

## Appendix M - Water Shortage Contingency Plan

San Dieguito Water District  
Water Shortage Contingency Plan

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### ARTICLE 29 WATER SUPPLY SHORTAGE RESPONSE PROGRAM

This Water Supply Shortage Response Program serves as the San Dieguito Water District's (District) Water Shortage Contingency Plan (WSCP).

#### **CWC 10632**

*(a) Every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its urban water management plan...*

*(c) The urban water supplier shall make available the water shortage contingency plan prepared pursuant to this article to its customers and any city of county with which it provides water supplies no later than 30 days after adoption of the water shortage contingency plan.*

The Urban Water Management Planning Act (UWMP Act), enacted in 1983, requires water suppliers to conduct shortage contingency planning analyses that outline specific actions a supplier will take in response to short-term water supply shortages caused by droughts and/or catastrophic supply interruptions. Droughts have increased in frequency and severity throughout Southern California over the past few decades, triggering the District to implement water conservation measures to achieve demand reductions in order to meet available supplies. The District has experienced three droughts over the past few decades - one in the 1990s, one in the late 2000s, and the most recent one that occurred between 2014 and 2017 - where supply deficiencies were significant enough to necessitate mandatory water use restrictions. In the 1990s, a statewide drought halted operation of the State Water Project (SWP) and, simultaneously, a local drought significantly reduced flows into Lake Hodges. At that time, SDCWA informed its member agencies that a mandatory 20% reduction in demand was needed.

Between 2007 - 2011, mandatory water use restrictions implemented in response to another statewide drought, combined with litigation that impacted operation of the SWP in the Bay-Delta, substantially reduced pumping volumes from the SWP. In April 2007, MWD notified its member agencies (including the SDCWA) that it expected to face challenges in meeting demands due to insufficient imported water supplies from the SWP and the Colorado River Aqueduct (CWA). MWD, the SDCWA, and the District all adopted voluntary and mandatory water use restrictions as dry conditions persisted into 2009. In April 2009, MWD's Board of Directors voted to allocate urban water deliveries to its member agencies in FY 2010 for the first time in decades. In turn, the SDCWA allocated water deliveries to its member agencies. The SDCWA's long-term strategy to improve water supply reliability by diversifying the region's water supply portfolio helped offset some of the required cutbacks from MWD. Residences and businesses responded to the call for conservation and urban water use dropped throughout San Diego County. Although hydrologic conditions began to improve in 2010, storage reserves remained low, and allocations continued into FY 2011 to help restore storage reserves and prepare for a potential dry water year.

In response to the most recent severe drought that occurred between 2012 and 2017, water suppliers implemented the strictest water use restrictions to date through activation of drought response levels. Drought response levels are enacted to reduce a supplier's total urban water use through encouragement and enforcement of several voluntary and mandatory shortage response actions to achieve a specified reduction. The District defines and activates its drought response levels in accordance with drought response levels defined and activated by the SDCWA. The SDCWA's Water Shortage and Drought Response Plan defines its drought response levels, which can be activated by its Board of Directors as needed to reduce water use in response to drought

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conditions. Upon being activated, the Board of Directors will set forth a drought level for the SDCWA, and the SDCWA will encourage its member agencies to adopt similar drought levels. The District has responded to drought conditions by adopting a drought management plan, implementing mandatory and voluntary water use restrictions, and implementing new water conservation programs. The District's drought management plan is currently incorporated in the District's Administrative Code as Article 29 (Water Supply Shortage Response Program). This Water Supply Shortage Response Program, also known as the District's Water Shortage Contingency Plan (WSCP), establishes regulations on water management by the District and progressive restrictions on water use to be implemented for responding to water supply limitations resulting from declared water shortages or declared water shortage emergencies.

In April 2015, the Governor of California issued an executive order declaring a State of Emergency requiring the California State Water Resources Control Board (State Board) to implement regulations and restrictions to achieve a 25% reduction in potable water use statewide, though individual agencies were required to achieve varying reductions based on existing per capita water use. To address this executive order, the State Board then amended its emergency drought regulations requiring the District to reduce its water use by 28% compared to its 2013 water use. In response to these state actions, the District revised its Water Supply Shortage Response Program (Article 29) in April 2015 to enforce a water allocation program to reduce the District's overall water use to meet the State requirements. Additional revisions included water waste prohibitions and the establishment of penalties for violation of implemented water allocations during Level 3 and Level 4 drought conditions.

In response to the drought, the District activated Water Shortage Response Level 2 in June 2014 and increased to a Water Shortage Response Level 3 in May 2015, increasing water use restrictions and prohibitions. The District began to relax water use restrictions as supplies began to recover and drought conditions improved. In April 2016, the District went from a Water Shortage Response Level 3 to a Level 2. Three months later, in July 2016, the District further relaxed water use restrictions and declared a Level 1 Shortage, which encourages but does not mandate water use restrictions. In April 2017, the Governor of California issued an executive order lifting the drought emergency water restrictions in San Diego County and the District followed by ending its Level 1 restrictions.

The District updated its Water Supply Shortage Response Program (Article 29) again in May 2021 to comply with new 2018 legislation that was adopted in response to the recent severe drought. Pursuant to the 2018 legislation, water suppliers must address several new requirements with prescriptive elements in their water shortage contingency plans, including, but not limited to:

- Describe key attributes of and procedures for conducting an annual water supply reliability assessment;
- Update to six standard water shortage response levels (progressive ranges of 10%, 20%, 30%, 40%, 50%, and greater than 50% shortage);
- Quantify estimated water savings associated with each shortage response action;
- Describe communication protocols and public outreach measures;

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- Identify monitoring and reporting procedures to track compliance; and
- Discuss methods to reevaluate and improve the water shortage contingency plan.

This WSCP contains a detailed discussion of the water shortage contingency planning undertaken by the District to prepare for, and implement during, a drought or another catastrophic interruption of water supplies. The WSCP also describes the District's annual water supply reliability assessment procedures and addresses the District's mandatory prohibitions and penalties associated with excess water use.

### **CWC 10644(a)(2)**

*The plan, or amendments to the plan, submitted to the department... shall include any standardized forms, tables, or displays specified by the department.*

It should be noted that DWR requires water suppliers to use their standardized submittal tables within this WSCP. Some of the tables provided in this WSCP have titles that are designated by DWR to ensure compliance with Water Code section 10644(a)(2).

## 30.1 Water Supply Reliability Analysis

### **CWC 10632(a)(1)**

*The analysis of water supply reliability conducted pursuant to Section 10635.*

The District conducted a water supply reliability analysis in its 2025 Urban Water Management Plan for three scenarios for the planning period of –2030 – 2050. The scenarios evaluated included a normal year, a single dry-year, and five consecutive dry years (multiple dry-year scenario). Because the District relies on the San Diego County Water Authority (SDCWA) to meet demands that cannot be met using local supplies (e.g., Lake Hodges, non-potable recycled water), the District's reliability analysis as described in its 2025 UWMP tiers off of SDCWA's reliability analysis included in the *San Diego County Water Authority 2025 Urban Water Management Plan*.

The District's modeling found that demands across the region are projected to increase between 7% and 9% over normal year conditions in the single dry-year and multiple dry-year scenarios evaluated for 2030 - 2050. The District's analysis found that there would be sufficient supplies available through local and imported sources, or from storage, to meet demands in all years of each scenario. As such, the District anticipates 100% reliability under all scenarios as evaluated in the 2025 UWMP.

In addition to the water supply reliability analysis that considered normal, single dry-year, and multiple dry-year scenarios over the 2030-2050 planning period, the District's 2025 UWMP included a Drought Risk Assessment (DRA) for the next five years (2026-2030). As with the supply reliability analysis, the District tiered off of SDCWA's DRA (included in *San Diego County*

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*Water Authority 2025 Urban Water Management Plan*), because the District would increase purchases from SDCWA to meet local demands that cannot be met with Lake Hodges or recycled water..

### 30.2 Annual Water Supply and Demand Assessment Procedures

#### **CWC 10632.1**

*An urban water supplier shall conduct an annual water supply and demand assessment pursuant to subdivision (a) of Section 10632 and, on or before July 1 of each year, submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan. An urban water supplier that relies on imported water from the State Water Project or the Bureau of Reclamation shall submit its annual water supply and demand assessment within 14 days of receiving its final allocations, or by July 1 of each year, whichever is later.*

#### **CWC 10632(a)(2)**

*The procedures used in conducting an annual water supply and demand assessment that include, at minimum, both of the following:*

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

*(B) The key data inputs and assessment methodology used to evaluate the urban water supplier's reliability for the current year and one dry year, including all of the following:*

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

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

*(B)(iii) Existing infrastructure capabilities and plausible constraints.*

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

*(B)(v) A description and quantification of each source of water supply.*

Beginning in 2022, pursuant to the new requirements discussed in CWC10632.1, water suppliers will be required to submit a water supply and demand assessment report (Annual Assessment) to DWR on or before July 1st of each year. The Annual Assessment will be used to evaluate short-term water supply reliability for the upcoming fiscal year and will discuss the District's existing and projected water supply sources (including imported water from SDCWA), unconstrained customer demand, planned water use for the current year assuming that the following year will be dry, infrastructure capabilities and constraints, and any other local factors that may influence or disrupt water supplies. Because the District purchases water from the SDCWA, the Annual Assessment will be conducted in coordination with the SDCWA's annual assessment. As described in SDCWA's *San Diego County Water Authority 2025 Urban Water Management Plan*, SDCWA's annual assessment will consider municipal and industrial supplies and projected demands, which includes a wide range of uses, including residential demand as well as commercial, industrial, and institutional use. SDCWA's short-term forecast model considers

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historic water demand patterns, weather, local economic index, and anticipated conservation levels, as well as member agency local supplies that may be affected by weather or other factors.

The District will perform its water supply and demand assessment annually in spring each year to assess short-term reliability for the upcoming fiscal year. Results of the annual analysis will be discussed in a report and presented to the District's Board in June. If the analysis projects a supply deficit, the Board will vote to determine the appropriate shortage response level and associated actions necessary to reduce demand to ensure adequate supply. Because the District will coordinate its Annual Assessment with SDCWA's annual assessment, the timeline for conducting the District's Annual Assessment is based on the SDCWA's timeline. The District's timeline for developing its Annual Assessment is presented in **Table 30-1**.

**Table 30-1: Annual Assessment Process and Timeline**

Time Frame	Step	Action
March - April	1(a)	District estimates available local supplies.
	1(b)	District coordinates with SDCWA to gather necessary information for SDCWA to conduct its wholesaler assessment.
April-May	2(a)	SDCWA announces member agency allocation determination for current year.
	2(b)	SDCWA determines carryover (and emergency storage apportionments if under emergency).
	2(c)	District conducts its Annual Assessment:
	(i)	District determines total available supply- inclusive of imported water supply.
	(ii)	District determines infrastructure constraints (including water quality conditions limiting local sources).
	(iii)	District determines expected demand for current year and one subsequent dry year, anticipated to be based on regional projections from SDCWA.
	(iv)	District compares supply and demand and makes a determination of the water supply reliability.
June	3(a)	District Board of Directors (Encinitas City Council) reviews and approves Annual Assessment determination.
	3(b)	District coordinates with SDCWA on submittal of the report. Annual Assessment report to be submitted to the state by July 1.
NOTES: The process outlined above is provided as a guideline and may be modified based on conditions present during the evaluation period.		

### 30.3 Six Standard Water Shortage Levels and Shortage Response Actions

#### *CWC 10632(a)*

*Every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its urban water management plan that consists of each of the following elements:*

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

*(3)(B) An urban water supplier with an existing water shortage contingency plan that uses different water shortage levels may comply with the requirement in subparagraph (4) by developing and including a cross-reference relating its existing categories to the six standard water shortage levels.*

The District's WSCP is currently incorporated into its Water Supply Shortage Response Program (Article 29) to comply with state regulations. The WSCP is designed to establish priorities and restrictions during various types of water shortages, including 10% to greater than 50% reductions in water supply. The WSCP specifies watering restrictions for outdoor irrigation (including golf course, park, school, agriculture, and commercial uses), mobile equipment washing, pool refilling, over-irrigation, and hardscape maintenance.

The District's WSCP establishes levels of water supply shortage response actions to be implemented in times of anticipated shortages. As discussed in the preceding section, the District sets its drought response levels in accordance with drought response levels determined by the SDCWA and defined in SDCWA's Water Shortage and Drought Response Plan. In the May 2021 plan, the District developed its WSCP to update its shortage response levels from four to six stages of action to align its plan with the SDCWA's levels and to comply with CWC 10632(a)(3)(A).

Upon activation of SDCWA's drought response levels, its Board of Directors will set forth a drought level, and the SDCWA will encourage its member agencies to adopt similar drought levels. The District's six stages of actions (Levels 1 - 6), as shown in **Table 30-2**, are a sequential, regulatory program of increasingly stringent water use restrictions. When the District declares that a particular shortage level is in effect, District customers must comply with all regulations contained in the declared stage or face a potential penalty.

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**Table 30-2: Water Shortage Contingency Plan Stages**

DWR Table 8-1: Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Water Shortage Condition
1	Up to 10%	Includes voluntary water shortage actions to achieve demand reductions, such as water before 10 a.m. and after 6 p.m. for residential, commercial, and nursery/commercial growers.
2	Up to 20%	Mandates the voluntary actions included under Level 1 and includes additional measures focused on reducing outdoor water use such as limiting landscape irrigation for residential and commercial properties to 3 assigned days per week and imposing time limits for lawn watering with sprinklers.
3	Up to 30%	Includes mandatory Level 1 and 2 actions and additional actions focused on reducing outdoor water use such as stop operating ornamental fountains unless recycled water is used and further limiting the number of assigned days per week for residential and commercial landscape irrigation to 2 days (one day per week November through May). The District will also suspend new potable water services and new temporary and permanent meters unless the District provides a program to offset new water demands equal to the new use. The District may also establish a water allocation policy for properties served and suspend considerations of annexations to its service area.
4	Up to 40%	Includes mandatory Level 1, 2, and 3 actions and additional water shortage actions such as preventing filling/refilling of ornamental lakes or ponds (except to sustain aquatic life).
5	Up to 50%	Includes mandatory Level 1, 2, 3, and 4 actions and additional actions focused on reducing outdoor water use such as prohibiting all landscape irrigation (with exceptions for commercial growers, nurseries, and other listed uses).
6	>50%	Includes mandatory Level 1, 2, 3, 4, and 5 actions and additional actions focused on reducing outdoor water use such as expanding prohibitions on all landscape irrigation by removing several exclusions permitted under Level 5.

The District will compare its projected local and imported water supplies against its projected water demands. If the District's water supply and demand assessment anticipates that available supplies will be less than projected demands, it will then determine the percentage reduction in demands that is required to offset water supply shortages. The District will trigger the appropriate shortage response stage to achieve the required demand reductions, in conjunction with the SDCWA and MWD. The demand reduction actions associated with each of the District's six shortage levels are described in more detail in **Section 30.2.1**.

### **30.2.1 Shortage Response Actions**

#### ***CWC 10632(a)(4)***

*Shortage response actions that align with the defined shortage levels and include, at a minimum, all of the following:*

*(A) Locally appropriate supply augmentation actions.*

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*(B) Locally appropriate demand reduction actions to adequately respond to shortages.*

*(C) Locally appropriate operational changes.*

*(D) Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions.*

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

### **CWC 10632(b)**

*For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.*

### **Health and Safety Code Section 115921**

*As used in this article the following terms have the following meanings:*

*(a) "Swimming pool" or "pool" means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. "Swimming pool" includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and non-portable wading pools.*

Voluntary or mandatory water use restrictions and prohibitions to be implemented for each stage are discussed below and listed in **Table 30-3**.

### **Water Shortage Response Level 1 (10% Reduction)**

Level 1 may apply when there is a reasonable probability that there will be water supply shortages and that a consumer demand reduction of up to 10% is required. At this stage restrictions are voluntary, and the District would increase its public education and outreach efforts to encourage customers to take actions to conserve water. A Level 1 condition is declared by the General Manager upon a written determination of the existence of the facts and circumstances supporting the determination. Some voluntary measures under Level 1 include stop hosing down paved surfaces, stop runoff from landscape irrigation, wash vehicles with a hand-held hose/shut-off nozzle or at a commercial site with recirculated water, provide restaurant water refills and hotel laundering only upon request, use non-potable water for construction purposes when available, and repair all leaks within five (5) days of notification. At this stage, residential and commercial customers and nursery and commercial growers are encouraged to water before 10 a.m. and after 6 p.m. It is also encouraged that recirculated water is used to operate ornamental fountains. Landscape irrigation restrictions do not apply to micro-irrigation systems such as drip irrigation.

### **Water Shortage Response Level 2 (20% Reduction)**

Level 2 may apply when a consumer demand reduction of up to 20% is necessary. At this stage, all of the voluntary water use reduction measures in Level 1 become mandatory and additional mandatory water use restrictions are implemented. During a Level 2 condition, customers are also required to repair all leaks within 72 hours of notification, stop operating ornamental fountains or similar decorative water features unless re-circulated or recycled water is used, limit residential and commercial landscape irrigation to three (3) assigned days per week, and limit lawn watering to no more than 10 minutes per water station per assigned day. Landscape irrigation restrictions

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do not apply to micro-irrigation systems such as drip irrigation. The Level 2 condition shall be declared by the District's Board of Directors (Encinitas City Council).

Under Level 2 conditions, The District may also implement drought rates at Level 2 and above.

### **Water Shortage Response Level 3 (30% Reduction)**

Level 3 represents an increased shortage up to 30% due to drought or other supply reductions. At this stage, Level 1 and Level 2 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 3 restrictions include further limiting residential and commercial landscape irrigation to two (2) assigned days per week (no more than once per week November through May), requiring leak repair within 48 hours of notification, stopping operation of ornamental fountains or similar decorative water features unless recycled water is used, and stopping all vehicle washing except at commercial car washes that recirculate water or by high pressure/low volume wash systems. Landscape irrigation restrictions do not apply to micro-irrigation systems such as drip irrigation. At Level 3 and above, the District may establish a water allocation for any property served by the District and will suspend considerations of annexations to its service area. The District will also begin to implement water waste monitoring and may assess penalties and fines for violations. Restrictions and prohibitions against specific water use practices associated with each level, and penalties for violation, are discussed in **Section 30.6**.

### **Water Shortage Response Level 4 (40% Reduction)**

Level 4 is implemented when a consumer demand reduction of up to 40% is necessary. At this stage, Level 1 through Level 3 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 4 restrictions include stopping filling or refilling of ornamental lakes and ponds (except to the extent needed to sustain aquatic life). Landscape irrigation restrictions do not apply to micro-irrigation systems such as drip irrigation. At Level 4 and above, the District will suspend new potable water services and new temporary or permanent meters within the District's service area unless the District establishes a program to offset the new potable water demands. The District will also begin to implement water waste enforcement and will assess penalties and fines for violation starting at Level 4.

### **Water Shortage Response Level 5 (50% Reduction)**

Level 5 is implemented when a consumer demand reduction of up to 50% is necessary. At this stage, Level 1 through Level 4 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 5 restrictions include stopping all landscape irrigation with the exception of crops and landscape products of commercial growers and nurseries and other listed exceptions (trees and shrubs watered by bucket / hand-held hose / positive shut-off nozzle / low-volume non-spray irrigation, fire protection, erosion control, rare or essential plant materials, public parks / day care centers / school grounds / cemeteries / golf course greens not exceeding (2) days per week, livestock water, public works projects, and actively irrigated environmental mitigation projects) and requiring leak repair within 24 hours of notification. Landscape irrigation restrictions do not apply to micro-irrigation systems such as drip irrigation.

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### Water Shortage Response Level 6 (Greater Than 50% Reduction)

Level 6 is implemented when a consumer demand reduction of greater than 50% is necessary. At this stage, Level 1 through Level 5 restrictions apply and additional mandatory prohibitions are established. Additional mandatory actions established under Level 6 restrictions include further limiting the exceptions to the Level 5 landscape irrigation prohibitions to only include crops and landscape products of commercial growers and nurseries and other listed exceptions (fire protection, erosion control, rare or essential plant materials, livestock water, public works projects, and actively irrigated environmental mitigation projects). Landscape irrigation restrictions do not apply to micro-irrigation systems such as drip irrigation.

**Table 30-3: Shortage Response Actions by Stage**

DWR Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions	Shortage Gap Reduction	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement?
1	Other - Prohibit use of potable water for washing hard surfaces	1%		No
1	Landscape - Restrict or prohibit runoff from landscape irrigation	0.1%		No
1	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	1%	Wash vehicles with hand-held hose / shut-off nozzle and bucket or at a commercial site with recirculating water	No
1	Landscape - Limit landscape irrigation to specific times	3%	Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only. Nursery and commercial growers irrigate before 10 a.m. and after 6 p.m. only.	No
1	Other	1%	Vehicles must be washed using a bucket, hand-held hose with positive shut-off nozzle, or at a commercial site that recirculated water.	No
1	CII - Restaurants may only serve water upon request	0.1%		No
1	CII - Lodging establishment must offer opt out of linen service	0.1%		No
1	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	1%	Repair all leaks within 5 days of detection or notification by the District	No
1	Other - Prohibit use of potable water for construction and dust control	<0.1%	When recycled/non-potable water is available	No
1	Other	Variable	Comply with any mandatory regulations established by any State agency governing the use of water	No

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DWR Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions	Shortage Gap Reduction	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement?
1	Water Features - Restrict water use for decorative water features, such as fountains	<b>1%</b>	Use re-circulated water or recycled water to operate ornamental fountains.	No
1	Expand public information campaign	<b>1%</b>		No
1	Implement or modify drought rate structure or surcharge	2%	May implement drought rate structure	No
2	Other - Prohibit use of potable water for washing hard surfaces	<b>1%</b>		Yes
2	Landscape - Restrict or prohibit runoff from landscape irrigation	0.1%		Yes
2	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	<b>1%</b>	Wash vehicles with hand-held hose / shut-off nozzle and bucket or at a commercial site with recirculating water	Yes
2	Landscape - Limit landscape irrigation to specific times	3%	Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only. Nursery and commercial growers irrigate before 10 a.m. and after 6 p.m. only.	Yes
2	Other	<b>1%</b>	Vehicles must be washed using a bucket, hand-held hose with positive shut-off nozzle, or at a commercial site that recirculated water.	Yes
2	CII - Restaurants may only serve water upon request	0.1%		Yes
2	CII - Lodging establishment must offer opt out of linen service	0.1%		Yes
2	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	<b>1%</b>	Repair all leaks within 72 hours of detection or notification by the District	Yes
2	Other - Prohibit use of potable water for construction and dust control	<0.1%	When recycled/non-potable water is available	Yes
2	Other	Variable	Comply with any mandatory regulations established by any State agency governing the use of water	Yes
2	Water Features - Restrict water use for decorative water features, such as fountains	<b>1%</b>	Stop operation unless re-circulated or recycled water is used.	Yes
2	Expand public information campaign	5%		Yes
2	Implement or modify drought rate structure or surcharge	2%	May implement drought rate structure	Yes
2	Landscape - Limit landscape irrigation to specific days	8%	No more than 3 assigned days per week	Yes

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DWR Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions	Shortage Gap Reduction	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement?
2	Landscape - Other landscape restriction or prohibition	3%	Limit watering using sprinklers to no more than 10 minutes per watering station per assigned day.	Yes
3	Landscape - Limit landscape irrigation to specific days	18%	No more than 2 assigned days per week (no more than once per week November to May)	Yes
3	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	2%	Repair all leaks within 48 hours of detection or notification by the District.	Yes
3	Other	Variable	Suspend considerations of annexations to the service area.	Yes
3	Other	Variable	May establish a water allocation policy	Yes
3	Water Features - Restrict water use for decorative water features, such as fountains	1%	Stop operation unless recycled water is used.	Yes
3	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	1%	Stop washing vehicles except at commercial carwashes that recirculate water, or by high pressure/low volume wash systems	Yes
4	Water Features - Restrict water use for decorative water features, such as fountains	1%	Stop filling or refilling ornamental lakes or ponds, except to the extent needed to sustain aquatic life.	Yes
4	Moratorium or Net Zero Demand Increase on New Connections	Variable	Suspend new potable water services and new temporary and permanent meters unless the District provides a program to offset new potable water demands.	Yes
5	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	4%	Repair all leaks within 24 hours of detection or notification by the District	Yes
5	Landscape - Prohibit all landscape irrigation	26%	With the exception of crops and landscape products of commercial growers and nurseries and other noted exceptions (trees and shrubs watered by bucket / hand-held hose / positive shut-off nozzle / low-volume non-spray irrigation, fire protection, erosion control, rare or essential plant materials, public parks/ day care centers/ school grounds / cemeteries/ golf course greens not exceeding (2) days per week, livestock water, public works projects, and actively irrigated environmental mitigation projects).	Yes
6	Landscape - Prohibit all landscape irrigation	30%	With the exception of crops and landscape products of commercial growers and nurseries and other noted exceptions (fire protection,	Yes

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DWR Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions	Shortage Gap Reduction	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement?
			erosion control, rare or essential plant materials, livestock water, public works projects, and actively irrigated environmental mitigation projects	
6	Moratorium or Net Zero Demand Increase on New Connections	Variable	Suspend new potable water services and new temporary and permanent meters.	Yes
NOTES: Mandatory water shortage restrictions enforced in previous stages also apply to the current stage unless the current stage includes an equivalent action to reflect stricter measures, in which case the stricter measure would apply.				

### 30.4 Water Shortage Emergency Response

The District has taken significant steps to ensure it is prepared for catastrophic water supply interruption, including implementing local measures to increase supply reliability, developing planning documents that outline contingency actions, and coordinating with the SDCWA and other member agencies.

#### Local Supply Reliability Measures

In addition to water demand reductions that would be implemented during a catastrophic supply interruption, the District maintains partial ownership of the Badger Plant and access to substantial raw water reserves. The District also has access to potable water SDCWA connection and numerous emergency interconnections with OMWD. The District installed an additional emergency interconnection with OWMD at Manchester Avenue in 2013 to ensure sufficient water for fire protection and to add redundancy to the District's water system. Construction of a parallel 54-inch transmission supply pipeline from the R.E. Badger Filtration Plant to SDWD's water system also increased reliability and redundancy of the District's supplies.

Three active water reservoirs utilized for storage of water supplies are located within the District, two of which the District has full ownership of (Balour Reservoir and the Encinitas Ranch Reservoir). The District shares ownership of the Badger Clearwell and the Wanket Tank; however, the Wanket Tank is currently out of service.

The City of Encinitas has also adopted the National Incident Management System (NIMS), which establishes procedures and training programs for emergency response.

#### Emergency Response Plan

The District is currently updating its Emergency Response Plan pursuant to Section 2013(b) of the American Water Infrastructure Act (AWIA) of 2018, which requires that community water suppliers serving populations greater than 3,300 develop or update an Emergency Response Plan that incorporates the findings of their risk and resilience assessments.

### Emergency Storage Project and Supply Reliability

In order to provide sufficient emergency water storage to supply to its member agencies during an extended period, the SDCWA implemented the Emergency Storage Project (ESP) in 2014. The ESP is a system of reservoirs, pipelines, pump stations, and other conveyance facilities intended to improve San Diego's regional water storage capacity and allow stored emergency water to be delivered to SDCWA's member agencies within San Diego County during a prolonged regional interruption. The pipelines that carry imported water from MWD to San Diego cross several major fault lines on their way to San Diego County. Consequently, an earthquake, drought, or other disaster could interrupt San Diego County's imported water supply for up to six months. The ESP facilities can be used to help deliver emergency water supplies to member agencies during two- and six-month emergency events in which the region is either completely unable or only partially able to receive imported water deliveries due to a disaster that renders their transmission system inoperable. By providing interconnections within regional facilities, the ESP is designed to make water available to the San Diego region even during catastrophic conditions when there is an interruption in imported water deliveries.

The regional emergency water supply reservoirs (with their ESP capacity) are Olivenhain (18,000 AF), Lake Hodges (20,000 AF), and San Vicente (52,100 AF). The actual amount of ESP water to be delivered to a particular member agency during an emergency event will depend on many factors such as member agency demands, local supplies, infrastructure, availability of MWD supplies, and duration of emergency. The ESP was designed to provide a total of 90,100 AF of stored water to meet the region's emergency needs through at least 2030 and recent trends in regional water demand indicate this volume of emergency storage will serve the region beyond 2045. SDCWA's Board of Directors may also authorize that supplies from the ESP be used in a prolonged drought or other water shortage situations where imported and local supplies do not meet 75% of the SDCWA's member agencies urban demands.

As discussed in the District's 2025 UWMP (Chapter 6 - Water Supply Reliability Assessment), the SDCWA anticipates that it will have more than enough available supply to meet its own demands and the demands of its member agencies under a five-year multi-year drought scenario. Therefore, the District can augment supply and offset the anticipated deficit by purchasing more water from the SDCWA.

### Seismic Risk Assessment and Mitigation Plan

#### **CWC 10632.5**

*(a) In addition to the requirements of paragraph (3) of subdivision (a) of Section 10632, beginning January 1, 2020, the plan shall include a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities.*

*(b) An urban water supplier shall update the seismic risk assessment and mitigation plan when updating its urban water management plan as required by Section 10621.*

*(c) An urban water supplier may comply with this section by submitting, pursuant to Section 10644, a copy of the most recent adopted local hazard mitigation plan or multihazard mitigation plan under the federal Disaster Mitigation Act of 2000 {Public Law 106-390} if the local hazard mitigation plan or multihazard mitigation plan addresses seismic risk.*

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CWC 10632.5 requires an urban water supplier to include within its UWMP a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities. Pursuant to CWC 10632.5(c), an urban water supplier may comply with this requirement by submitting a copy of the most recently adopted multi-hazard mitigation plan under the federal Disaster Mitigation Act of 2000 (Public Law 106-390) if the multi-hazard mitigation plan addresses seismic risk.

Attachment A includes a copy of Section 4.3.4 of the Multi-Hazard Mitigation Plan for San Diego County (MHM Plan), which addresses seismic risk, as well as Section 5.8 of the MHM Plan which summarizes the potential hazards for the City of Encinitas and related goals, objectives, and actions. The MHM Plan was prepared with input from the Water Authority and under the federal Disaster Mitigation Act of 2000.

### 30.5 Communication Protocols

#### *CWC 10632(a)(5)*

*Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, all of the following:*

- (A) Any current or predicted shortages as determined by the annual water supply and demand assessment described pursuant to Section 10632.1.*
- (B) Any shortage response actions triggered or anticipated to be triggered by the annual water supply and demand assessment described pursuant to Section 10632.1.*
- (C) Any other relevant communications.*

Upon a water shortage declaration action by the General Manager (Level 1), the District will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the voluntary water conservation practices. Upon a water shortage declaration action by the Board of Directors (Levels 2-6), the District will expand its public information campaign to notify the public of the mandatory water conservation measures. The District would need to provide notice of the water shortage rules and regulations to all residents and businesses within its service area in the City of Encinitas, in addition to its customers of record, through a variety of media and communications methods, such as print or internet.

Upon declaration of a Level 1 shortage, the General Manager may publish a notice of the determination in one or more newspapers, including a newspaper of general circulation within the District. Upon declaration of a Level 2-6 shortage or Water Shortage Emergency, the District shall coordinate with the City Manager of the City of Encinitas and shall publish a copy or summary of the resolution in a newspaper used for publication of official notices at least one time within five (5) days of the declaration. If the District establishes a water allocation under Water Shortage Response Levels 4-6, the District shall provide notice of the allocation by including it in the regular billing statement for water service fees or charges or by any other mailing to the address to which the SDWD customarily mails the billing statement for fees or charges for ongoing water service. Upon declaration of any water shortage condition level, the District may also post notice on its website.

If possible, the District should activate its public information campaign prior to a formal water shortage declaration to provide customers with advanced notice of impending water use restrictions. The District could continually update its webpage to notify residents of current and

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planned shortage levels and modify and expand the webpage, as necessary. During the recent drought, the District utilized bill inserts to inform its customers of water shortage levels and the associated mandatory demand reduction actions. Other actions that suppliers may take to increase public outreach are contacting large water users and businesses that are most likely to be seriously affected directly in writing and/or providing public notifications for non-English speakers.

Because the District aligns its water shortage response levels with the SDCWA, public outreach and messaging campaigns conducted by SDCWA will also benefit the District as it triggers different levels.

### 30.6 Compliance and Enforcement

#### *CWC 10632(a)(6)*

*For an urban water supplier, customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions as determined pursuant to Section 10632.2.*

Any person who uses, causes, or permits the use of water in violation of the District's WSCP is guilty of an offense punishable as established by the provisions of Article 29. Each day that a violation of this ordinance occurs is counted as a separate offense. Violation of Article 29 may result in issuance of a warning notice, fines, restriction of service, and/or discontinuance of service. Administrative fines may be levied for each violation of a provision of this ordinance as shown in **Table 30-4**.

Violation of a provision of Article 29 is also subject to enforcement through installation of a flow-restricting device on the meter. Each willful violation of this ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than 30 days and/or a fine not exceeding \$1,000, as authorized in CWC section 377. A willful and excessive violation of the mandatory conservation measures and water use restrictions as set forth in Section 30.3 may result in a discontinuance of service.

**Table 30-4: Penalties for Violation of Article 29**

<b>Violation</b>	<b>Penalty</b>
First Violation	Warning (at sole discretion of General Manager)
Second Violation	\$100 fine
Third Violation	\$200 fine
Fourth Violation (and each additional violation)	\$500 fine
NOTES: Within the current twelve-month period from the most recent violation.	

Customer can report any water waste observed within the District's service area by filling out and submitting the Water Waste Reporting Form, which can be found on the District's website ([City of Encinitas | Report Water Waste](#)) Customer can also report water waste using the District's telephone hotline by calling 760-633-2810.

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### 30.7 Consumption Reduction Methods

In addition to water use restrictions and prohibitions, the District implements consumption reduction methods to reduce water demands within its service area. When a Level 1 condition is declared, the District will expand its public education and outreach efforts to increase public awareness of the need to implement water conservation practices. The District will continue to increase public outreach and engagement efforts as needed upon triggering progressive water shortage levels.

The District, in conjunction with local agencies and MWD, offers several ongoing rebate and incentive programs to help its customers reduce water use, which in turn help the District reach its targeted water use reductions. Actions taken by the District to reduce demands during each shortage stage are presented in **Table 30-5**. The District's consumption reduction methods, including rebate and incentive programs, are discussed in more detail in the District's UWMP.

**Table 30-5: Supply Augmentation and Other Actions**

DWR Table 8-3: Supply Augmentation and Other Actions			
Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier	Shortage Gap Reduction	Additional Explanation or Reference <i>(optional)</i>
All Levels	Increase Water Waste Patrols	5%	Water Waste Monitoring and/or Enforcement
All Levels	Expand Public Information Campaign	5%	
All Levels	Offer Water Use Surveys	Variable	
All Levels	Provide Rebates on Plumbing Fixtures and Devices	Variable	
All Levels	Provide Rebates for Landscape Irrigation Efficiency	Variable	
All Levels	Provide Rebates for Turf Replacement	Variable	
All Levels	Decrease Line Flushing	Variable	
All Levels	Reduce System Water Loss	< 1%	District's water losses are already very good compared to the water industry average (approximately 3% of total demand)
Level 2 - 6	Implement or Modify Drought Rate Structure or Surcharge	2%	May implement drought rates.
Levels 2 - 6	Other	5%	Customer billing inserts describing water shortage response actions.
Levels 3 - 6	Other	Variable	The District may establish a water allocation for any property it serves.
Levels 3 - 6	Other	Variable	The District may suspend consideration of annexations to its service area.
Levels 4 - 6	Moratorium or Net Zero Demand Increase on New Connections	Variable	Suspends new potable water services and new temporary and permanent meters unless the District provides a program to offset new potable water demands (this exception does not apply to Level 6).

### 30.8 Legal Authorities

#### **CWC 10632(a)(7)**

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

(B) *A statement that an urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1. [see below]*

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

#### **Water Code Division 1, Section 350**

*Declaration of a water shortage emergency condition. The governing body of a distributor of a public water supply, whether publicly or privately owned and including a mutual water company, shall declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.*

The District has the legal authority to implement and enforce its water shortage contingency plan. California Constitution article X, section 2 and CWC section 100 provide that water must be put to beneficial use, the waste or unreasonable use or unreasonable method of use of water shall be prevented, and the conservation of water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and the public welfare. In addition, CWC section 375 provides the District with the statutory authority to adopt and enforce water conservation restrictions, and CWC sections 350 et seq. authorize the District to declare a water shortage emergency and impose water conservation measures when it determines that the District may not be able to satisfy ordinary demands without depleting supplies to an insufficient level.

If necessary, the District shall declare a water shortage emergency in according with CWC Chapter 3 (commencing with section 350) of Division 1. Once having declared a water shortage, the Dis is provided with broad powers to implement and enforce regulations and restrictions for managing a water shortage. For example: CWC section 375(a) provides:

*Notwithstanding any other provision of the law, any public entity which supplies water at retail or wholesale for the benefit of persons within the service area or area of jurisdiction of the public entity may, by ordinance or resolution adopted by a majority of the members of the governing body after holding a public hearing upon notice and making appropriate findings of necessity for the adoption of a water conservation program, adopt and enforce a water conservation program to reduce the quantity of water used by those persons for the purpose of conserving the water supplies of the public entity.*

(CWC section 375(a).) CWC section 375(b) grants the District with the authority to set prices to encourage water conservation. Under California law, including CWC Chapters 3.3 and 3.5 of Division 1, Parts 2.55 and 2.6 of Division 6, Division 13, and article X, section 2 of the California Constitution, the District is authorized to implement the water shortage actions outlined in this

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WSCP. In water shortage cases, shortage response actions to be implemented will be at the discretion of the District and will be based on an assessment of the supply shortage, customer response, and need for demand reductions as outlined in this WSCP.

It is noted that upon proclamation by the Governor of a state of emergency under the California Emergency Services Act (Chapter 7 (commencing with section 8550) of Division 1 of Title 2 of the Government Code) based on drought conditions, the state will defer to implementation of locally adopted water shortage contingency plans to the extent practicable.

### 30.9 Monitoring and Reporting

#### ***CWC 10632(a)(9)***

*For an urban retail water supplier, monitoring and reporting requirements and procedures that ensure appropriate data is collected tracked, and analyzed for the purposes of monitoring customer compliance to meet state reporting requirements.*

The methods for determining actual water use reductions are implemented on an ongoing basis. All water received from the SDCWA is metered and monitored. Additionally, the District is fully metered. The meters measure and record the water used by each connection within its service area and keeps good records of the water meter readings. Water use from all customers can be retrieved from these historical water meter records. The District also regularly performs meter accuracy testing and meter replacement to ensure the accuracy of meter readings. When water use restrictions are in place, and specifically when water allocations have been implemented, the District closely monitors water use to ensure compliance with restrictions and to verify that customers are not exceeding their set allocations. Because the District collects water use data on a regularly scheduled basis as part of its customer billing process, it can calculate a baseline to compare to current water use during times of drought, which can then be used to estimate actual reductions in water use. If the trend in consumption is such that demand is greater than anticipated supply, the Board of Directors will be notified so that corrective action (such as increased publicity and enforcement or consideration of declaring the next higher stage) can be taken.

### 30.10 Refinement Procedures

#### ***CWC 10632(a)(10)***

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

The District's WSCP is a living document and will need to be responsive to the effectiveness of conservation measures in the midst of a water shortage. The District will analyze monthly monitoring data and convene the Board of Directors to determine if adaptive measures need to be taken to achieve the necessary shortage reduction levels. In the case that the water shortage response measures are not working as planned, the District will add new actions or refine current actions to achieve greater savings. Measures from a higher stage could be adopted into the current stage, such as requiring leak repairs within 24 hours for Stages 3 and 4 rather than 48 hours. When updates are needed, the District will coordinate with all appropriate City of Encinitas Departments to refine the plan and provide updated information and measures to the Board of Directors for approval.

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### 30.11 Financial Consequences

#### **CWC 10632(a)(8)**

*A description of the financial consequences of, and responses for, drought conditions, including, but not limited to, all of the following:*

*(A) A description of potential revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).*

*(B) A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).*

*(C) A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1.*

In the event of a water shortage emergency, the District's WSCP would be activated to respond to the applicable level of the shortage. With the activation of the District's drought policies, the drought response stage water conservation measures would go into effect and the District would be operating with reduced water sales. The amount of decreased water sales would depend on the drought response stage under which the District would be operating.

With the implementation of the water conservation measures associated with the drought response levels, the District may incur additional expenses. Some of these additional expenditures may come from increased staffing, increased staff time needed to implement measures, or increased costs of new supplies, transfers, or exchanges (by either the District or the SDCWA). Increased expenses may be recovered by implementing demand reduction rates (drought rates), volumetric penalties, and civil penalties. When allocations are implemented, any person that uses water in excess of the allocation shall be subject to a penalty in the amount of twice the District's existing customers class commodity rate if under 115% of the allocation and four times the District's existing customers class commodity rate if over 115% in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of Article 29, as discussed in **Section 30.6**. Additionally, the District may use reserve funds or defer non-critical maintenance or projects to help reduce expenses in the face of reduced water sales during a water shortage emergency or to reallocate staff efforts to support drought response actions.

The price of water is increasing, both as a commodity and with an overall decrease in available supplies. If necessary, the District's water rates would be adjusted in response to the increasing cost of water. Adjustments to the District's rate structure may offset potential losses in revenue due to reduced sales. The District is currently in the process of conducting a rate study in accordance with Proposition 218 and plans to coordinate this rate study with any rate adjustments associated with this ordinance.

### 30.12 Special Water Feature Distinction

#### **CWC 10632(b)**

*For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.*

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The District uses the term "ornamental" when referring to water features that are artificially supplied with water and are not swimming pools or spas (e.g., ornamental fountains, ornamental pond, ornamental like), as well as the term "decorative water feature". Table 30-3 specifies shortage response actions that are applicable to these ornamental water features, distinct from pools or spas. Water shortage response actions also distinguish between ornamental water features and artificial water features that support aquatic life or livestock in the action itself.

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### **APPENDIX A: EXCERPTS FROM THE MULTI-HAZARD MITIGATION PLAN FOR SAN DIEGO COUNTY**