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Technical Advisory Committee Members

City of Carmel-by-the-Sea
Marc Wiener

City of Del Rey Oaks
Daniel Dawson

City of Monterey
Todd Bennett – Chair

City of Pacific Grove
Anastazia Aziz

City of Sand City
Todd Bodem – Vice Chair

City of Seaside
Tim O'Halloran

County of Monterey
Rob Johnson

Monterey Peninsula Airport District
Shelley Glennon

MPWMD Contacts:
General Manager,
David J. Stoldt

Water Demand Manager,
Stephanie Locke

Executive Assistant,
Arlene Tavani

AGENDA
Technical Advisory Committee (TAC)
Of the Monterey Peninsula Water Management District

Thursday, March 17, 2016, 10:30 am
District Conference Room, 5 Harris Court, Building G, Monterey, CA

Call to Order

Comments from Public

The public may comment on any item within the District's jurisdiction. Please limit your comments to three minutes in length.

Action Items – *Public comment will be received on all Action Items. Please limit your comments to three minutes in length.*

1. Consider Adoption of September 22, 2015 Committee Meeting Minutes
Action: Review and approve September 22, 2015 committee meeting minutes.
2. Consider Development of Recommendation to the Board of Directors re the First Reading of Ordinance No. 170 – Amending Rules 11, 20, 21, 22, 23, 24, 25.5 and 142
Action: The TAC will review the draft ordinance and may develop a recommendation to the MPWMD Board of Directors.

Questions from Committee Members to MPWMD Staff – *Public comment will be received.*

Adjourn

Staff reports regarding these agenda items will be available for public review on Monday, March 14, 2016 at the District office and website. After staff reports have been distributed, if additional documents are produced by the District and provided to the Committee regarding any item on the agenda, they will be made available at 5 Harris Court, Building G, Monterey, CA during normal business hours. In addition, such documents will be posted on the District website at mpwmd.net. Documents distributed at the meeting will be made available in the same matter.

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or

accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a description of the requested materials and preferred alternative format or auxiliary aid or service by 5 PM on Monday, March 14, 2016. Requests should be sent to the Board Secretary, MPWMD, P.O. Box 85, Monterey, CA, 93942. You may also fax your request to the Administrative Services Division at 831-644-9560, or call 831-658-5600.

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TECHNICAL ADVISORY COMMITTEE**ITEM: ACTION ITEM****1. CONSIDER ADOPTION OF SEPTEMBER 22, 2015 COMMITTEE MEETING MINUTES****Meeting Date: March 17, 2016****From: David J. Stoldt,
General Manager****Prepared By: Arlene Tavani**

SUMMARY: Attached as **Exhibit 1-A** are draft minutes of the September 22, 2015 committee meeting.**RECOMMENDATION:** Upon review, the committee should adopt the minutes by motion.**EXHIBIT****1-A** Draft Minutes of September 22, 2016 Committee Meeting



EXHIBIT 1-A

DRAFT MINUTES

**Technical Advisory Committee of the
Monterey Peninsula Water Management District
September 22, 2015**

Call to Order

The meeting was called to order at 2:36 pm in the Conference room at the offices of the Monterey Peninsula Water Management District.

Committee members present: City of Carmel-by-Sea Marc Wiener (arrived at 2:45 pm)
City of Del Rey Oaks Daniel Dawson
City of Monterey Todd Bennett, Chair
City of Pacific Grove Anastazia Aziz
City of Seaside Tim O'Halloran
Monterey Peninsula Shelley Glennon
Airport District

Committee members absent: County of Monterey Rob Johnson
City of Sand City Todd Bodem, Vice Chair

Staff members present: David J. Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Arlene Tavani, Executive Assistant

Comments from the Public: No comments.

Action Items

1. Consider Adoption of February 18, 2015 Committee Meeting Minutes

On a motion by Aziz and second of Bennett, the minutes were approved on a vote of 3 – 2. Glennon, Aziz and Bennett voted in favor of the motion. Dawson and O'Halloran abstained from voting as they were not present at the February 18, 2015 meeting. Johnson, Bodem and Wiener were absent for the vote.

2. Discuss Implementation of 2015 Department of Water Resources Update to Model Water Efficient Landscape Ordinance (MWELO)

Dawson offered a motion that was seconded by O'Halloran to approve adoption of the Model Water Efficient Landscape Ordinance; that it be adopted by all jurisdictions within the Water Management District; and that the District be responsible to implement the ordinance as a regional measure. The motion was approved on a vote of 6 – 0 by Dawson, O'Halloran, Wiener, Bennett, Aziz and Glennon. Johnson and Bodem were absent. There was also consensus that the Water Management District should send a letter to each jurisdiction regarding regional implementation of the State landscape ordinance. No public comment was directed to the committee on this item.

Mark Wiener joined the meeting at 2:45 pm during the committee discussion of this item.

Locke introduced the item to the committee and responded to questions. Comments from the committee members: (A) Will the Water Management District assess a fee for processing the landscape permits? *Response: Yes, a permit processing fee. The fee must be developed, based on the extra time needed to process the application including field inspections.* (B) The City of Monterey has adopted the State ordinance, but does not fine persons who are out of compliance. Monterey would willingly pass the responsibility for implementation and enforcement to the Water Management District. (C) Suggest that a conceptual landscape plan could be submitted to the planning departments and the final would be submitted with their building permit, and at that point the Water Management District would review the plan for the water permit and conduct the landscape plan inspections. (D) The jurisdictions should encourage applicants to contact the Water Management District at the beginning of the planning process. (E) A bill has been adopted by the State Assembly that requires the jurisdictions to approve installation of artificial turf. (F) It is not a surety that the City of Del Rey Oaks will support the Water Management District taking responsibility to enforce the State ordinance for the jurisdictions. (G) Could the State issue fines to the Water Management District if it did not enforce the ordinance? *Response: Yes. The State regulation includes reporting requirements that the Water Management District must adhere to.* (H) Would each jurisdiction need to adopt the State ordinance and file the reports? *Response: The jurisdictions could adopt the ordinance. However if this is a regional program, the Water Management District must notify the Department of Water Resources and begin implementation in February 2015.*

3. Consider Proposed Rebate Program Changes

On a motion by O'Halloran and second of Bennett, the committee recommended that the Board of Directors approve the proposed changes to the rebate program. The motion was adopted on a vote of 6 – 0 by Dawson, O'Halloran, Wiener, Bennett, Aziz and Glennon. Johnson and Bodem were absent.

During the discussion of this item, Stoldt stated that a revised water rationing plan will be presented to public groups soon. Locke reported that surveys were sent to restaurant owners asking them to report the number of outdoor seats in their establishments. Aziz announced that on October 7 – 9, 2015 the California Stormwater Quality Association would meet in Monterey. Some sections on greywater recharge are scheduled.

Adjournment

The meeting was adjourned at 3:30 pm.

EXHIBIT 2-A**ORDINANCE NO. 170****AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULES 11, 20, 21, 22, 23, 24, 25.5, AND 142****FINDINGS**

1. The Monterey Peninsula Water Management District was created to address ground and surface water resources in the Monterey Peninsula area, which the Legislature found required integrated management, and was endowed with the powers set forth in the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, found at West's Water Code, Appendix, Section 118-1, et seq.).
2. The Monterey Peninsula Water Management District has adopted and regularly implements water conservation and efficiency measures which, inter alia, sets standards for the installation of plumbing fixtures in New Construction, and requires retrofit or replacement of existing plumbing fixtures upon Change of Ownership, Change of Use, and Expansion of Use, and for existing Non-Residential uses. The Monterey Peninsula Water Management District has general and specific power to cause and implement water conservation activities as set forth in Sections 325 and 328 of the Monterey Peninsula Water Management District Law.
3. The Monterey Peninsula Water Management District has found and determined that it is in the best interests of the Monterey Peninsula Water Management District and its inhabitants to define, implement and enforce water efficient plumbing standards and requirements for the conservation of Potable water supplies. Retrofit or replacement of existing plumbing fixtures shall lessen consumption of the limited water resources available on the Monterey Peninsula. Installation of water efficient plumbing fixtures reduces the burden of new, expanded or modified uses on the water resources.
4. This Ordinance amends Rule 20, Permits Required, to add a Water Permit exemption for replacement of a Large Bathtub with a Standard Bathtub or Shower Stall and to add the Model Water Efficient Landscape Ordinance requirement for large rehabilitated Landscape areas.
5. This Ordinance exempt On-Site rainwater capture facilities from the Water Distribution System Permit requirement.

6. This Ordinance codifies 2015 amendments to the California Model Water Efficient Landscape Ordinance.
7. This Ordinance updates the District's water fixture requirements to reflect 2015 changes to the California Code of Regulations (Title 20, Sections 1601-1608).
8. This Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000 et seq.). Pursuant to State CEQA Guidelines section 15307 (14 Cal. Code Regs., § 15307), this Ordinance is covered by the CEQA Categorical Exemption for actions taken to assure the maintenance, restoration, enhancement, or protection of a natural resource where the regulatory process involves procedures for protection of the environment.

NOW THEREFORE be it ordained as follows:

DRAFT

ORDINANCE

Section One: Short Title

This ordinance shall be known as the **2016 Rule Amendment Ordinance** of the Monterey Peninsula Water Management District.

Section Two: Statement of Purpose

The Monterey Peninsula Water Management District enacts this ordinance to address certain actions necessary to process and issue Water Permits and Water Distribution System Permits, and to add to the Rules and Regulations recent amendments to the California Code of Regulations (Title 20, Sections 1601-1608) and the State Model Water Efficient Landscape Ordinance.

Section Three: Definitions

The following terms shown in *bold italics* (new text) and ~~strikeout~~ (deleted text) shall be given the definitions set forth below and shall be permanently added to Rule 11, Definitions, of the Rules and Regulations of the District. Numbering is provided for reference only.

1. INTENSIFIED WATER USE – “Intensified Water Use” shall mean any change in water use occurring on a Parcel which, in a Residential use, is evidenced by an increase in the number of fixture units serving that Parcel; or, in any ~~Commercial, industrial, Public Authority, or Other Use~~ *Non-Residential use*, is evidenced by the incremental change in the Project’s Capacity for annual water use based upon one or more of the factors set forth in Rule 24 of the existing Rules and Regulations. The term “Intensification of Use” shall also refer to an Intensified Water Use. ~~Use of any quantity of water reserved by an unexpired Water Use Credit shall not cause an Intensified Water Use. The term “Capacity” refers to the maximum long term water use which theoretically may occur on that Site, based on average water use data for similar projects in the Monterey Peninsula region, as shown by the projected water use tables set forth in Rule 24.~~

~~A Change of Use from a commercial category in one group to another category in a higher water use group, or from any commercial category in Group III to another category in Group III, as shown on Table No. 2 of Rule 24, shall be deemed an Intensification of Use requiring an Expansion/Extension Permit, or an amended~~

~~Permit pursuant to these Rules and Regulations. Where there is no increase in the size of a commercial structure, a Change of Use from one commercial category in Group I to another category within Group I, or a Change of Use from one commercial category in Group II to another in Group II, however, shall not cause an Intensification of water Use.~~

2. ~~REQUIRED CONSERVATION MEASURES~~

~~“Required Conservation Measures”~~

- a. ~~Flush sewers with Sub-potable or Reclaimed Water except in cases of emergency.~~
- b. ~~New Construction: Plumbing fixtures must be at least as efficient as the following water conservation requirements: toilets shall not use more than 1.6 gallons per flush maximum; Urinals shall use no more than 1.0 gallons per flush; Showerheads shall use no more than 2.5 gallons per minute without a separate restriction device and faucets shall have aerators that use no more than 2.2 gallons per minute maximum irrespective of the pressure in the water supply line; hot water systems must be Instant Access Hot Water Systems; Drip Irrigation must be installed for all shrub or tree areas rather than spray heads, unless plant material or site conditions preclude drip as the most appropriate choice. Handheld watering may also be used.~~
- c. ~~Projects that result in added water fixtures or expansion of more than 25 percent of the existing square footage, and all Non-Residential Changes of Use, shall meet the Required Conservation Measures for New Construction with the exception of retrofitting to Drip Irrigation and Instant Access Hot Water Systems.~~

3. ~~MANDATED~~ – ~~“Mandated” shall mean a requirement of the District (e.g. Ultra-Low Flush Toilets are mandated for New Construction) adopted by ordinance.~~
4. **DUAL FLUSH ULTRA-LOW FLUSH TOILET** -- **“Dual Flush Ultra-Low Flush Toilet” shall mean a toilet *with an effective flush volume that does not exceed 1.28 gallons, where effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush* designed to allow the user to choose between a light flush (usually 0.8 gallon) and a longer 1.6 gallon flush.**
5. **PRODUCTION LIMIT** -- **“Production Limit” shall refer to the maximum production permitted for a Water Distribution System.**
6. **RECLAIMED WATER** – **“Reclaimed Water” shall mean wastewater effluent that has**

been treated to the tertiary level, including disinfection. Reclaimed Water is a form of Recycled Water.

Section Four: Amendment of Rule 20, Permits Required

Rule 20-B shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to add a Water Permit exemption for replacement of a Large Bathtub with a Standard Bathtub or Shower Stall and to add the Model Water Efficient Landscape Ordinance requirement for large rehabilitated Landscape areas.

B. PERMITS TO CONNECT TO OR MODIFY A CONNECTION TO A WATER DISTRIBUTION SYSTEM

Before any Person connects to or modifies a water use Connection to a Water Distribution System regulated by the District or to any Mobile Water Distribution System regulated by the District or to any Mobile Water Distribution System, such Person shall obtain a written Permit from the District or the District's delegated agent, as described in District Rules 21, 23 and 24. The addition of any Connection and/or modification of an existing water Connection to any Water Distribution System permitted and regulated by the District shall require a Water Permit.

The following actions require a Water Permit:

1. Any change in use, size, location, or relocation of a Connection or Water Measuring Device which may allow an Intensification of Use or increased water consumption.
2. Each use of an On-Site credit or Water Use Credit.
3. Any modification to the number or type of Residential water fixtures shown in Rule 24, Table 1, Residential Fixture Unit Count Values, with ~~two~~ *three* exceptions: (1) replacement of a Standard Bathtub with a Shower Stall and vice versa; ~~and~~ (2) removal of a lawful water fixture, *and (3) replacement of a Large Bathtub previously documented by the District with a Standard Bathtub or a Shower Stall.*

4. Any Landscaping changes resulting in an Intensification of Use when a Landscape plan has been reviewed and approved as a component of a Water Permit.
5. *Existing rehabilitated landscapes over 2,500 square-feet that are associated with a building or landscape permit, plan check, or design review.*
56. Any Change of Use or any expansion of a Non-Residential use to a more intensive use as determined by Rule 24, with the exception of Temporary Structures and Temporary Exterior Restaurant Seats that are not occupied or in use for longer than thirty (30) consecutive days.
67. Installation of new water fixtures (Rule 24, Table 1) in a Residential use, other than replacement of existing water fixtures.
78. Use of water from a Mobile Water Distribution System.

Section Five: **Amendment of Rule 20-C-7**

Rule 20-C-7, shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to exempt On-Site rainwater capture facilities from the Water Distribution System Permit requirement.

7. For On-Site rainwater capture facilities (e.g., Cisterns) that serve Single-Parcel Connection Systems for Residential or Commercial Use situations for On-Site Landscape irrigation use. *A written Confirmation of Exemption is not required.*

Section Six: **Amendment of Rule 21-B-3**

Rule 21-B-3, shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to incorporate requirements of the California Model Water Efficient Landscape Ordinance.

3. *New development projects that include landscape areas of 500 sq. ft. or more and existing rehabilitated landscapes over 2,500 square-feet that are associated with a building or landscape permit, plan check, or design review area subject to the California State Model Water Efficient Landscape Ordinance, as amended. The Applicant shall submit a*

complete Landscape Documentation Package. The Landscape Documentation Package shall include: A Landscape Water Budget which includes the Maximum Applied Water Allowance (MAWA) and Estimated Applied Water Use calculations and three copies of the Landscaping plan for new exterior use when the Site exceeds 10,000 square feet in size, when the Project is a Non-Residential use, or when the Project involves Multi-Family Dwellings or mixed uses.

- a. Project information including the date, project Applicant, total landscape area, water supply, water purveyor;*
- b. A Landscape Water Budget which includes the Maximum Applied Water Allowance (MAWA) and Estimated Applied Water Use (ETWU) calculations with three copies of the Landscape plan;*
- c. Soil analysis and recommendations (from a soil laboratory);*
- d. Landscape design/project notes; plant legend; plant count;*
- e. Landscape design hydrozone water use;*
- f. Irrigation design/irrigation project notes;*
- g. Grading design plan from an Engineer;*

Section Seven: Amendment of Rule 22-D-1-h, Action on Application for Permit to Create/Establish a Water Distribution System

Rule 22 shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to address situations such as the Malpas Water Company Water Entitlement where new Connections to the California American Water Company Water Distribution System may occur.

- h. Permit shall identify whether interties to other systems are allowed and shall identify restrictions or prohibitions on such interties, including devices to prevent cross-contamination of systems. MPWMD shall not approve any Water Permit for new Connections to the California American Water system, *based on California American Water's authorized water rights*, due to the inability of a permitted Water Distribution System to deliver adequate water quality or quantity to Parcels within its Service Area until there is full compliance by California

American Water with State Water Resources Control Board Order No. WR 95-10 (as amended); California American Water compliance with the March 2006 Final Decision of the Seaside Groundwater Basin Adjudication (as amended); and water is available in the respective Jurisdiction's Allocation for release to the Parcels(s);

Section Eight: Amendments to Rule 24, Calculation of Water Capacity and Capacity Fees

- A. Rule 24-E-6-(g) shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to add the Landscape Documentation Package pursuant to the Model Water Efficient Landscape Ordinance.
- g. A *Landscape Documentation Package* ~~detailed landscape plan and Landscape Water Budget, including the MAWA calculation,~~ shall be included with the Water Permit application.
- B. Rule 24-E-7 shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to add omit the administrative processing fee. Fees and Charges are found in Rule 60.
7. Refunds requested for Capacity Fees paid for a Conditional Water Permit shall be processed under the following time lines ~~and shall be subject to an administrative processing fee of one hundred dollars (\$100):~~
- a. Refunds of less than fifty thousand dollars (\$50,000) shall be processed within thirty (30) days;
- b. Refunds between fifty thousand dollars (\$50,000) and one hundred thousand dollars (\$100,000) shall be processed within forty-five (45) days;
- c. Refunds over one hundred thousand dollars (\$100,000) shall be processed within sixty (60) days.

Section Nine: Amendments to Rule 25.5, Water Use Credits and On-Site Water Credits

- A. Rule 25.5-B shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to remove the reference to Low Water Use Plumbing Fixtures, a definition that has been deleted.
- B. Water savings resulting from mandatory District programs, including water savings resulting from ~~the installation of Low Water Use Plumbing Fixtures mandated by the District~~*compliance with Regulation XIV*, shall not result in a Water Use Credit, with the exception of Table 4 retrofits. Such savings shall be set aside as permanent water conservation savings ~~essential to the District's 15 percent conservation goal approved by the Board in March 1984.~~
- B. Rule 25.5-F-4.b shall be amended as shown in bold italics (*bold italics*) and strikethrough (~~strikethrough~~) to correct the table's name.
- b. Residential Water Use Credits shall only be granted for installation of *the* ultra-low consumption appliances: *Listed in* Table 4: ~~Ultra-Low Consumption~~ *High Efficiency* Appliance Credits. ~~shall list the ultra-low consumption appliances and the quantity of Water Use Credit available for the permanent installation of the appliance. This table shall~~ *may* be amended by Resolution of the Board of Directors.

Section Ten: Amendment to Rule 142, Water Efficiency Standards

Rule 142 shall be amended as shown below, with added language as shown in *bold italic* type face, and deleted language shown in ~~strikeout~~ type face. Amendments codify language adopted in Urgency Ordinance No. 167 pertaining to 2015 changes to California Code of Regulations (Title 20, Sections 1601-1608) and to the State Model Water Efficient Landscape Ordinance. Water Permits issued prior to adoption of this ordinance list the water efficiency requirements in effect at the time the permit was issued.

RULE 142 - WATER EFFICIENCY STANDARDS

A. Water Efficiency Standards.

- I.* All New Construction of New Structures shall install and maintain plumbing fixtures and conservation standards as set forth in this Rule.

2. No plumbing fixture ~~or standard~~ shall be replaced with fixtures which allow greater water use.
3. ***All new and replacement water fixtures shall comply with then-current California plumbing and energy standards/codes when more restrictive than the District's.***

B. Former Rules. Water Permits issued prior to January 1, ~~2010~~**2013**, ~~shall be~~ **were** subject to requirements of former Rule 142 summarized below:

1. ~~Former~~ Rule 142 ***prior to January 1, 2010***, required all New Construction, Remodels and Additions to install maximum 2.5 gallons-per-minute Showerheads and 2.2 gallons-per-minute faucet aerators.
2. New Construction of New Structures ***prior to January 1, 2010***, also required installation of Instant-Access Hot Water Systems and installation of Drip Irrigation where appropriate.
3. Water Permits issued between January 1, 2010 and December 31, 2012, ~~shall be~~ **were** subject to the rules in effect on the date of issuance as stated on the Water Permit and on any associated deed restriction(s).

C. Residential Water Efficiency Standards for New Structures.

All Residential New Structures receiving a Water Permit ~~on or after January 1, 2010~~, shall meet or exceed the following standards:

1. High Efficiency or Ultra-High Efficiency Toilets shall be installed;
2. Urinals, when installed in a Residential use, shall be designed to flush with one (1) gallon of water. ***On and after January 1, 2016, newly installed Urinals shall flush with no more than 0.125 gallon per flush;***
3. Showerheads, Rain Bars, or Body Spray Nozzles shall be installed that were designed and manufactured to emit a maximum of 2.0 gallons per minute of water;

4. All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;
5. High Efficiency Clothes Washer(s) and High Efficiency Dishwasher(s) shall be required when installed in a Residential use;
6. Lavatory Sink faucets shall emit a maximum of ~~2.2~~ 1.2 gallons of water per minute at 60 psi;
7. Kitchen Sink, Utility Sink, and Bar Sink faucets shall emit a maximum of ~~2.2~~ 1.8 gallons of water per minute at 60 psi. *Faucets may have the capability to temporarily increase flow to 2.2 gallons per minute for filling pots and pans, but must default back to a maximum flow rate of 1.8 gallons per minute measured at 60 psi.;*
8. Instant-Access Hot Water Systems shall be installed;
9. All hot water pipes shall be insulated;
10. Sodium chloride (salt) water softeners shall be discouraged in New Construction. Alternate technologies such as potassium chloride shall be recommended. When a sodium chloride water softener is to be installed within the MPWMD, the unit shall use demand-initiated regeneration which senses when the resin must be recharged, either electronically or with a meter that measures and calculates usage. This requirement shall be specified on the Construction Drawings.
11. Landscaping.
 - a. All New Construction shall install and maintain Landscaping that complies with the California Model Water Efficient Landscape Ordinance as revised (California Code of Regulations, Title 23, Water, Division 2, Department of Water Resources, Chapter 2.7, Model Water Efficient Landscape Ordinance) or with local or District Landscape requirements if more restrictive.
 - b. Plants shall be grouped in hydrozones.
12. Irrigation System Efficiency.

- a. Weather-Based Irrigation System Controllers (e.g. Smart Controllers) shall be installed, used and maintained on Sites where there is an Irrigation System.
- b. Weather-Based Irrigation System Controllers shall include functioning Soil Moisture Sensors and a Rain Sensor as components of the system.
- c. Drip Irrigation shall be utilized for watering all non-turf irrigated plantings.
- d. Rotating Sprinkler Nozzles shall be utilized for turf irrigation.
- e. Overhead spray irrigation shall not be used to water non-turf Landscaping, including trees and shrubs.
- f. Irrigation Systems shall operate with at least ~~70~~ 75 percent efficiency *for overhead spray devices and at least 81 percent for drip systems.*
- g. Rainwater collection/irrigation systems are encouraged to supplement irrigation for new Landscaping. New Structures shall be encouraged to include one or more rainwater Cisterns and a system to provide at least 75 percent of exterior irrigation during normal rainfall years. Systems must be compliant with local catchment system standards.
- h. Graywater collection/irrigation systems are encouraged to supplement irrigation for new Landscaping. Systems must be compliant with local catchment system standards, including Monterey County Department of Environmental Health.
- i. All Sites utilizing a Graywater reuse system shall install and maintain a backflow prevention device as required by any Water Distribution System Operator that supplies water to the Site.

D. Non-Residential Water Efficiency Standards for New Structures.

All Non-Residential New Structures receiving a Water Permit ~~on or after~~
~~January 1, 2010~~, shall meet or exceed the following standards:

1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
2. Urinals shall be Pint Urinals or Zero Water Consumption Urinals and shall be clearly specified on the final Construction Drawings. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;
3. Showerheads, Rain Bars, or Body Spray Nozzles shall be installed that were designed to emit a maximum of 2.0 gallons per minute of water;
4. All shower fixtures should be equipped with scald protection valves rated for 2.0 gallons per minute Showerheads;
5. High Efficiency Clothes Washer(s) and High Efficiency Dishwasher(s) shall be required when installed in a Residential use;
6. Public Washbasins shall emit a maximum of 0.5 gallon of water per minute at 60 psi. Private Washbasins (e.g., hotel or motel guest rooms and hospital patient rooms) shall emit a maximum of ~~4.5~~ **1.2** gallons of water per minute at 60 psi. All other sinks shall emit a maximum of 2.2 gallons of water per minute at 60 psi unless higher flow is required by Health and Safety Code;
7. Public Washbasins equipped with automatic shut off devices or sensor faucets shall operate with a maximum flow of 0.25 gallons per cycle;
8. High Efficiency Clothes Washers shall be installed when a Clothes Washer is installed in a New Structure permitted under this Regulation;
9. High Efficiency Dishwashers or High Efficiency Commercial Dishwashers shall be installed and maintained on the Site when a Dishwasher is installed in a New Structure permitted by a Water Permit;

10. Instant-Access Hot Water System(s) shall be installed for hot water access points to ensure that hot water is available within ten (10) seconds;
11. All hot water pipes shall be insulated;
12. Sodium chloride (salt) water softeners shall be discouraged in New Construction. Alternate technologies, such as potassium chloride shall be recommended. When a sodium chloride water softener is to be installed within the MPWMD, the unit shall use demand-initiated regeneration which senses when the resin must be recharged, either electronically or with a meter that measures and calculates usage. This requirement shall be specified on the Construction Drawings;
13. Water Efficient Pre-Rinse Spray Valves shall be utilized when a pre-rinse spray valve is installed;
14. There shall be no single-pass water use systems in ice machines, hydraulic equipment, refrigeration condensers, X-ray processing equipment, air compressors, vacuum pumps, etc. Air-cooled or better technology shall be installed when available;
15. Water cooled refrigeration equipment shall be prohibited when there is alternative cooling technology available at the time the Water Permit is issued;
16. Cooling Towers shall be equipped with conductivity controllers that are used to increase the number of cycles that can be achieved;
17. Boilerless steamers or connectionless steamers shall be installed in place of boiler-based steamers when a steamer is installed in New Construction;
18. Landscaping.
 - a. All New Construction shall install and maintain Landscaping that complies with the California Model Water Efficient Landscape Ordinance as revised (California Code of

Regulations, Title 23, Water, Division 2, Department of Water Resources, Chapter 2.7, Model Water Efficient Landscape Ordinance) or with local or District Landscape requirements if more restrictive.

- b. Plants shall be grouped in hydrozones.

19. Irrigation System Efficiency.

- a. Weather-Based Irrigation System Controllers shall be installed, used and maintained on Sites where there is an Irrigation System.
- b. Weather-Based Irrigation System Controllers shall include functioning Soil Moisture Sensors and a Rain Sensor as components of the system.
- c. Drip Irrigation shall be utilized for watering all non-turf irrigated plantings.
- d. Rotating Sprinkler Nozzles shall be utilized for turf irrigation.
- e. Overhead spray irrigation shall not be used to water non-turf Landscaping, including trees and shrubs.
- f. Irrigation Systems shall operate with at least ~~70~~ **75** percent efficiency *for overhead spray devices and at least 81 percent for drip systems*.
- g. Rainwater collection/irrigation systems are encouraged to supplement irrigation for new Landscaping. New Structures shall be encouraged to include one or more rainwater Cisterns and a system to provide at least 75 percent of exterior irrigation during normal rainfall years. Systems must be compliant with local catchment system standards.

- h. Graywater collection/irrigation systems are encouraged to supplement irrigation for new Landscaping. Systems must be compliant with local catchment system standards, including Monterey County Department of Environmental Health.
 - i. All Sites utilizing a Graywater reuse system shall install and maintain a backflow prevention device as required by any Water Distribution System Operator that supplies water to the Site.
- 20. The implementation of water conservation Best Management Practices shall be integrated into construction and operation of the project to the extent possible.
 - 21. The use of Alternative Water Sources for indoor toilet flushing and other uses allowed by the Jurisdiction shall be encouraged.

E. Residential and Non-Residential Change of Ownership, Change of Use, and Expansion of Use Water Efficiency Standards

Sites that have a Change of Ownership, *or receive a Water Permit for a Change of Use or Expansion of Use on or after January 1, 2010*, shall meet or exceed the following standards:

- 1. High Efficiency or Ultra High Efficiency Toilets shall be installed;
- 2. Urinals shall be High Efficiency Urinals (*if installed prior to January 1, 2016*), Pint Urinals, or Zero Water Consumption Urinals. Zero Water Consumption Urinals shall be encouraged in settings where there is a regular maintenance staff;
- 3. Showerhead flow rates shall meet or exceed New Construction standards;
- 4. Bathroom faucet flow rates shall meet or exceed New Construction standards;

5. Kitchen faucet flow rates shall meet or exceed New Construction standards;
6. Remodels or relocations of water fixtures or appliances that involve hot water shall be encouraged to install an Instant-Access Hot Water System and insulate all new hot water pipes;
7. Pre-rinse spray valves shall meet or exceed the District's definition for Water Efficient Pre-Rinse Spray Valves;
8. Changes of Use and Expansions of Use that require a Water Permit shall not install any single-pass water use systems in ice machines, hydraulic equipment, refrigeration condensers, X-ray processing equipment, air compressors, vacuum pumps, etc. Air-cooled or better technology shall be installed when available;
9. Changes of Use and Expansions of Use that require a Water Permit shall not install any water cooled refrigeration equipment when there is alternative water efficient cooling technology available at the time the Water Permit is issued;
10. Automatic Irrigation Systems, with the exception of Weather-Based Irrigation Systems, shall be retrofit to include a Rain Sensor;
11. The implementation of Non-Residential Best Management Practices shall be integrated into construction and operation of Non-Residential uses to the extent possible.

Section Eleven: **Publication and Application**

The provisions of this ordinance shall cause the amendment and republication of Rules 11, 20, 21, 22, 23, 24, 25.5, and 142 of the permanent Rules and Regulations of the Monterey Peninsula Water Management District.

Section Twelve: **Effective Date and Sunset**

This ordinance shall take effect at 12:01 a.m. thirty (30) days after adoption.

This Ordinance shall not have a sunset date.

Section Thirteen: Severability

If any subdivision, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director _____, and second by Director _____, the foregoing ordinance is adopted upon this ____ day of _____, 2016, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true, and correct copy of an ordinance duly adopted on the ____ day of _____, 2016.

Witness my hand and seal of the Board of Directors this _____ day of _____, 2016.

David J. Stoldt, Secretary to the Board