



City Manager's Office

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Phone 805/449.2121 • Fax 805/449.2125 • www.toaks.org

July 17, 2017

 RECEIVED

JUL 24 2017

Ventura County
Grand Jury

Ms. Pamela Riss, Foreperson
Ventura County Grand Jury
800 South Victoria Avenue
Ventura, CA 93009

Dear Ms. Riss:

On behalf of Mayor Claudia Bill-de la Peña, please find attached the City of Thousand Oaks' response to the Grand Jury report titled, "Water Consideration for Cities" dated May 8, 2017.

Sincerely,

Ellen Rosa
Executive Assistant

CMO:510-40H:Common/Response to Grand Jury Report Water Consideration for Cities Dated 05 08 17

2



Response to Grand Jury Report Form

Report Title: Water Considerations for Cities
Report Date: May 8, 2017
Response By: City Council of the City of Thousand Oaks

Pursuant to California Penal Code Sections 933(c) and (d), the City Council of the City of Thousand Oaks provides the following responses to the findings and recommendations included in the above referenced Grand Jury Report.

BACKGROUND

Using the most recent (2015) Urban Water Management Plans (UWMPs) of the ten cities within Ventura County, the 2016-2017 Ventura County Grand Jury investigated existing urban water demand, future demand, and potential sources of water to determine whether Ventura County cities have adequately considered long-term water needs. The review was conducted at the same time the state was emerging from a very severe four-year drought and state-imposed conservation targets for all urban water management agencies throughout California. The Grand Jury report entitled "Water Considerations for Cities" dated May 8, 2017 concludes that while plans meet State requirements, there is over reliance on imported water, requiring expensive and unfunded infrastructure changes, and recommends the development of long term plans to respond to catastrophic disruptions of water supplies and droughts exceeding three years.

FORMAT OF RESPONSE

The City's response to the Grand Jury Report is set forth in the following pages. The response is ordered in the same manner as the report itself – Conclusions followed by Recommendations.

RESPONSE TO CONCLUSIONS

C-01. *Cities' water plans are based on historic water availability patterns which may no longer be applicable. Over the last 100 years, water availability from precipitation has been trending downward and may never return to what was considered average. (FA-04, FA-06, FA-14, FA-15)*

City Response: The City disagrees partially with the finding.

Since the City relies on imported water for all of its current water supply, changes in snowpack and precipitation in the Sierra Nevada Mountain Range will directly affect the availability of imported water. Although precipitation has fallen in parts of the Sierra Range, this is not universally true throughout and, as reported by Calleguas in their response to the Grand Jury report, the Feather River watershed which serves the California State Water Project (SWP) shows no significant upward or downward trend in precipitation. On the other hand, it is acknowledged that a shift from snowfall to rain and the likelihood of early runoff as the result of climate change will require smart water policies such as increased storage and groundwater banking.

On a local level, the region is expected to receive roughly the same amount of total precipitation throughout the 21st century as it received in the last few decades of the 20th century. In the present-day climate, the region experiences wide swings in precipitation from year to year, and researchers expect this variability to continue under climate change (<http://journals.ametsoc.org/doi/abs/10.1175/JCLI-D-14-00316.1>). The City recently established a Sustainability Division to assist in preparing for and mitigating the impacts of climate change, and will be preparing a climate action and resilience plan to address attendant vulnerabilities.

C-02. Cities' plans address the minimum, state-required, three-year drought scenarios. None of the UWMPs address a long term drought even though the current drought has lasted over five years. (FA-04, FA-OS, FA-06, FA- 07)

City Response: The City agrees with the finding.

The City's existing UWMP addresses the state-required, three-year drought scenario, although in the future this will be extended to five years under new state regulations.

C-03. Long term city plans are based on the optimistic view there will be as much water available in 2035 or 2040, as there was in 2010. Additional future water resources are not well-defined other than being described as imported water or coming from recycling and conservation efforts. (FA-01, FA-04, FA-06, FA-09)

City Response: The City disagrees with the finding.

Although the Metropolitan Water District (MWD) anticipates having adequate supplies to meet the City's imported water demands through 2040, including its multiple dry year forecast, the City recognizes that future imports may be constrained and has been planning for the development of local supplies in addition to implementing water conservation and efficiency practices.

Since the UWMP was completed, the City conducted an extensive study on "Groundwater and Reclaimed Water" published in February 2016 to assess alternative water resources available to Thousand Oaks (<http://www.toaks.org/departments/public-works/sustainability/water-conservation/new-water>). This study provides a framework for developing new local water supply options and identifies strategies to provide the City some measure of independence from imported water in the future. One of the objectives of the Study was to develop an estimate of the sustainable yield of the Conejo Valley Groundwater Basin, determined to be approx. 3,500 AF per year. Because local groundwater is high in total dissolved solids and iron, in certain parts of the basin it will be unsuitable for potable use, and in all cases will require treatment before use. The east side of the basin is generally of poorer quality, so the development of groundwater resources will give preference to those areas of higher quality and greater potential. The study laid out a plan for a phased-in approach for groundwater use which will begin with a treatment system and wellhead improvements for the City-owned existing well at the Los Robles Greens golf course. The current Capital Improvement Program sets aside \$2.2 million for design and construction of these improvements, which are expected to yield a treated water supply for the golf course and other City water customers. This project will decrease the City's reliance on imported water by providing a new source of water at a lower cost.

In addition to the use of groundwater, the Study also considered expanded use of reclaimed water for the City. The City's Hill Canyon Treatment Plant (HCTP) discharges an annual average of 8.5 million gallons per day of recycled water into Conejo Creek, where a majority of the water is sold to Camrosa Water District for reuse. To the east, the Tapia Water Reclamation Facility (WRF), operated by the partnership of Las Virgenes Municipal Water District (LVMWD) and Triunfo Sanitation District as a Joint Powers Authority (JPA), produces an annual average of 6.0 mgd of recycled water. Recycled water from the HCTP or from the JPA are potential sources of recycled water for reuse options which are under consideration.

The City's conservation efforts will continue. The Public Policy Institute of California issued an analysis of California's drought response in June 2017 entitled *Building Drought Resilience in California's Cities and Suburbs* in which it notes that significant investments in conservation, storage, new supplies, and interconnections that facilitate supply sharing enabled the state's large urban water systems to weather the drought well even with the addition of 9 million new residents since the early 1990s (page 13 of report – http://www.ppic.org/content/pubs/report/R_0617DMR.pdf).

Local conservation efforts have resulted in 28% to 33% reductions every month in demand since mid-2015 (relative to 2013). These efforts are significantly more cost effective than infrastructure improvements. Since the 1990s, the City, Calleguas, MWD, as well as other Southern California water agencies, have been actively engaged in promoting and incentivizing water efficiency measures and programs. These programs in aggregate have proven to be a major source of new water.

C-04. Current and future ratepayers will bear the burden of the cost of building water purification facilities, desalination plants, desalters, recycling plants, additional pipelines, and storage facilities needed to ensure there is an adequate water supply system in the future. (FA-04, FA-13)

City Response: The City agrees with the finding.

There is by necessity a cost associated with the development of new supplies and this cost is, and will continue to be, borne by all water users and indeed all Californians. The City has planned for, and will continue to plan for infrastructure maintenance and improvements and these costs are folded into rates. Because of a history of good foresight and prudent planning, the City has not had to impose any sudden rate increases, nor anticipates the need to do so, but rather has set its rates with a continuous and ongoing plan for facility improvements including the development of local supplies. (See response to C-03).

As stewards of public funds, the City makes careful and thoughtful decisions on spending. All new infrastructure projects must be justifiable in terms of cost and benefit with adequate consideration of risk. The City is keenly aware of the need to continuously prepare for future contingencies and budgets accordingly.

C-05. Since many of the cities in the County rely on MWD wholesale water, Cities should base UWMPs on the wholesalers' prediction that retail water demand will outstrip total reliable water resources by 2040. (FA-03)

City Response: The City disagrees with the finding.

MWDs 2015 Integrated Water Resources Plan Update does not predict that “retail water demand will outstrip total reliable water resources by 2040”, but rather states that this would be the case if agencies did nothing to develop additional water supply nor curtail demand in any way. This is clearly not the case. As stated in the response to the Grand Jury from Calleguas:

“This scenario provides an assessment of what future water reliability would be with no additional actions or investments in water supply or demand management. The “Do Nothing” analysis determines whether additional developments that help to balance supplies and demands are needed to ensure reliability into the future. As stated on page 6.0 of the IRP, “doing nothing is not an option.” It has never been, nor will it ever be, and to infer otherwise is an incorrect reading of the document. This scenario simply serves as a reference point for long-term resource planning purposes. At no time throughout Metropolitan’s institutional history has a “do nothing” strategy been in practice. In fact a multitude of supply and demand management projects and programs are being or will be implemented, with varying degrees of certainty, to reliably meet future demands.”

C-06. *The UWMPs use different sources for analyzing past and future populations. The inconsistency makes it difficult to compare plans, especially when cities have multiple retail water providers. Some UWMPs even use different population sources within the same report. (FA-02, FA-08)*

City Response: The City agrees with the finding.

UMWPS do use different sources for analyzing past and future populations, which may make it difficult to compare the UWMPs of different cities. However, this provides for consistency amongst the planning documents of an individual city.

In order to have the greatest value to the City, UWMPs should be based on the most accurate information available. This will differ for each jurisdiction. For the City of Thousand Oaks, population estimates are derived using the best available data and analysis methods. The City has utilized U.S. Census data for the years in which it is gathered combined with a Geographic Information System which extracts population within service area boundaries, and a DWR tool which generates the number of persons per connection. Statistical interpolation provides for estimates in intervening years.

Future projections for the City's service area were derived from anticipated future development forecasts provided by the City's Community Development Department. This growth forecast is based on a compilation of approved entitlement information and future development estimates for every parcel in the water service area. Since the City is subject to a strict anti-growth initiative which caps the number of housing units that can be built, it is far more accurate to incorporate this information into future forecasts than using a more generic algorithm.

C-07. Cities' water plans do not appear to adequately address catastrophic failures or interruptions within the system, such as:

infrastructure failures (dams)

major earthquake destruction

damage to the groundwater

saltwater intrusion

environmental disasters (oil or chemical spills) (FA-10, FA-11, FA-12)

City Response: The City disagrees with the finding.

The 2015 UWMP addresses catastrophic supply interruptions, with reference made to emergency plans developed by Calleguas. Catastrophic failures will inevitably affect not just the City, but the region. Thus, such planning more correctly belongs at the regional level. In preparing for catastrophic events, the City largely refers to preparations being made by Calleguas, which include their Emergency Water Supply Plan, developed jointly with its member purveyors including the City of Thousand Oaks. This plan includes existing local water supplies constructed specifically to provide water in the event of a catastrophic disruption of imported water supply, as well as a number of additional projects under development.

In addition, the City participates with nine of the ten Ventura County cities, the County, and several water agencies in the development of a Ventura County Multi-Hazard Mitigation Plan (<http://www.venturacountymhmp.com/documents>), which was updated in 2015 and includes consideration of dam failure, drought, climate change and levee failure.

RESPONSE TO RECOMMENDATIONS

R-01. The Grand Jury recommends the 10 city councils collaborate with all the County water purveyors to develop long term plans to respond to catastrophic disruptions of water supplies. (C-07)

City Response: The recommendation has been implemented.

Collaboration at the regional level is primarily, though not exclusively, facilitated through our supplier, Calleguas, who works with cities throughout the county to improve connectivity and resiliency for the region. Since watersheds, groundwater basins and infrastructure are regional issues, it makes sense for them to be addressed at the regional level. The City actively works with Calleguas and local purveyors to increase reliability and prepare for disruptions. A plan for responding to catastrophic disruptions has been developed by Calleguas in collaboration with its member purveyors through a series of group workshops and meetings with individual agencies between 2010 and 2014. Details can be found in Calleguas' response to this Grand Jury report and includes a description of some of the activities already underway:

".... two local supplies that Calleguas built to provide water in the event of a catastrophic disruption of imported supply: Lake Bard (completed in the 1960s) and the Las Posas Aquifer Storage and Recovery Project (completed in 2007). Lake Bard is located on the border of Simi Valley and Thousand Oaks and, in conjunction with the Lake Bard Water Filtration Plant, provides water to Calleguas customers during outages of imported supplies. The Las Posas Aquifer Storage and Recovery Project is comprised of 18 dual purpose injection-extraction wells. Imported water is stored in Lake Bard and in the Las Posas Groundwater Basin so that it can be put to use during outages of imported supply."

Additional plans to improve emergency water supply reliability cited by Calleguas' response include:

*"Construction of additional Salinity Management Pipeline phases to enable further development of local groundwater desalters (first phase completed in 2016 with final completion due in 2023).
Construction of projects to reinforce critical "at risk" Calleguas supply pipelines (ongoing, with over \$100 million invested since 1997).
Construction of Grandsen Pump Station Phase 2 to enable delivery of Las Posas Wellfield water to upper zones (Conejo Valley and Simi Valley).
Preparation of a Water Supply Alternatives Study (initial phase to be completed in 2017)."*

In addition, there are plans to construct system interconnections with the City of Ventura which could bring additional water supplies to the east county in the event of a major disruption to supplies from the SWP. Discussions are taking place with LVMWD on the potential for mutually beneficial water projects including a system interconnection with Calleguas.

As described in C-03, the City also recognizes the need to develop local supplies for increased resiliency against drought, catastrophic events and potential price increases. A number of these are detailed in the City's recent "Groundwater and Reclaimed Water Study" and outlined in the response to C-03 above.

R-02. The Grand Jury recommends the 10 city councils use the same data source when making population projections. (C-06)

City Response: The recommendation will not be implemented.

As noted in the response to C-06, in order to have the greatest utility, UWMPs should be based on the most accurate information available. Specifying the use of a common data source will, by necessity, lead to the use of less specific and less granular data, which will reduce accuracy. In the case of Thousand Oaks, the city has future development estimates for every parcel. This level of detail allows the City to very accurately project future population. Using a common population projection source such as those offered by Southern California Association of Governments and the California Department of Finance, does not take local ordinances like the City's Measure E growth restrictions into account, and thus is inherently imprecise at the local level.

R-03. The Grand Jury recommends the 10 city councils develop drought plans that extend at least 5 years. (C-02)

City Response: This recommendation will be implemented.

While regulations are still being drafted, under Governor Brown's Executive Order B-37-16 (May 2016) water agencies will be subject to updated requirements for their Urban Water Management Plans which include – 1. Define methodology and data for 5-year drought risk assessment; 2. Define criteria used to assess risk (drought hydrology, climate change, regulatory impact, demand projections); and 3. Conduct risk assessment.

Water Shortage Contingency Plans are a part of this directive. These will include 11 defined elements including budget forecasts, defined shortage levels and responses to these, a communication plan, implementation of compliance procedures, financial plans for drought, and monitoring procedures.

Once clarifying regulations are received from the state, expected in 2018, the City will follow the state mandated process to develop the required plans, including those addressing a 5-year drought.

R-04. The Grand Jury recommends the 10 city councils extend drought conservation measures during non-drought years. (C-01, C-03, C-05)

City Response: This recommendation has been implemented.

The City adopted permanent water conservation measures in 2009 (see Appendix A). When the new regulations for "Making Water Conservation a Way of Life" are distributed, the City will evaluate its permanent conservation requirements and modify such to include additional levels of restriction as appropriate.

R-05. The Grand Jury recommends the 10 city councils ensure all future water availability plans clearly identify any potential water sources that are based on unfunded or unpermitted infrastructure. (C-03, C-04, C-05)

City Response: This recommendation will be implemented.

The City will identify potential water sources based on unfunded and unpermitted infrastructure in its plans. It is the nature of water supply project development that approval and funding cannot be assured until a project has been fully analyzed and well-defined, often with environmental documents and certain permits complete.

Date: 7/11/2017

Signed: 

Claudia Bill-de la Peña, Mayor
City of Thousand Oaks

Number of pages attached: 2

APPENDIX A

City of Thousand Oaks Permanent Water Conservation Requirements

Thousand Oaks Municipal Code Sec. 10-2.1104. Permanent Water Conservation Requirements: Prohibition Against Waste.

The following water conservation requirements are effective at all times and are permanent. Violations of this section shall be considered waste and an unreasonable use of water.

(a) **Limits on Watering Hours:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 9:00 a.m. and 5:00 p.m. on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for short periods of time for the express purpose of adjusting or repairing an irrigation system.

(b) **Limit on Watering Duration:** Watering or irrigating of lawn, landscape or other vegetated area with potable water using a landscape irrigation system or a watering device that is not continuously attended is limited to no more than fifteen (15) minutes watering per day per station. This subsection does not apply to landscape irrigation systems that use highly efficient components such as low volume drip type irrigation, stream rotator sprinklers and/or soil moisture-based or weather-based controllers.

(c) **No Excessive Water Flow or Runoff:** Watering or irrigating of any lawn, landscape or other vegetated area in a manner that causes or allows excessive water flow or runoff onto an adjoining sidewalk, driveway, street, alley, gutter or ditch is prohibited.

(d) **No Washing Down Hard or Paved Surfaces:** Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary for safety or sanitary purposes, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low-volume, high-pressure cleaning machine equipped to recycle any water used, or a low-volume high-pressure water broom. The discharge of pollutants to the storm drain system is prohibited pursuant to Section 7-8.201 of this code.

(e) **Obligation to Fix Leaks, Breaks or Malfunctions:** Excessive use, loss or release of water through breaks, leaks or other malfunctions in the water user's plumbing or distribution system for any period of time after such release of water should have reasonably been discovered and corrected and, in no event more than seven (7) days of receiving notice from the City, is prohibited.

(f) **Re-circulating Water Required for Decorative Water Fountains and Features:** Operating a water fountain or other decorative water feature that does not use recirculated water is prohibited.

(g) **Limits on Washing Vehicles:** Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not is prohibited, except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. This subsection does not apply to any commercial car washing facility.

(h) **Drinking Water Served Upon Request Only:** Eating or drinking establishments, including but not limited to a restaurant, hotel, café, cafeteria, bar, or other public place where food or drinks are sold, served, or offered for sale, shall only provide drinking water to any person upon request.

(i) **Commercial Lodging Establishments Must Provide Guests Option to Decline Daily Linen Services:** Hotels, motels and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.

(j) **No Installation of Single Pass Cooling Systems:** Installation of single pass cooling systems is prohibited in buildings requesting new water service.

(k) **No Installation of Non-recirculating Commercial Car Wash and Laundry Systems:** Installation of non-recirculating water systems is prohibited in new commercial car wash and new industrial laundry systems.

(l) **Restaurants Required to Use Water Conserving Dish Wash Spray Valves:** Effective on January 1, 2010, food preparation establishments such as restaurants must use water conserving dish wash spray valves.

(m) **Commercial Car Wash Systems:** Effective on January 1, 2010, all commercial conveyor car wash systems must have installed operational recirculating water systems, or must have secured a waiver of this requirement from the City.

(Ord. 1516-NS, eff. June 5, 2009)