>Variety</u>	<u>Cultivar Name</u>	<u>Other Plant Names</u>	<u>Height (feet)</u>	<u>Width (feet)</u>	<u>Plant Coverage ( Sq. Ft)</u>
Goldeneye	<i>Viguiera</i>	<i>deltoidea</i>				2	2	3
Fairy Lily	<i>Zephyranthes</i>	<i>grandiflora</i>				1	1	1
Desert Zinnia	<i>Zinnia</i>	<i>acerosa</i>				1	1	1
Prairie Zinnia	<i>Zinnia</i>	<i>grandiflora</i>				1	1	1
<b><u>Plant Type: Annuals</u></b>		<b>(NO CANOPY COVERAGE)</b>						
Desert Sand Verbena	<i>Abronia</i>	<i>vilosa</i>						
Hollyhock	<i>Alcea</i>	<i>rosea</i>						
Snapdragon	<i>Antirrhinum</i>	<i>majus</i>						
Calendula	<i>Calendula</i>	<i>officinalis</i>						
Periwinkle, Vinca	<i>Catharanthus</i>	<i>roseus</i>			( <i>Vinca rosea</i> )			
Bachelor's Button	<i>Centaurea</i>	<i>cyanthus</i>						
Garden Chrysanthemum, Mum	<i>Chrysanthemum</i>	<i>x morifolium</i>						
Southwestern Cosmos	<i>Cosmos</i>	<i>bipinnatus</i>						
Dianthus, Sweet William	<i>Dianthus</i>	<i>species</i>						
California Poppy	<i>Eschscholzia</i>	<i>californica</i>						
Mexican Gold Poppy	<i>Eschscholzia</i>	<i>californica</i>	<i>mexicana</i>					
Blanket Flower	<i>Gaillardia</i>	<i>pulchella</i>						
Sunflower	<i>Helianthus</i>	<i>annuus</i>						
Impatiens	<i>Impatiens</i>	<i>species</i>						
Sweet Pea	<i>Lathyrus</i>	<i>odoratus</i>						
Tidy-Tips	<i>Layia</i>	<i>platyglossa</i>	<i>compestris</i>					
Red Flax	<i>Linum</i>	<i>grandiflorum</i>		'Rubrum'				
Blue Flax	<i>Linum</i>	<i>perenne</i>	<i>lewisii</i>					
Lobelia	<i>Lobelia</i>	<i>erinus</i>						
Sweet Alyssum	<i>Lobularia</i>	<i>maritima</i>						
Arroyo Lupine	<i>Lupinus</i>	<i>succulentus</i>						
Texas Bluebonnet	<i>Lupinus</i>	<i>texensis</i>						
Forget Me Not	<i>Myosotis</i>	<i>sylvatica</i>						
Owl's Clover	<i>Orthocarpus</i>	<i>purpurascens</i>			( <i>Castilleja exertia</i> )			
Flanders Field Poppy	<i>Papaver</i>	<i>rhoeas</i>						
Garden Geranium	<i>Pelargonium</i>	<i>x hortorum</i>						

<u>Common Name</u>	<u>Genus</u>	<u>Species</u>	<u>Variety</u>	<u>Cultivar Name</u>	<u>Other Plant Names</u>	<u>Height</u> (feet)	<u>Width</u> (feet)	<u>Plant Coverage</u> ( Sq. Ft)
Petunia	<i>Petunia</i>	<i>hybrid</i>						
Desert Bluebell	<i>Phacelia</i>	<i>campanularia</i>						
Scarlet Sage	<i>Salvia</i>	<i>coccinea</i>						
Catchfly	<i>Silene</i>	<i>armeria</i>						
Marigold	<i>Tagetes</i>	<i>erecta</i>						
Mexican Sunflower	<i>Tithonia</i>	<i>rotundifolia</i>						
Viola	<i>Viola</i>	<i>cornuta</i>						
Pansy	<i>Viola</i>	<i>x wittrockiana</i>						
Zinnia	<i>Zinnia</i>	<i>elegans</i>						