

CITY OF YUBA CITY  
STAFF REPORT

**Date:** April 18, 2023  
**To:** Honorable Mayor & Members of the City Council;  
**From:** Public Works Department  
**Presentation By:** Phil Marler, Deputy Director Public Works - Utilities

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**Summary**

**Subject:** Water Supply Outlook  
**Recommendation:** Adopt a Resolution declaring that water supply conditions are such that they dictate and justify the reduction of mandatory conservation measures from Stage 3 “Severe Shortage” to Stage 1 “Water Alert” of the Water Shortage Contingency Plan  
**Fiscal Impact:** Adequate water supply and reduced restricted usage may result in increased revenue

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**Purpose:**

To provide the City’s current water supply outlook and reduce mandatory water conservation requirements for City water customers.

**Council’s Strategic Goal:**

This item addresses Council’s Strategic Goal of *Public Safety* and *Fiscal Responsibility* by ensuring adequate water supply and appropriate water use restrictions for City’s customers.

**Background:**

The City of Yuba City primarily obtains water for its water system through four different permits/contracts from the Feather River; the City also has access to groundwater for use in drought or emergency conditions via Groundwater Well #1, located at the Water Treatment Plant (WTP).

While drought conditions in 2022 caused the City’s water supplies to be significantly curtailed and reduced, recent rainfall and snow levels have replenished our water supply and reduced state requirements for conservation. The allocations for 2022 and 2023 are shown below in Table A for comparison.

Table A: Yuba City Water Sources (Acre-Feet)

Water Source		Contract Maximum	2022 Utilization	2023 Projected Utilization	Availability Calculation	Time of Use
SWRCB License	13855	6,500	3,357	1,907	State Curtailment	September - June
SWRCB Permit	18558	9,000	5,894	8,804	State Curtailment	October - June
North Yuba Water District		4,500	3,000	2,267	Total Contract	Summer
DWR State Water Project		9,600	1,205	1,246	<b>Weather Dependent</b>	Year-round
DWR State Water Project - Carryover			0*	0**	<b>Saved Excess</b>	Year-round
Groundwater Well #1			612	0	Estimated Production	As Needed
<b>Surface Water Total:</b>			<b>13,456</b>	<b>14,224</b>		
<b>Groundwater Total:</b>			<b>612</b>	<b>0</b>		
<b>Total Supply:</b>			<b>14,068</b>	<b>14,224</b>		

\*The City sold 3,999 AF of carryover water to San Geronio Pass Water Agency in March 2023 in order to capitalize on water supplies in the San Luis Reservoir that would have been lost due to reservoir capacity limits.

\*\*Staff anticipates banking approximately 4,000 AF of the State Water Project allocation as water supplies are more than sufficient to meet the 2023 need.

On March 28, 2022, Governor Newsom issued Executive Order N-7-22, which required all urban water suppliers to implement minimum Stage 2 “Water Warning” of their Water Shortage Contingency Plans with a target of 20% conservation due to the limited water supply under drought conditions. As the City already voluntarily implemented Stage 2 in July 2021, which had not met the State’s targeted water conservation, the City Council approved the move to Stage 3 “Severe Shortage” on April 19, 2022 in order to implement mandatory water restrictions, including restricting outdoor irrigation to two days per week, to better meet the requirements of the Executive Order.

### **Analysis:**

Due to the above-average precipitation in the first quarter of 2023, the Department of Water Resources increased the City’s State Water Project allotment from 15% for 2022 to 85% for 2023. On March 24, 2023, Governor Newsom issued Executive Order N-5-23, which eliminated many of the drought response requirements, including allowing local agencies the flexibility to determine the appropriate water conservation measures and Water Shortage Contingency Plan stages based on their water allocations and consumer needs.

In light of these factors, the outlook for 2023 is positive and there is sufficient water supply to meet or exceed the needs of our customers. Staff recommends that Council reduce the City’s stage of the Water Shortage Contingency Plan from Stage 3 “Severe Shortage” to Stage 1 “Water Alert.” This stage

eliminates mandatory restrictions and conservation percentage targets, but still allows for enforcement of violations for unnecessary water waste, such as irrigation within 48 hours of rainfall and using hoses to wash cars without shutoff nozzles.

The prohibitions against irrigating non-functional turf at commercial, industrial, and institutional properties will remain in effect, as this is a state regulation.

Moving forward, staff is working to further analyze and maximize the City's permit rights and other water supply sources, including North Yuba Water District, to prepare for future updates to state allocation standards.

**Fiscal Impact:**

Increased water availability and reduced water restrictions will likely result in higher sales and revenue for Fiscal Year 23/24 compared to Fiscal Year 22/23.

**Alternatives:**

Do not leave Stage 3 and continue enforcing mandatory water restrictions, including restricted outdoor irrigation. While this will conserve water for future use, it will result in lower revenues due to decreased water sales and costs for staff time to enforce violations and conduct outreach.

**Recommendation:**

Adopt a Resolution declaring that water supply conditions are such that they dictate and justify the reduction of mandatory conservation measures from Stage 3 "Severe Shortage" to Stage 1 "Water Alert" of the Water Shortage Contingency Plan.

**Attachments:**

1. Resolution - Water Outlook 2023
2. Water Shortage Contingency Plan Stages - Water Outlook 2023

**Prepared By:**

Scarlett O. Harris  
Administrative Analyst II

**Submitted By:**

Diana Langley  
City Manager

## ATTACHMENT 1

**RESOLUTION NO. 23-\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
DECLARING THAT WATER SUPPLY CONDITIONS ARE SUCH THAT THEY  
DICTATE AND JUSTIFY THE REDUCTION FROM STAGE 3 TO STAGE 1 OF THE  
WATER SHORTAGE CONTINGENCY PLAN**

WHEREAS, on April 19, 2022, the City implemented Stage 3 “Severe Shortage” of the City’s Water Shortage Contingency Plan with a 20% conservation target in response to Governor Newsom’s Executive Order N-7-22 ordering the State Water Resource Control Board to require urban water suppliers to implement, at minimum, Stage 2 of said suppliers’ Water Shortage Contingency Plans to achieve a goal of 20% water conservation in response to ongoing drought conditions; and

WHEREAS, on March 24, 2023, due to above-average precipitation during the first quarter of 2023, Governor Newsom issued Executive Order N-5-23 to eliminate or reduce mandatory drought response requirements for local agencies and allow them flexibility to adjust water conservation stages according to their needs; and

WHEREAS, on March 24, 2023, the Department of Water Resources increased the City’s water allocation from the Feather River through the State Water Project from 15% to 85% of the annual 9,600 acre-feet, greatly increasing the City’s available water supply for 2023; and

WHEREAS, despite current water surplus conditions, the precipitation levels and water supply in California are tenuous and require Yuba City residents and businesses to make water conservation efforts a way of life by reducing unnecessary water waste; and

WHEREAS, Section 6-6.19 of the Municipal Code dictates that upon declaration of the City Council that water supply conditions are such that they dictate and justify the implementation of emergency water restrictions, the regulations in the Water Shortage Contingency Plan within the City’s adopted Urban Water Management Plan will apply.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yuba City hereby declares that water supply conditions are such that they dictate and justify the reduction of emergency water conservation measures from Stage 3 “Severe Shortage” to Stage 1 “Water Alert” of the City’s Water Shortage Contingency Plan. The City Council orders reduction of emergency water conservation measures to Stage 1 “Water Alert” of the City’s Water Shortage Contingency Plan, effective immediately.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 18<sup>th</sup> day of April, 2023.

AYES:

NOES:

ABSENT:

ATTEST:

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Wade Kirchner, Mayor

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Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY

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Shannon L. Chaffin, City Attorney  
Aleshire & Wynder, LLP

## ATTACHMENT 2

## RECOMMENDED

Table 6-1: WSCP Actions to Reduce Customer Use - Stage 1

Water Alert: Shortage up to 10%	
1.	Waste and Unreasonable Use of Water Prohibited and Voluntary conservation encouraged (up to 10%)
2.	Situation and possible subsequent water shortage stages explained to the public and governmental bodies (up to 10%)
3.	Focus on customers with high per capita water usage to achieve proportionally greater reduction than those with low use
4.	Actions include, but not limited to: <ul style="list-style-type: none"> <li>Public information campaign consisting of distribution of literature, speaking engagements, website updates, bill inserts, and conversation messages printed in local newspapers</li> <li>Educational programs in area schools</li> <li>Conservation Hotline (combined up to 10%)</li> </ul>
5.	Consumption Reduction Methods, including: <ul style="list-style-type: none"> <li>Demand reduction program</li> <li>Plumbing and irrigation fixture replacement</li> <li>Water conservation kits</li> <li>Education programs</li> <li>Voluntary rationing (combined up to 10%)</li> </ul>
6.	Conservation Rules and Restrictions and Prohibitions on End Uses, to include: <ul style="list-style-type: none"> <li>Allowing water to run off unused into a gutter, ditch, or drain;</li> <li>Failing to repair a controllable leak;</li> <li>Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas;</li> <li>Utilizing a hand-held hose without an automatic shut-off nozzle; and</li> <li>Irrigating during a precipitation event</li> <li>For new development additional prohibitions include single pass-through cooling water systems; commercial car washes and laundries without recirculating water systems; and decorative fountains without recirculating water systems.</li> </ul>

Table 6-2: WSCP Actions to Reduce Customer Use - Stage 2

Moderate Shortage (up to 20%)	
	<ul style="list-style-type: none"> <li>All measures implemented in Stage 1</li> <li>Request voluntary conservation water usage reductions (up to 20%)</li> <li>Enforce Conservation Rules and Restrictions and Prohibitions on End Uses listed in Table 6-1 (10-20%)</li> <li>Usage in excess of customer baseline may be subject to drought penalty</li> <li>All Consumption Reduction Methods from Stage I and intensified as needed; additionally:</li> <li>Use prohibitions</li> <li>Encourage customers to voluntarily water one day less per week and to water during the coolest part of the day</li> <li>Vehicle washing must be done using a bucket or hand-held hose with an automatic shut-off nozzle, or take place at a commercial car wash.</li> <li>Limit hours or close spray pads and water slide at City parks.</li> </ul>



*Table 6-3: WSCP Actions to Reduce Customer Use - Stage 3*

Severe Shortage (up to 30%)	
1.	All measures implemented in Stages 1 and 2
2.	Enforce outdoor irrigation restrictions including limiting number of watering days per week, and time when irrigation can occur (e.g., between 6:00 pm and 9:00 am)
3.	Some or all of the following: <ul style="list-style-type: none"> <li>• Adherence to customer baselines and actual water use reductions water allocations and mandatory conservation rules</li> <li>• Water usage goals established by an authorized government agency or official</li> <li>• Customer water usage in excess of baseline to be monitored and recorded</li> <li>• Intensify enforcement of water use prohibitions; including restrictions of days and daytime hours for watering, excessive watering resulting in gutter flooding, using a hose without a positive shutoff device, use of decorative fountains with non-recirculating pumps, washing down sidewalks or patios, not repairing leaks in a timely manner, etc. (up to 30%)</li> </ul>
4.	Monitor water production weekly for compliance with necessary reductions;
5.	All activities are intensified and production is monitored daily for compliance with necessary reductions. (up to 30%)
6.	All Consumption Reduction Methods from Stage 2 and intensified as needed; additionally: <ul style="list-style-type: none"> <li>• Reduce pressure in water lines; Flow restriction</li> <li>• Mandatory rationing</li> <li>• Close spray pads and water slide at City parks</li> <li>• Incentives to reduce water consumption; Excess use penalty</li> <li>• Percentage reduction by customer type (combined up to 30%)</li> </ul>
7.	Penalties and Charges for Excessive Use, including penalties for not reducing consumption, charges for excess use

*Table 6-4: WSCP Actions to Reduce Customer Use - Stage 4*

Critical Shortage (up to 40%)	
1.	All measures implemented in Stages 1-3
2.	All activities are intensified and production is monitored daily for compliance with necessary reductions. (up to 40%)
3.	All Consumption Reduction Methods from Stage 3 and intensified as needed; additionally: <ul style="list-style-type: none"> <li>• Restrict building permits; Restrict for only priority uses</li> </ul>
4.	Penalties and Charges for Excessive Use, including penalties for not reducing consumption, charges for excess use (up to 40%) <ul style="list-style-type: none"> <li>• Continue monitoring and addressing water use above baseline with penalties</li> </ul>
5.	Catastrophic Event (Supply reduction up to 40%): Implement Applicable Actions for Catastrophic Events

Table 6-5: WSCP Actions to Reduce Customer Use - Stage 5

Shortage Crisis (up to 50%)
<ol style="list-style-type: none"> <li>1. All measures implemented in Stages 1-4</li> <li>2. Source of supply for the System is severely curtailed to the level that requires each customer to restrict their water use for only human health and safety purposes (up to 50%)</li> <li>3. All activities are intensified and production is monitored daily for compliance with necessary reductions (up to 50%)</li> <li>4. All Consumption Reduction Methods from previous stages and intensified as needed</li> <li>5. Possible reductions in customer baselines and actual water use reductions (up to 50%)</li> <li>6. Usage in excess of customer baseline to be charged at regular rate plus an additional drought emergency surcharge amount (up to 50%) Update current water shortage condition response measures based on Council approvals and direction, state policy directives, emergency conditions, or to improve customer response</li> <li>7. Catastrophic Event (Supply reduction up to 50%): Implement Applicable Actions for Catastrophic Events (such as boil water order) - Continue water monitoring for reduction from baseline with potential penalties</li> </ol>

Table 6-6: WSCP Actions to Reduce Customer Use - Stage 6

Emergency Shortage (greater than 50%)
<ol style="list-style-type: none"> <li>1. All measures implemented in Stages 1-5</li> <li>2. Source of supply for the System is severely curtailed to the level that requires each customer to restrict their water use for only human health and safety purposes (&gt;50%)</li> <li>3. All activities are intensified and production is monitored continually for compliance with necessary reductions (up to &gt;50%)</li> <li>4. All Consumption Reduction Methods from previous stages and intensified as needed</li> <li>5. Possible reductions in customer baselines and actual water use reductions (up to &gt;50%)</li> <li>6. Usage in excess of customer baseline to be charged at regular rate plus an additional drought emergency surcharge amount</li> <li>7. Update current water shortage condition response measures based on Council approvals and direction, state policy directives, emergency conditions, or to improve customer response</li> <li>8. Catastrophic Event (Supply reduction greater than 50%): Implement Applicable Actions for Catastrophic Events. Continue water monitoring for reduction from baseline with potential penalties</li> </ol>