

CHAPTER 2 -- CRITERIA FOR WATER SHORTAGE DECLARATIONS

2.1 GENERAL

2.1.1 Purpose

2.1.1.1 This Chapter comprises the District's water shortage plan as it relates to the Tribe within the realm of the Compact. The purposes of the plan are to protect the water resources of the District from harm; to assure equitable distribution of available water resources among all water users during times of shortage consistent with the goals of minimizing adverse economic, social and health related impacts; to provide advance knowledge of the means by which water apportionments and reductions will be made during times of shortage; and to promote greater security for water use permittees and the Tribe.

2.1.1.2 These provisions apply to the Tribe and all water users including those exempt from permitting. However, they shall not apply to users whose source of water is limited solely to treated effluent or seawater. Thus, for each regulated source and type of use, the District restricts water users uniformly, regardless of whether the user uses water from a public or private utility system, pursuant to a consumptive use permit, or from a private well for domestic or individual home use.

2.1.2 Elements of the Water Shortage Plan The water shortage plan consists of the following elements:

2.1.2.1 **General** Part 2.1 presents the general goals and objectives of the District's water shortage plan. The various elements of the plan are described herein, and definitions for key

terms used in the plan are provided.

2.1.2.2 **Declaring and Implementing a Water Shortage** Part 2.2 describes the procedures the District will utilize in declaring a water shortage. Provisions are made for comparing estimated present and anticipated water supplies with estimated present and anticipated water supplies with estimated present and anticipated user needs. The impact on the water resource, if demands are met from available supplies, is also evaluated. In addition, a method for expressing the severity of a water shortage in terms of four (4) water shortage phases is provided. General user restrictions are established. Finally, procedures for implementing the water shortage declaration are presented.

2.1.2.3 **Emergency Provisions** Normally, the provisions of Part 2.2 will be sufficient to protect users within use classes during times of water shortage. At times, however, due to the peculiar circumstances which apply to each individual user, the class restrictions imposed in Part 2.2 may be inadequate to sufficiently protect individual users. Part 2.3 establishes the criteria for declaring a water shortage emergency. In addition, provisions are made for instituting water use restrictions.

2.1.2.4 **Monitoring**The District's overall program of monitoring surface and ground waters, climatic conditions, and water demand during a shortage is generally described. In addition, a monitoring program is established to determine the impact of a water shortage on the water resources of the District, and the effectiveness of a declaration of water shortage or water shortage emergency.

2.1.2.5 **Specific Restrictions** Part 2.5 establishes

specific water use restrictions for each water shortage phase and water use class. These restrictions are in addition to the general restrictions stated in Parts 2.2 and 2.3.

2.1.2.6 **Classification System** Part 2.6 classifies each user according to the source of water supply and method of withdrawal. The classification system is utilized in conjunction with Parts 2.2, 2.3 and 2.5 to determine the water use restrictions with which the users of a particular source must comply.

2.1.3 Definitions

2.1.3.1 **Even Numbered Address** means the house address, box number or rural route ending in the numbers 0, 2, 4, 6, 8 or the letters A-M. Post office box numbers are not included.

2.1.3.2 **Flood Irrigation** means the delivery of plant or crop irrigation water by the design and practice of the flowing of water over the surface to saturate the root zone or, in specific applications, the raising of the level of groundwater through the root zone or to the soil surface.

2.1.3.3 **Ground Water Source** means a source class within which users obtain water directly from water table aquifers or from confined or semi confined aquifers. Ground water sources are a type of source class and are identified in subsection 2.6.2.2.

2.1.3.4 **License** means, but is not limited to, the appropriate professional registration, occupational license, contractor license or applicator license for the jurisdiction in which work is being performed.

History Note: New 6-28-94.

to reduce flow and increase saturation efficiency to a level accepted under industry standards.

History Note: Renumbered 6-28-94.

2.1.3.10 **Method of Withdrawal Class** means the type of facility or means of extraction or diversion of the water resource employed by the user. Method of withdrawal classes within the District are specified in 2.6.3.

History Note: Renumbered 6-28-94.

2.1.3.11 **Mobile Equipment** means any public, private or commercial automobile, truck, trailer, railroad car, camper, boat, or any other type of similar equipment. The term shall not include mobile homes, boats that serve as a primary residence, sanitation or sludge vehicles, or food vending or transporting vehicles.

History Note: Amended and renumbered 6-28-94.

2.1.3.12 **Nursery Stock** means all plants, trees, shrubs, vines, bulbs, cuttings, grafts, scions, buds, flowering annual plants, aquatic plants, seeds, corns, or tubers, grown or kept for propagation, distribution or sale.

History Note: Renumbered 6-28-94.

2.1.3.13 **Odd Numbered Address** means the house address, box number or rural route ending in the numbers, 1, 3, 5, 7, or 9 or the letters N-Z. Post office box numbers are not included.

History Note: Renumbered 6-28-94.

2.1.3.14 **Odd Numbered Days** means the days whose dates end in the numbers 1, 3, 5, 7, or 9. For purposes of this Chapter the date shall be determined by the day during which a

watering period ends.

History Note: Renumbered 6-28-94.

2.1.3.15 **Overhead Irrigation** means the use of equipment and devices which deliver water under pressure, through the air, above the level of the plant being irrigated.

History Note: Renumbered 6-28-94.

2.1.3.16 **Percent Reduction in Overall Demand**

means the weighted average reduction in all water uses within a source class, regardless of the type of use or method of withdrawal, which is necessary to reduce estimated present and anticipated demand to estimated present and anticipated available water supply.

History Note: Renumbered 6-28-94.

2.1.3.17 **Plan** means the water shortage plan contained in this Chapter.

History Note: Renumbered 6-28-94.

2.1.3.18 **Source Class** means the assigned water resource from which a user is obtaining water, either directly or indirectly. Source classes within the District are specified in 2.6.2.

History Note: Renumbered 6-28-94.

2.1.3.19 **Surface Water Use Basin** means the geographical area within which a user obtains water from surface waters. Surface water use basins are a type of source class and are identified in 2.6.2.1.

History Note: Renumbered 6-28-94.

2.1.3.20 **Use Class** means the category describing the

purpose for which the user is utilizing water. Use classes are generally grouped by related uses. The four major groupings are:

Essential/Domestic/Utility/Commercial, Agriculture, Nursery/Urban Irrigation/Recreation and Miscellaneous. Neither the order of listing of the major groupings, nor the order of listing within each major grouping is intended to establish relative priorities of water use. A user may be assigned one or more use class regardless of the groupings in this subsection.

Each water user shall be given one or more of the following use classes:

A. Essential / Domestic / Utility / Commercial

1. **Essential Use** means use of water strictly for fire fighting, safety, sanitation, health and medical purposes, and the use of water to satisfy federal, state or local public health and safety requirements.
2. **Domestic Type Use** means any use of water for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial establishment.
3. **Water Utility Use** means water used for withdrawal, treatment, transmission, and distribution by potable water systems.

4. **Power Production Use** means the use of water for steam generation, and the use of water for cooling and for replenishment of cooling reservoirs.
5. **Commercial and Industrial Process Use** means the use of water integral to the production of the primary goods or services provided by a business establishment.
6. **Diversion and Impoundment into Non-District Facilities** means the diversion or extraction of water into non-District impoundments and delivery systems designed for purposes, including but not limited to, maintaining structural integrity, providing agricultural water and other non-recreational, non-aesthetic uses.

B. Agricultural

1. **Agricultural Use** means the use of water for the commercial production of crops or the growing of farm products including, but not limited to, vegetables, citrus and tropical fruits, pasture, nursery stock, sugar cane, rice, and sod.
2. **Livestock Use** means the use of water for drinking by or washing of livestock.
3. **Aquacultural Use** means the use of water for the spawning, cultivating, harvesting or

marketing of domesticated fin-fish, shellfish, crustaceans, frogs, turtles, alligators, and other aquatic organisms that have a sport or other economic value.

4. **Soil Flooding** means use of water for raising of water levels on agricultural lands for purposes not directly related to crop growth including, but not limited to, soil preservation, crop harvesting, and pest control.
5. **Freeze Protection** means the periodic and infrequent use of water to protect agricultural and nursery crops from permanent damage due to low temperatures. This action would be taken in response to official weather forecasting services predicting freezing temperatures.

C. Nursery / Urban Irrigation / Recreation

1. **Nursery Use** means the use of water on premises on or in which nursery stock is grown, propagated, or held for sale or distribution, or sold or reshipped.
2. **Landscape Irrigation - New Installation**
means the outside watering or sprinkling of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, and other such flora which have been planted for less than thirty (30) days and are situated in such diverse locations as residential landscaping, parks, cemeteries, public, commercial and industrial

establishments, public medians and rights of way.

3. **Landscape Irrigation - Existing Installation**

means the outside watering or sprinkling of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora which are planted and established and are situated in such diverse locations as residential landscaping, recreation areas, cemeteries, public, commercial and industrial establishments, public medians and rights of way.

4. **Recreation Area Use**

means the use of water for the maintenance and support of intensive recreational areas such as, but not limited to, playgrounds, football, baseball, and soccer fields, polo fields, tennis courts, race tracks and school playgrounds.

5. **Golf Course Use**

means water used to irrigate and establishment designed and used for playing golf.

6. **Water Based Recreation Use**

means water used for public or private spas, swimming pools and wading pools, including water slides. This term does not include pools specifically maintained to provide habitat for aquatic life.

D. Miscellaneous

1. **Cooling and Air Conditioning Use** means the use of water for industrial cooling or for air conditioning.
2. **Dewatering Use** means the removal of water from a specific area to facilitate mining or construction.
3. **Other Outside Uses** means the use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles, and the washing of streets, driveways, sidewalks and similar areas.
4. **Aesthetic Use** means the use of water for fountains, waterfalls, and landscape lakes and ponds where such uses are entirely ornamental and decorative and serve no other functional purpose.

E. The Board May Establish such Additional Use Classifications as it deems Necessary.

History Note: Amended and renumbered 6-28-94.

2.1.3.21 **User** means the Tribe and any person, natural or artificial, individual, firm, association, organization, partnership, business trust, corporation, company, agent, employee or other legal entity, the United States of America, and the State and all political subdivisions, regions, districts, municipalities, and public agencies thereof, which directly or indirectly take water from the water resource, including but not limited to uses from private or

public utility systems, uses under consumptive use permits, or uses from individual wells or pumps for domestic or individual home use. The term does not include persons who use treated effluent or seawater.

History Note: Renumbered 6-28-94.

2.1.3.22 **Water Resource** means any and all water on or beneath the surface of the ground, including natural or artificial water courses, lakes, ponds, or diffused surface water, and water percolating, standing, or flowing beneath the surface of the ground.

History Note: Renumbered 6-28-94.

2.1.3.23 **Water Shortage** means that situation within all or part of the District when insufficient water is available to meet the present and anticipated needs of the users, or when conditions are such as to require temporary reduction in total use within a particular area to protect water resources from serious harm. A water shortage usually occurs due to drought.

History Note: Renumbered 6-28-94.

2.1.3.24 **Water Shortage Emergency** means that situation when the powers which can be exercised under Chapter 2 are not sufficient to protect the public health, safety, or welfare, or the health of animals, fish or aquatic life, or a public water supply, or commercial, industrial, agricultural, recreational or other reasonable uses.

History Note: Renumbered 6-28-94.

2.2 DECLARING AND IMPLEMENTING A WATER SHORTAGE

2.2.1 Evaluating Water Conditions

2.2.1.1 This section sets forth the steps the District will take to periodically evaluate water conditions within the District, in order to determine whether a water shortage should be declared.

2.2.1.2 The District shall monitor the condition of the water resources within the District as provided in 2.4.1.

2.2.1.3 Current data shall be compared to historical data to determine whether estimated present and anticipated available water supply within any source class will be insufficient to meet the estimated present and anticipated demands of the users from the source class, or whether serious harm to the water resources can be expected. The District shall seek the cooperation and assistance of the Tribe and state, county and municipal government officials in developing the historic and technical data used to periodically evaluate water conditions.

A. Present and anticipated available water supply shall be periodically estimated for each source class. Factors considered in estimating present and anticipated available supply within a source class may include:

1. Historic, current and anticipated levels in surface and ground waters, including potentiometric heads in confined and semi-confined aquifers.
2. Historic, current and anticipated flows in

surface waters.

3. The extent to which water may be transferred from one source class to another.
 4. The extent to which present water use restrictions may enhance future supplies, or postpone more stringent restrictions.
 5. Historic, current and anticipated demand of natural systems, including losses due to evapotranspiration and seepage.
 6. Historic, current and anticipated seasonal fluctuation in rainfall. And:
 7. Other water resource factors affecting present and anticipated available water supply.
- B. Present and anticipated user demands for each use and method of withdrawal class shall be periodically estimated for each source class. Factors considered in estimating the present and anticipated demands of the users within a source class may include:
1. Estimated current and anticipated demands of the Tribe and permitted users.
 2. Estimated current and anticipated demands of users exempt from permitting, but subject to the provisions of the water shortage plan.
 3. Current and anticipated demands of users

whose supply of water is established by federal law.

4. Anticipated seasonal fluctuations in user demands.
 5. The extent to which user demands may be met from other source classes. And:
 6. Other factors affecting present and anticipated water demands.
- C. Estimated present and anticipated available water supply shall be periodically compared to estimated present and anticipated user demands to determine impact on the water resource. Factors that may be considered in determining whether serious harm to the water resource may occur include:
1. Potential for increased saline intrusion or other ground water contamination.
 2. Potential for irreversible adverse impacts on fish and wildlife. And:
 3. Other factors adversely impacting the water resource.

2.2.2 Declaring a Water Shortage

2.2.2.1 If, in the opinion of the District, there is a possibility that insufficient water will be available within a source class to meet the estimated present and anticipated user

demands from that source, or to protect the water resource from serious harm, the Board may declare a water shortage for the affected source class. When the affected source extends beyond the District's boundaries, the District shall coordinate water shortage declarations with the appropriate water management districts to the extent practicable.

2.2.2.2 A water shortage may also be declared for those source classes not presently experiencing a water shortage if usage from such sources can reasonably be expected to impact the present and anticipated available water supply in those source classes identified in 2.2.2.1.

2.2.2.3 Prior to declaring a water shortage for a source class, the Board or the Executive Director may issue a water shortage warning, calling for voluntary reductions in demand within that source.

2.2.2.4 If a water shortage is declared for a source class, the District shall estimate the percent reduction in overall demand required to reduce demand to available water supply. The restricted area may include, for enforcement purposes, all or part of Reservations or Tribal Trust lands, a county, municipality, surface water basin or utility service area which impacts a source class for which a water shortage is declared.

2.2.3 Water Shortage Phases

2.2.3.1 This section establishes four phases of water shortage as a function of the estimated percent reduction in overall demand required to reduce estimated present and anticipated demand to estimated present and anticipated available water supply. The water shortage phase determines

the type of water use restrictions which will be ordered in a declared water shortage.

2.2.3.2 The following water shortage phases are established:

	Water Shortage Phase	Color	Code	% reduction in overall demand
I.	Moderate Water Shortage	Yellow		less than 15%
II.	Severe Water Shortage	Orange		less than 30%
III.	Extreme Water Shortage	Red		less than 45%
IV.	Critical Water Shortage	Purple		less than 60%

2.2.3.3 Each source class for which a water shortage has been declared shall be assigned a specific water shortage phase. More than one source class may be combined into a single class for this purpose. The water shortage phase selected for a source class may be based upon:

A: The estimated percent reduction in overall demand as determined in 2.2.2.4. And:

B: For areas with multiple sources, the extent to which users have the capability to obtain water for a source or sources other than the source class for which a water shortage has been declared.

2.2.4 General Water Use Restriction

2.2.4.1 This section specifies general water use

restrictions for all users for each water shortage phase. Specific restrictions by user class are presented in 2.5. Users desiring detailed information about the specific restrictions applying to their use should refer to 2.5.

2.2.4.2 The Board may order the water use restrictions specified in 2.5 for the appropriate water shortage phase for each affected source class. The restricted area may include, for enforcement purposes, all or part of Tribal lands, a county, municipality, surface water basin or utility service area which impacts a source class for which a water shortage is declared. Further, the Board may order any combination in lieu of, or in addition to, the restrictions specified in 2.5 and the restrictions described in 2.2.4.3, by use or method of withdrawal class, within each source class, if necessary to achieve the percent reduction in overall demand.

2.2.4.3 Additional restrictions which may be considered include:

- A. Provisions that recognize the right of water users in an area to make voluntary agreements among themselves, with the concurrence of the Board or the Executive Director, providing for the mutual reduction, sharing, or rotation of use.
- B. Provisions for the distribution of water to the Tribe and/or permittees in exchange for ceasing or reducing ground or surface water withdrawals.
- C. Provisions for the metering and reporting of all water used, diverted, impounded, extracted or withdrawn,

- D. Provisions designed to maintain minimum flows and minimum levels,
- E. Provisions which recognize the extent to which users can satisfy water demands from sources for which a water shortage has not been declared,
- F. Provisions for monitoring water levels and determining chloride concentrations in order to protect against saline water intrusion or other deterioration of water quality including the closing and plugging of wells,
- G. Restrictions on the total amount of water that may be used, diverted, impounded, extracted, or withdrawn during any day, month, or year,
- H. Restrictions on the timing of use, diversion, impoundment, extraction, or withdrawal of water,
- I. Restrictions on pumping rates or diversion rates, or
- J. Such other provisions or restrictions as are necessary to protect the water resources from serious harm.

2.2.5 Variances

2.2.5.1 The Tribe may request relief from the provisions of 2.2 by filing a request for variance pursuant 2.2.5.5.

2.2.5.2 **Criteria for Issuance** No request for variance shall be granted unless the Tribe provides reasonable

assurances that the variance will not otherwise be harmful to the water resources of the District and affirmatively demonstrates that one or more of the following circumstances exists:

- A. The variance is essential to protect health or safety. Or:
- B. Compliance with the particular section or order from which a variance is sought will require measures which, because of their extent or cost, cannot be accomplished within the anticipated duration of the shortage.
- C. Alternative restrictions which achieve the same level of demand reduction as the restrictions from which a variance is sought are available and are binding and enforceable.
- D. The Tribe is acting as a public utility and demonstrates that special circumstances exist which necessitate the issuance of a variance. Or:
- E. The Tribe's source of water includes an approved aquifer storage and recovery installation or a water reclamation project.

History Note: Amended 6-28-94.

2.2.5.3 **Limiting Conditions** Variances granted shall be subject to the following conditions, unless waived or modified by the Board:

- A. The variance granted shall be the minimum necessary to alleviate the circumstance for which the

variance was requested under 2.2.5.2.

- B. All variances shall expire upon a declaration by the Board that a water shortage no longer exists or when a more restrictive water shortage declaration is made, unless the Board specifies that the variance shall be in effect for a longer period of time, provided however, that variance conditions which require the Tribe to modify water use facilities shall remain in full force and effect until such modifications have been completed. However, when a new request for variance is filed within seven working days of the effective date of a more restrictive water shortage declaration, the existing variance shall remain in effect until final agency action on the request.
- C. Variances granted under 2.2.5.2(B) may prescribe a timetable for compliance with the restrictions from which a variance was sought.

History Note: Amended 6-28-94.

2.2.5.4 **Requests for Variance** The request shall contain the following:

- A. The specific section, order, water shortage phase or restriction from which the Tribe is requesting relief.
- B. A detailed statement of the facts which the Tribe believes demonstrate that the request qualifies for a variance under 2.2.5.2, including reports by qualified technical experts.
- C. A description of the relief desired.

- D. The period of time for which the variance is sought, including the reasons and facts in support thereof.
- E. The damage or harm resulting, or which may result to the Tribe, from compliance with the requirements or order.
- F. If the variance is sought under 2.2.5.2(B), information identifying the restrictions which currently can be met, a description of the measures which would be necessary to meet all restrictions and the date when these measures could be completed.
- G. If the Tribe is the owner or operator of a golf course whose need for a variance arises from the operational inability of its irrigation system or works to meet the front nine back nine requirement in 2.5, the Tribe shall submit a map showing the proposed alternative division of the course in half and an explanation of the Tribe's proposed irrigation scheme.
And:
- H. For requests for variance from restrictions on irrigation, a general description of the irrigation system, including pump or water system output and irrigated area, and
- I. Any other information the Tribe believes is material.

History Note: Amended 6-28-94.

2.2.5.5 **Procedures**

- A. Within ten working days after receipt of a complete request for variance, which contains the information listed in subsection 2.2.5.4, the staff shall recommend to the Executive Director whether the request complies with the provisions of 2.2.5.2 through 2.2.5.4. The recommendation shall be in writing and shall constitute proposed agency action. A copy of the recommendation shall be forwarded to the Tribe.

- B. The Executive Director or his designee shall review the request and the staff recommendation. Requests which do not require immediate action or which do not comply with the provisions of 2.2.5.2 through 2.2.5.4 may be deferred for Board action. Requests which require immediate action and which comply with the provisions of 2.2.5.2 through 2.2.5.4 may be temporarily granted by the Executive Director or his designee. Temporary variances granted by the Executive Director or his designee shall be presented to the Board for concurrence, rejection or modification.

- C. The Board shall consider all deferred requests, and those temporarily granted by the Executive Director or his designee, at its next regularly scheduled meeting. The Board may grant, or deny the deferred requests and may concur in, reject or modify those requests temporarily granted by the Executive Director or his designee. All Board action shall be by written order and copies shall be furnished to the Tribe. The Tribe shall be furnished an appropriate notice of water shortage variance and any attachments which shall be prominently displayed at the place of use.

- D. The Board may revoke or modify a variance when it determines that the continued utilization of the variance is inconsistent with the objectives of the District.

History Note: Amended 6-28-94.

2.2.6 Implementing a Water Shortage Declaration

2.2.6.1 When a water shortage is declared, or if already declared if more severe restrictions are imposed, the District will notify the Tribe and publish notice of the declaration or restrictions at least once in newspapers of general circulation in the areas affected. In addition, the District shall make every effort to inform the general public of the restrictions in effect and the sources of supply which are affected. Particular attention shall be given to presenting this information in a form which is easily understood and applied by the citizens of the affected areas.

2.2.6.2 A declaration of water shortage and any provision or restriction adopted pursuant thereto under the water shortage plan may be modified or rescinded by the Board.

2.2.6.3 A declaration of water shortage and any provision or restriction adopted pursuant thereto under the water shortage plan may be modified or rescinded by the Executive Director if all of the following circumstances are present:

- A. The Board previously issued a declaration of water shortage which remains in effect.
- B. The order rendering the Board's declaration of water shortage specifically delegates to the Executive Director the authority to modify or rescind the existing water shortage restrictions. And:
- C. The District's monitoring of water conditions and plan implementation reasonably demonstrates that a modification or rescission of the Board's declaration of

water shortage is warranted and necessary.

2.2.6.4 All decisions of the Executive Director made pursuant to 2.2.6 shall be by order and subject to ratification by the Board at the next scheduled Board meeting.

2.2.6.5 An order declaring a water shortage or imposing more severe restrictions shall become effective on the day after any notice required in 2.2.6.1 is published. An order declaring a water shortage shall remain in effect until modified or rescinded by the Board or the Executive Director.

2.3 EMERGENCY PROVISIONS

2.3.1 Criteria for Declaring a Water Shortage Emergency

2.3.1.1 This section sets forth the steps the District will take to evaluate water conditions within the District in order to determine whether a water shortage emergency exists. A water shortage emergency can occur under two situations; when specific users rather than classes of users must be restricted, and second, when the emergency occurs so abruptly that immediate action is needed to restrict classes of users.

2.3.1.2 The District shall monitor the condition of the water resources of the District and the needs of the users as provided in 2.4.1.

2.3.1.3 Current data shall be evaluated to determine whether any user's or classes of users' estimated present an anticipated available water supply will be insufficient to protect the public health, safety or welfare, or the health of animals, fish or aquatic life, a public water supply, or commercial, industrial,

agricultural, recreational, or other reasonable-beneficial use.

A. The present and anticipated water supply available to the user or classes of users shall be estimated. Factors that may be considered include:

1. Those factors listed in paragraph 2.2.1.3(A).
2. The ability of the user or classes of users to obtain water from other users.
3. The ability of the user or classes of users to obtain water from another source class. And:
4. Other factors affecting the present and anticipated available water supply of a user or classes of users.

B. The potential for adverse impacts on the public health, safety or welfare, or the health of animals, fish or aquatic life, or a public water supply, or commercial, industrial, agricultural, recreational, or other reasonable beneficial use shall be evaluated. Factors that may be considered include:

1. Those factors listed in paragraphs 2.2.1.3(B) and (C).
2. The extent to which adverse impacts can be reduced by imposing additional restrictions on other users from the same source class.
3. The extent to which restricting other users from

the same source class will create other adverse impacts.

4. If the Tribe is affected, the recommendation of its board of officials. And:
5. Other factors relating to public health, safety and welfare.

2.3.1.4 If a water shortage emergency is declared for a user, the district shall estimate the percent reduction in user demand required to alleviate the emergency.

2.3.1.5 If a water shortage emergency is declared for a class or classes of users, the Executive Director shall define the restrictions needed to alleviate the emergency, including those set forth in 2.2.2 and 2.2.3.

2.3.1.6 The Tribe is requested to immediately report any resource related water supply problems detected or experienced within Reservation and Tribal Trust lands to the District.

2.3.2 Water Use Restrictions in a Water Shortage Emergency

2.3.2.1 This section specifies water use restrictions for a user subject to an order declaring a water shortage emergency. More than one user may be included in a single order for purposes of establishing water use restrictions pursuant to 2.3.2.

2.3.2.2 Additional restrictions which may be considered include those listed in 2.2.4.3.

2.4 MONITORING

2.4.1 Monitoring

2.4.1.1 This section generally describes the data collection and analysis the District may undertake in anticipation of and during a declared water shortage or water shortage emergency. Monitoring data may be used to determine:

- A. Whether a water shortage or water shortage emergency should be declared.
- B. Whether the restrictions in effect are sufficient to protect the water resources and users within the affected area, in light of existing and anticipated climatological conditions. and:
- C. Whether the restrictions in effect are being adequately enforced.

2.4.1.2 Data may be obtained from any source available, including but not limited to:

- A. The District.
- B. Other water management districts.
- C. The Tribe and permittees who are required to submit data as a condition of their Work Plan or permit.
- D. Any local, state or federal agency. And:
- E. Any other source available.

2.4.1.3 **Resource Monitoring** -- When appropriate, the District shall collect and analyze data concerning any aspect of the water resource. Data which may be collected include, but are not limited to:

- A. Levels in surface and ground waters, including potentiometric heads in confined and semi-confined aquifers.
- B. Water quality in surface and ground waters.
- C. Flows in surface waters.
- D. Transfers of water from one source class to another.
- E. Demand of natural systems including, but not limited to, losses due to evapotranspiration and seepage.
- F. Rainfall.
- G. Impacts on fish and wildlife. And:
- H. Other data required to evaluate the status of the water resources of the District.

2.4.1.4 **Demand Monitoring** When appropriate the District shall collect and analyze data concerning any aspect of user demand upon the water resources. Data which may be collected include but are not limited to:

- A. Demands of the Tribe and permitted users.

- B. Demands of users exempt from permitting, but subject to the provisions of the water shortage plan.
- C. Demands of users whose supply of water is established by federal law. And:
- D. Other data required to evaluate demands on the water resources of the District.

2.4.1.5 When appropriate, the District may prepare a drought management report summarizing the data gathered pursuant to this section.

2.5 SPECIFIC RESTRICTIONS

2.5.1 Specific Restrictions

2.5.1.1 Upon declaration of a water shortage or water shortage emergency it shall be prohibited to use water in a manner inconsistent with the restrictions specified in this Part and 2.2. It shall be the duty of each water user to stay informed as to the phase of water shortage and the applicable restrictions for that phase. Violation of the restrictions specified in this Part and 2.2 shall be subject to enforcement action, as provided under the Compact.

History Note: Amended 6-28-94.

2.5.1.2 In addition to the restrictions specified in this Part and 2.2, wasteful and unnecessary water use is prohibited regardless of the phase of water shortage. Such wasteful and unnecessary water use shall include, but not be limited to:

- A. Allowing water to be dispersed without any practical

purpose to the water user, regardless of the type of water use.

- B. Allowing water to be dispersed in a grossly inefficient manner, regardless of the type of water use.
- C. Allowing water to be dispersed to accomplish a purpose for which water use is unnecessary or which can be readily accomplished through alternative methods without water use.

2.5.1.3 Within each section of this Part, use classes are grouped in the same sequence as in 2.1.3.20.

History Note: Amended and renumbered 6-28-94.

2.5.2 Phase I - Moderate Water Shortage The following restrictions shall apply when a phase I water shortage is declared by the District.

2.5.2.1 Essential/Domestic/Utility/Commercial

A. Essential Use

1. The use of water for fire fighting, safety, sanitation, health and medical purposes and other essential uses shall not be restricted.
2. Fire hydrant flushing shall be undertaken only on an emergency basis.
3. Sanitary sewer line flushing and testing shall not be restricted except on a voluntary basis.

B. Domestic Type Use

1. Residential type domestic use shall be voluntarily reduced to achieve a per capita consumption of sixty (60) gallons per person per day.
2. Domestic type use in industrial and commercial establishments shall be voluntarily reduced.

C. Water Utility Use

1. Initial pressure at the point of use (meter) shall be voluntarily reduced to levels no greater than forty-five (45) pounds per square inch. Upon reduction of pressure, the utility shall notify the appropriate fire fighting agencies and make arrangements for direct communication when additional pressure is required.
2. New water line flushing and disinfection shall be restricted to the hours of 7:00 P.M. to 7:00 A.M., seven (7) days per week.
3. As may be appropriate the utility shall institute additional voluntary conservation measures, such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

D. Power Production Use Water used for power

production shall be voluntarily reduced.

E. Commercial and Industrial Process Use

1. Commercial car washes shall be restricted as follows:

a. For washes servicing passenger vehicles and mobile equipment weighing less than ten thousand (10,000) pounds,

i. use in excess of seventy-five (75) gallons per wash shall be prohibited. And:

ii. Use equal to or less than seventy-five (75) gallons per wash shall be voluntarily reduced.

b. For washes servicing mobile equipment weighing ten thousand (10,000) pounds or more,

i. use in excess of one hundred fifty (150) gallons per wash shall be prohibited. And:

ii. Use equal to or less than one hundred fifty (150) gallons per wash shall be voluntarily reduced.

2. Water used for commercial and industrial processes shall be voluntarily reduced.

3. Water use for cleaning, adjusting and repair of irrigation systems by a licensed person or entity shall be restricted as follows:
 - a. projects one (1) irrigated acre or greater in size shall be limited to one (1) hour per acre per week.
 - b. projects less than one (1) irrigated acre in size shall be limited to ten (10) minutes per zone per week.
4. Water use for pesticide application under the supervision of a licensed pest control operator shall be voluntarily reduced. Under the provisions of this subparagraph, the applicator must be on the premises when water is applied outside of the hours allowed for irrigation.
5. Water use for well development under the supervision of a licensed well contractor shall be voluntarily reduced.
6. Water use for mobile equipment washing by a licensed person or entity shall be voluntarily reduced.

- F. **Diversion and Impoundment into Non-District Facilities** Water used for diversion and impoundment into non-District facilities shall be voluntarily reduced.

History Note: Amended 6-28-94.

2.5.2.2 Agriculture

A. **Agricultural Use**

1. Overhead irrigation shall be restricted to the hours of 2:00 P.M. to 10:00 A.M.
2. Low-volume irrigation hours shall not be restricted.
3. All irrigation systems shall be operated in a manner that will maximize the percentage of water withdrawn and held, which is placed in the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.
4. Users having access to more than one source class shall maximize the use of the lesser or least restricted source class.
5. Overhead irrigation for field grown citrus nursery stock moisture stress reduction shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M. and from 1:30 P.M. to 2:00 P.M.

- B. **Livestock Use** Livestock water use shall be voluntarily reduced.
- C. **Aquacultural Use** Aquacultural water use shall be voluntarily reduced.
- D. **Soil Flooding**
 - 1. Soil flooding for vegetable seed planting, rice planting, burning of sugarcane prior to harvest and to permit harvesting of sod shall be voluntarily reduced.
 - 2. Soil flooding for all other purposes shall be prohibited.
- E. **Freeze Protection** Water use for freeze protection shall be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops.

History Note: Amended 6-28-94.

2.5.2.3 **Nursery/Urban Irrigation/Recreation**

- A. **Nursery Use**
 - 1. Low-volume irrigation uses and low-volume hand watering shall be voluntarily reduced.
 - 2. Overhead irrigation uses shall be restricted as follows:

- a. **Inside** 8:00 A.M. to 8:00 P.M., seven (7) days per week.
 - b. **Outside** 7:00 P.M. to 7:00 A.M., seven (7) days per week.
 - c. Overhead irrigation for containerized nursery stock moisture stress reduction on stock grown in containers up to and including one (1) gallon in size shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.
3. Flood irrigation systems shall be restricted to eight (8) days per month.

B. Landscape Irrigation - New Installation

1. For installations which have been in place for less than thirty (30) days. And:
 - a. Less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours of 2:00 A.M. to 8:00 A.M., Monday through Friday.
 - b. Five (5) irrigated acres or greater in size, water use for irrigation shall be restricted to the hours of 12:01 A.M. to 8:00 A.M., Monday through Friday.

2. Low-volume irrigation and low-volume hand watering of new landscaping shall be voluntarily reduced.
3. Cleaning and adjusting of new irrigation systems shall be restricted to ten (10) minutes per zone on a one time basis.

C. Landscape Irrigation - Existing Installation

1. For existing installations less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours from 4:00 A.M. to 8:00 A.M. for all types of irrigation, except low volume irrigation, and 5:00 P.M. to 7:00 P.M. for low volume hand watering only, three (3) days per week.
 - a. Installations with odd addresses shall be permitted to irrigate on Monday, Wednesday and Saturday.
 - b. Installations with even addresses or no address shall be permitted to irrigate on Tuesday, Thursday and Sunday.
2. For existing installations five (5) irrigated acres or greater in size, water use for irrigation shall be restricted to the hours from 12:01 A.M. to 8:00 A.M., three (3) days per week.
 - a. Installations with odd addresses shall be permitted to irrigate on Monday,

Wednesday and Saturday.

- b. Installations with even addresses or no address shall be permitted to irrigate on Tuesday, Thursday and Sunday.
3. Water use for cleaning, adjusting and repair or existing irrigation systems shall be limited to ten (10) minutes per zone per week.
4. Low volume irrigation uses shall be voluntarily reduced.

D. Recreation Area Use

1. Landscape irrigation for new and existing recreation areas shall be restricted to the hours prescribed for new and existing landscape in paragraphs 2.5.2.3(B) and (C) respectively.
2. Irrigation of seeded and/or sprigged recreation areas that have been in place for less than thirty (30) days shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.
3. Watering of pervious non-vegetated recreational / sporting surfaces shall be restricted to ten (10) minutes of application prior to each recreational / sporting event. Low volume watering shall be used.

E. Golf Course Use

1. Irrigation of greens and tees shall be voluntarily reduced and shall be accomplished during non-daylight hours.
2. Irrigation of fairways, roughs and non-playing areas on the first nine (9) holes of the course shall be restricted to the hours of 12:01 A.M. to 8:00 A.M., Monday, Wednesday and Saturday.
3. Irrigation of fairways, roughs and non-playing areas on the last nine (9) holes of the course shall be restricted to the hours of 12:01 A.M. to 8:00 A.M., Tuesday, Thursday and Sunday.
4. Irrigation of seeded and / or sprigged areas that have been in place for less than thirty (30) days shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.

F. Water Based Recreation Use

1. Water based recreation water use shall be voluntarily reduced.
2. Draining of facilities into sewers or onto impervious surfaces shall be prohibited.

History Note: Amended 6-28-94.

2.5.2.4 Miscellaneous

A. Cooling and Air Conditioning Use The use of water for cooling and air conditioning shall be restricted to that amount of water necessary to maintain a minimum temperature of seventy-eight (78) degrees Fahrenheit.

B. Dewatering Use Dewatering discharge of fresh water to tide shall be prohibited.

C. Other Outside Uses

1. Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water shall be prohibited.

2. Mobile equipment washing with water shall be restricted to the hours and days prescribed for existing landscape irrigation in 2.5.2.3(C) using only low-volume mobile equipment washing methods and shall be conducted over a pervious surface or in an area that immediately drains to a pervious surface. Rinsing and flushing of boats after saltwater use shall be limited to fifteen (15) minutes once a day for each boat.

3. Outside pressure cleaning shall be restricted to only low-volume pressure cleaning, seven (7) days per week.

4. Washing boats that serve as a primary residence shall be restricted to the hours and

days prescribed for existing landscape irrigation in paragraph 2.5.2.3(C)1. Boats with an odd slip number shall be permitted to be washed on Monday, Wednesday and Saturday. Boats with an even slip number or no slip number shall be permitted to be washed on Tuesday, Thursday and Sunday.

D. Aesthetic Use

1. Non-recirculating outside aesthetic uses of water shall be prohibited.
2. Water use for outside aesthetic purposes by facilities that recirculate water shall be voluntarily reduced and must meet the following criteria:
 - a. Draining of water from outside aesthetic facilities into sewers or onto impervious surfaces is prohibited.
 - b. Outside aesthetic facilities shall not be operated when wind conditions cause water to be lost from the recirculating capacity of the facility.
 - c. Outside aesthetic facilities that leak water shall not be operated.
 - d. Outside aesthetic facilities that lose water due to an overflow shall not be operated.

3. Inside aesthetic uses of water shall be voluntarily reduced.

History Note: Amended 6-28-94.

2.5.3 Phase II - Severe Water ShortageThe following restrictions shall apply when a Phase II water shortage is declared by the District.

2.5.3.1 Essential/Domestic/Utility/Commercial

A. Essential Use

1. The use of water for fire fighting, safety, sanitation, health and medical purposes and other essential uses shall not be restricted.
2. Fire hydrant flushing shall be undertaken only on an emergency basis.
3. Sanitary sewer line flushing and testing shall not be restricted except on a voluntary basis.

B. Domestic Type Use

1. Residential type domestic use shall be voluntarily reduced to fifty (50) gallons per person per day.
2. Domestic type use in industrial and commercial establishments shall be voluntarily reduced.

C. Water Utility Use

1. Initial pressure at the point of use (meter) shall

be reduced to levels no greater than forty-five (45) pounds per square inch. Upon reduction of pressure, the utility shall notify the appropriate fire fighting agencies and make arrangements for direct communication when additional pressure is required.

2. New water line flushing and disinfection shall be restricted to the hours of 7:00 P.M. to 7:00 A.M., seven (7) days per week.
3. As may be appropriate the utility shall institute additional voluntary conservation measures such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

D. Power Production Use Water used for power production shall be voluntarily reduced.

E. Commercial and Industrial Process Use

1. Commercial car washes shall be restricted as follows:
 - a. For washes servicing passenger vehicles and mobile equipment weighing less than ten thousand (10,000) pounds,
 - i. use in excess of seventy-five (75) gallons per wash shall be

prohibited. And:

- ii. Use equal to or less than seventy-five (75) gallons per wash shall be voluntarily reduced.
 - b. For washes servicing mobile equipment weighing ten thousand (10,000) pounds or more,
 - i. use in excess of one hundred fifty (150) gallons per wash shall be prohibited. And:
 - ii. Use equal to or less than one hundred fifty (150) gallons per wash shall be voluntarily reduced.
- 2. Water used for commercial and industrial processes shall be voluntarily reduced.
- 3. Water use for cleaning, adjusting and repair of irrigation systems by a licensed person or entity shall be restricted as follows:
 - a. projects one (1) irrigated acre or greater in size shall be limited to one hour per acre per week.
 - b. projects less than one (1) irrigated acre in size shall be limited to ten (10) minutes per zone per week.

4. Water use for pesticide application under the supervision of a licensed pest control operator shall be voluntarily reduced. Under the provisions of this subparagraph, the applicator must be on the premises when water is applied outside of the hours allowed for irrigation.
5. Water use for well development under the supervision of a licensed well contractor shall be voluntarily reduced.
6. Water use for mobile equipment washing by a licensed person or entity shall be voluntarily reduced.

F. Diversion and Impoundment into Non-District Facilities Water used for diversion and impoundment into non-District facilities shall be voluntarily reduced.

2.5.3.2 Agriculture

A. Agricultural Use

1. Overhead irrigation shall be restricted to the hours of 2:00 P.M. to 10:00 A.M.
2. Low-volume irrigation hours shall not be restricted.
3. All irrigation systems shall be operated in a manner that will maximize the percentage of water withdrawn and held, which is placed in

the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.

4. Users having access to more than one source class shall maximize the use of the lesser or least restricted source class.
5. Overhead irrigation for field grown citrus nursery stock moisture stress reduction shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M. and from 1:30 P.M. to 2:00 P.M.

B. Livestock Use Livestock water use shall be voluntarily reduced.

C. Aquacultural Use Aquacultural water use shall be voluntarily reduced.

D. Soil Flooding

1. Soil flooding for vegetable seed planting, rice planting, burning of sugarcane prior to harvest and to permit harvesting of sod shall be voluntarily reduced.
2. Soil flooding for all other purposes shall be prohibited.

E. Freeze Protection Water use for freeze protection shall be restricted to situations in which

official weather forecasting services predict temperatures likely to cause permanent damage to crops.

History Note: Amended 6-28-94.

2.5.3.3 **Nursery/Urban Irrigation/Recreation**

A. Nursery Use

1. Low-volume irrigation uses and low-volume hand watering shall be voluntarily reduced.
2. Overhead irrigation uses shall be restricted as follows:
 - a. **Inside** 8:00 A.M. to 8:00 P.M., seven (7) days per week.
 - b. **Outside** 7:00 P.M. to 7:00 A.M., on odd numbered days.
 - c. Overhead irrigation for containerized nursery stock moisture stress reduction on stock grown in containers up to and including one (1) gallon in size shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.
3. Flood irrigation systems shall be restricted to six (6) days per month.

B. Landscape Irrigation - New Installation

1. For installations which have been in place for less than thirty (30) days. And:
 - a. Less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours of 2:00 A.M. to 8:00 A.M., Monday, Wednesday, Thursday and Friday.
 - b. Five (5) irrigated acres or greater in size, water use for irrigation shall be restricted to the hours of 12:01 A.M. to 8:00 A.M., Monday, Wednesday, Thursday and Friday.
2. Low-volume irrigation and low-volume hand watering of new landscaping shall be voluntarily reduced.
3. Cleaning and adjusting of new irrigation systems shall be restricted to ten (10) minutes per zone on a one (1) time basis.

C. Landscape Irrigation - Existing Installation

1. For existing installations less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours from 4:00 A.M. to 8:00 A.M. for all types of irrigation, except low volume irrigation, and 5:00 P.M. to 7:00 P.M. for low volume hand watering only, two (2)

days per week.

- a. Installations with odd addresses shall be permitted to irrigate on Wednesday and Saturday.
 - b. Installations with even addresses or no address shall be permitted to irrigate on Thursday and Sunday.
2. For existing installations five (5) irrigated acres or greater in size, water use for irrigation shall be restricted to the hours from 12:01 A.M. to 8:00 A.M., two (2) days per week.
 - a. Installations with odd addresses shall be permitted to irrigate on Wednesday and Saturday.
 - b. Installations with even addresses or no address shall be permitted to irrigate on Thursday and Sunday.
 3. Water use for cleaning, adjusting and repair or existing irrigation systems shall be limited to ten (10) minutes per zone per week.
 4. Low volume irrigation uses shall be voluntarily reduced.

D. Recreation Area Use

1. Landscape irrigation for new and existing

recreation areas shall be restricted to the hours prescribed for new and existing landscape in paragraphs 2.5.3.3(B) and (C) respectively.

2. Irrigation of seeded and/or sprigged recreation areas that have been in place for less than thirty (30) days shall be allowed daily for five (5) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.
3. Watering of pervious non-vegetated recreational / sporting surfaces shall be restricted to ten (10) minutes of application prior to each recreational / sporting event. Low volume watering shall be used.

E. Golf Course Use

1. Irrigation of greens and tees shall be voluntarily reduced and shall be accomplished during non-daylight hours.
2. Irrigation of fairways, roughs and non-playing areas on the first nine (9) holes of the course shall be restricted to the hours of 12:01 A.M. to 8:00 A.M., Wednesday and Saturday.
3. Irrigation of fairways, roughs and non-playing areas on the last nine (9) holes of the course shall be restricted to the hours of 12:01 A.M. to 8:00 A.M., Thursday and Sunday.

4. Irrigation of seeded and / or sprigged areas that have been in place for less than thirty (30) days shall be allowed daily for five (5) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.

F. Water Based Recreation Use

1. Water based recreation water use shall be voluntarily reduced.
2. Draining of facilities into sewers or onto impervious surfaces shall be prohibited.
3. Existing facilities shall not be refilled except for makeup water, unless the facility is leaking more than one (1) inch of water a day. If a facility is leaking more than one (1) inch of water a day and is in need of repair, it may be drained onto pervious surface for repairs and subsequently refilled.

History Note: Amended 6-28-94.

2.5.3.4 Miscellaneous

- A. Cooling and Air Conditioning Use** The use of water for cooling and air conditioning shall be restricted to that amount of water necessary to maintain a minimum temperature of seventy-eight (78) degrees Fahrenheit.
- B. Dewatering Use** Dewatering discharge of fresh

water to tide shall be prohibited.

C. Other Outside Uses

1. Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water shall be prohibited.
2. Mobile equipment washing with water shall be restricted to the hours and days prescribed for existing landscape irrigation in 2.5.3.3(C) using only low-volume mobile equipment washing methods and shall be conducted over a pervious surface or in an area that immediately drains to a pervious surface. Rinsing and flushing of boats after saltwater use shall be limited to fifteen (15) minutes once a day for each boat.
3. Outside pressure cleaning shall be restricted to only low-volume pressure cleaning, seven (7) days per week.
4. Washing boats that serve as a primary residence shall be restricted to the hours and days prescribed for existing landscape irrigation in paragraph 2.5.3.3(C)1. Boats with an odd slip number shall be permitted to be washed on Wednesday and Saturday. Boats with an even slip number or no slip number shall be permitted to be washed on , Thursday and Sunday.

D. Aesthetic Use

1. Non-recirculating outside aesthetic uses of water shall be prohibited.
2. Water use for outside aesthetic purposes by facilities that recirculate water shall be voluntarily reduced and must meet the following criteria:
 - a. Draining of water from outside aesthetic facilities into sewers or onto impervious surfaces is prohibited.
 - b. Outside aesthetic facilities shall not be operated when wind conditions cause water to be lost from the recirculating capacity of the facility.
 - c. Outside aesthetic facilities that leak water shall not be operated.
 - d. Outside aesthetic facilities that lose water due to an overflow shall not be operated.
3. Inside aesthetic uses of water shall be voluntarily reduced.

History Note: Amended 6-28-94.

2.5.4 Phase III - Extreme Water Shortage The following restrictions shall apply when a Phase III shortage is declared by the District.

2.5.4.1

Essential/Domestic/Utility/Commercial

A. Essential Use

1. The use of water for fire fighting, safety, sanitation, health and medical purposes and other essential uses shall not be restricted.
2. Fire hydrant flushing shall be undertaken only on an emergency basis.
3. Sanitary sewer line flushing and testing shall not be restricted except on a voluntary basis.

B. Domestic Type Use

1. Residential type domestic use shall be voluntarily reduced to forty (40) gallons per person per day.
2. Domestic type use in industrial and commercial establishments shall be voluntarily reduced.

C. Water Utility Use

1. Initial pressure at the point of use (meter) shall be reduced to levels no greater than forty-five (45) pounds per square inch. Voluntary initial pressure reductions below 45 psi shall be made consistent with the utility's ability to maintain adequate service and fire flow pressures. Upon reduction of pressure, the utility shall notify the appropriate fire fighting agencies and

make arrangements for direct communication when additional pressure is required.

2. New water line flushing and disinfection shall be restricted to the hours of 7:00 P.M. to 7:00 A.M., seven (7) days per week.
3. As may be appropriate, the utility shall institute additional voluntary conservation measures such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

D. Power Production Use Water used for power production shall be voluntarily reduced.

E. Commercial and Industrial Process Use

1. Commercial car washes shall be restricted as follows:
 - a. For washes servicing passenger vehicles and mobile equipment weighing less than ten thousand (10,000) pounds,
 - i. use in excess of seventy-five (75) gallons per wash shall be prohibited.
 - ii. Use equal to or less than seventy-five (75) gallons but more than 50

gallons per wash shall be restricted to the hours of 8:00 A.M. through 3:00 P.M. And:

- iii. Use equal to or less than fifty (50) gallons per wash shall be voluntarily reduced.
- b. For washes servicing mobile equipment weighing ten thousand (10,000) pounds or more,
- i. use in excess of one hundred fifty (150) gallons per wash shall be prohibited.
 - ii. Use equal to or less than one hundred fifty (150) gallons but more than 100 gallons per wash shall be restricted to the hours of 8:00 A.M. through 3:00 P.M. And:
 - iii. Use equal to or less than one hundred (100) gallons per wash shall be voluntarily reduced.
2. Water used for commercial and industrial processes shall be voluntarily reduced.
3. Water use for cleaning, adjusting and repair of irrigation systems by a licensed person or entity shall be restricted as follows:

- a. projects one (1) irrigated acre or greater in size shall be limited to one hour per acre per week.
 - b. projects less than one (1) irrigated acre in size shall be limited to ten (10) minutes per zone per week.
4. Water use for pesticide application under the supervision of a licensed pest control operator shall be voluntarily reduced. Under the provisions of this subparagraph, the applicator must be on the premises when water is applied outside of the hours allowed for irrigation.
 5. Water use for well development under the supervision of a licensed well contractor shall be voluntarily reduced.
 6. Water use for mobile equipment washing by a licensed person or entity shall be voluntarily reduced.

- F. **Diversion and Impoundment into Non-District Facilities** Water used for diversion and impoundment into non-District facilities shall be voluntarily reduced.

History Note: Amended 6-28-94.

2.5.4.2 Agriculture

A. Agricultural Use

1. Overhead irrigation shall be restricted to the hours of 7:00 P.M. to 7:00 A.M.
2. Low-volume irrigation hours shall not be restricted.
3. All irrigation systems shall be operated in a manner that will maximize the percentage of water withdrawn and held, which is placed in the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.
4. Users having access to more than one (1) source class shall maximize the use of the lesser or least restricted source class.
5. Withdrawals by each user from each source class in each month shall be limited to an amount that represents each user's share of the total allocation for agricultural irrigation made by the District from that source for that month and in that basin. The District's allocation for agricultural irrigation will be determined based on its evaluation of the supply capabilities of the source class, the supply capabilities of other source classes available in the area, the needs of agriculture and all other users in the area and the District's overall management strategy for handling the uncertainties of future climatological events. The share of the total agricultural irrigation

allocation available to each user will be based on any prioritization among crops the District establishes based on economic loss and equity considerations. Also the acreage and quantity of withdrawals for which the user has been permitted and the acreage and quantity of withdrawals for which the Tribe has addressed in the Work Plan.

6. Overhead irrigation for field grown citrus nursery stock moisture stress reduction shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.

B. Livestock Use Livestock water use shall be voluntarily reduced.

C. Aquacultural Use Aquacultural water use shall be voluntarily reduced.

D. Soil Flooding

1. Soil flooding for vegetable seed planting, rice planting, burning of sugarcane prior to harvest and to permit harvesting of sod shall be voluntarily reduced.
2. Soil flooding for all other purposes shall be prohibited.

E. Freeze Protection Water use for freeze protection shall be restricted to situations in which

official weather forecasting services predict temperatures likely to cause permanent damage to crops.

History Note: Amended 6-28-94.

2.5.4.3 **Nursery/Urban Irrigation/Recreation**

A. Nursery Use

1. Low-volume irrigation uses and low-volume hand watering shall be voluntarily reduced.
2. Overhead irrigation uses shall be restricted as follows:
 - a. **Inside** 8:00 A.M. to 8:00 P.M., on odd numbered days.
 - b. **Outside** 12:01 A.M. to 7:00 A.M., on odd numbered days.
 - c. Outside overhead irrigation for containerized nursery stock moisture stress reduction on stock grown in containers up to and including one (1) gallon in size shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.
3. Flood irrigation systems shall be restricted to four (4) days per month.

B. Landscape Irrigation - New Installation

1. For installations which have been in place for less than thirty (30) days. And:
 - a. Less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours of 2:00 A.M. to 7:00 A.M., Monday, Wednesday and Friday.
 - b. Five (5) irrigated acres or greater in size, water use for irrigation shall be restricted to the hours of 12:01 A.M. to 7:00 A.M., Monday, Wednesday and Friday.
2. Low-volume irrigation and low-volume hand watering of new landscaping shall be voluntarily reduced.
3. Cleaning and adjusting of new irrigation systems shall be restricted to ten (10) minutes per zone on a one (1) time basis.

C. Landscape Irrigation - Existing Installation

1. For existing installations less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours from 4:00 A.M. to 7:00 A.M. for all types of irrigation, except low volume irrigation, and 5:00 P.M. to 7:00 P.M. for low volume hand watering only, one (1) day per week.

- a. Installations with odd addresses shall be permitted to irrigate on Saturday.
 - b. Installations with even addresses or no address shall be permitted to irrigate on Sunday.
2. For existing installations five (5) irrigated acres or greater in size, water use for irrigation shall be restricted to the hours from 12:01 A.M. to 7:00 A.M., one (1) day per week.
 - a. Installations with odd addresses shall be permitted to irrigate on Saturday.
 - b. Installations with even addresses or no address shall be permitted to irrigate on Sunday.
3. Water use for cleaning, adjusting and repair or existing irrigation systems shall be limited to ten (10) minutes per zone per week.
4. Low volume irrigation uses shall be voluntarily reduced.

D. Recreation Area Use

1. Landscape irrigation for new and existing recreation areas shall be restricted to the hours prescribed for new and existing landscape in paragraphs 2.5.4.3(B) and (C) respectively.

2. Watering of pervious non-vegetated recreational / sporting surfaces shall be restricted to ten (10) minutes of application prior to each recreational / sporting event. Low volume watering shall be used.

E. Golf Course Use

1. Irrigation of greens shall be voluntarily reduced and shall be accomplished during non-daylight hours.
2. Irrigation of tees shall be restricted to non-daylight hours three (3) days per week. The front nine (9) holes shall be restricted to Monday, Wednesday and Saturday and the back nine (9) holes shall be restricted to Tuesday, Thursday and Sunday.
3. Irrigation of fairways, roughs and non-playing areas on the first nine (9) holes of the course shall be restricted to the hours of 12:01 A.M. to 7:00 A.M., on Saturday.
4. Irrigation of fairways, roughs and non-playing areas on the last nine (9) holes of the course shall be restricted to the hours of 12:01 A.M. to 7:00 A.M., on Sunday.

F. Water Based Recreation Use

1. Water based recreation water use shall be voluntarily reduced.

2. Draining of facilities into sewers or onto impervious surfaces shall be prohibited.
3. Existing facilities shall not be refilled except for makeup water, unless the facility is leaking more than one (1) inch of water a day. If a facility is leaking more than one (1) inch of water a day and is in need of repair, it may be drained onto a pervious surface for repairs and subsequently refilled.

History Note: Amended 6-28-94.

2.5.4.4

Miscellaneous

- A. Cooling and Air Conditioning Use** The use of water for cooling and air conditioning shall be restricted to that amount of water necessary to maintain a minimum temperature of seventy-eight (78) degrees Fahrenheit.
- B. Dewatering Use** Dewatering discharge of fresh water to tide shall be prohibited.
- C. Other Outside Uses**
1. Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water shall be prohibited.
 2. Mobile equipment washing with water shall be restricted to the hours and days prescribed for existing landscape irrigation in 2.5.4.3(C) using only low-volume mobile equipment washing methods and shall be conducted over a pervious surface or in an area that immediately drains to a pervious surface. Rinsing and flushing of boats after saltwater use shall be limited to fifteen (15) minutes once a day for each boat.
 3. Outside pressure cleaning shall be restricted to only low-volume pressure cleaning, Monday through Friday.
 4. Washing boats that serve as a primary

residence shall be restricted to the hours and days prescribed for existing landscape irrigation in paragraph 2.5.4.3(C)1. Boats with an odd slip number shall be permitted to be washed on Saturday. Boats with an even slip number or no slip number shall be permitted to be washed on Sunday.

D. Aesthetic Use

1. Outside aesthetic uses of water shall be prohibited.
2. Inside aesthetic uses of water shall be prohibited.

History Note: Amended 6-28-94.

2.5.5 Phase IV - Critical Water Shortage The following restrictions shall apply when a Phase IV shortage is declared by the District.

2.5.5.1 Essential/Domestic/Utility/Commercial

A. Essential Use

1. The use of water for fire fighting, safety, sanitation, health and medical purposes and other essential uses shall not be restricted.
2. Fire hydrant flushing shall be undertaken only on an emergency basis.

3. Sanitary sewer line flushing and testing shall not be restricted except on a voluntary basis.

B. Domestic Type Use

1. Residential type domestic use shall be voluntarily reduced to thirty (30) gallons per person per day.
2. Domestic type use in industrial and commercial establishments shall be voluntarily reduced to the minimum levels necessary to preserve public health and safety.

C. Water Utility Use

1. Initial pressure at the point of use (meter) shall be reduced to levels no greater than forty-five (45) pounds per square inch. Voluntary initial pressure reductions below 45 psi shall be made consistent with the utility's ability to maintain adequate service and fire flow pressures. Upon reduction of pressure, the utility shall notify the appropriate fire fighting agencies and make arrangements for direct communication when additional pressure is required.
2. New water line flushing and disinfection shall be restricted to the hours of 7:00 P.M. to 7:00 A.M., seven (7) days per week.
3. As may be appropriate, the utility shall institute additional voluntary conservation measures

such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

D. Power Production Use Water used for power production shall be voluntarily reduced.

E. Commercial and Industrial Process Use

1. Commercial car washes shall be restricted as follows:

a. For washes servicing passenger vehicles and mobile equipment weighing less than ten thousand (10,000) pounds,

i. use in excess of seventy-five (75) gallons per wash shall be prohibited.

ii. Use equal to or less than seventy-five (75) gallons but more than 50 gallons per wash shall be restricted to the hours of 8:00 A.M. through 3:00 P.M. And:

iii. Use equal to or less than fifty (50) gallons per wash shall be voluntarily reduced.

b. For washes servicing mobile equipment

weighing ten thousand (10,000) pounds or more,

- i. use in excess of one hundred fifty (150) gallons per wash shall be prohibited.
- ii. Use equal to or less than one hundred fifty (150) gallons but more than one hundred (100) gallons per wash shall be restricted to the hours of 8:00 A.M. through 3:00 P.M. And:
- iii. Use equal to or less than one hundred (100) gallons per wash shall be voluntarily reduced.

2. Water used for commercial and industrial processes shall be voluntarily reduced.

3. Water use for cleaning, adjusting and repair of irrigation systems by a licensed person or entity shall be restricted as follows:

- a. projects one (1) irrigated acre or greater in size shall be limited to one (1) hour per acre per week.
- b. projects less than one (1) irrigated acre in size shall be limited to ten (10) minutes per zone per week.

4. Water use for pesticide application under the supervision of a licensed pest control operator shall be voluntarily reduced. Under the provisions of this subparagraph, the applicator must be on the premises when water is applied outside of the hours allowed for irrigation.
5. Water use for well development under the supervision of a licensed well contractor shall be voluntarily reduced.
6. Water use for mobile equipment washing by a licensed person or entity shall be voluntarily reduced.

F. Diversion and Impoundment into Non-District Facilities Water used for diversion and impoundment into non-District facilities shall be voluntarily reduced.

History Note: Amended 6-28-94.

2.5.5.2 Agriculture

A. Agricultural Use

1. Overhead irrigation shall be restricted to the hours of 7:00 P.M. to 7:00 A.M.
2. Low-volume irrigation hours shall not be restricted.
3. All irrigation systems shall be operated in a manner that will maximize the percentage of

water withdrawn and held, which is placed in the root zone of the crop and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.

4. Users having access to more than one source class shall maximize the use of the lesser or least restricted source class.
5. Withdrawals by each user from each source class in each month shall be limited to an amount that represents each user's share of the total allocation for agricultural irrigation made by the District from that source for that month and in that basin. The District's allocation for agricultural irrigation will be determined based on its evaluation of the supply capabilities of the source class, the supply capabilities of other source classes available in the area, the needs of agriculture and all other users in the area and the District's overall management strategy for handling the uncertainties of future climatological events. The share of the total agricultural irrigation allocation available to each user will be based on any prioritization among crops the District establishes based on economic loss and equity considerations. Also the acreage and quantity of withdrawals for which the user has been permitted and the acreage and quantity of withdrawals for which the Tribe has addressed in the Work Plan.

6. Overhead irrigation for field grown citrus nursery stock moisture stress reduction shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.

B. Livestock Use Livestock water use shall be voluntarily reduced.

C. Aquacultural Use Aquacultural water use shall be voluntarily reduced.

D. Soil Flooding

1. Soil flooding for vegetable seed planting, rice planting, burning of sugarcane prior to harvest and to permit harvesting of sod shall be voluntarily reduced.

2. Soil flooding for all other purposes shall be prohibited.

E. Freeze Protection Water use for freeze protection shall be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops.

History Note: Amended 6-28-94.

2.5.5.3 Nursery/Urban Irrigation/Recreation

A. Nursery Use

1. Low-volume irrigation uses and low-volume hand watering shall be voluntarily reduced.
2. Overhead irrigation uses shall be restricted as follows:
 - a. **Inside** 8:00 A.M. to 4:00 P.M., on odd numbered days.
 - b. **Outside** 2:00 A.M. to 7:00 A.M., on odd numbered days.
 - c. Outside overhead irrigation for containerized nursery stock moisture stress reduction on stock grown in containers up to and including one (1) gallon in size shall be allowed daily for ten (10) minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.
3. Flood irrigation systems shall be restricted to two (2) days per month.

B. Landscape Irrigation - New Installation

1. For installations which have been in place for less than thirty (30) days. And:
 - a. Less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours of 6:00 A.M. to 7:00 A.M.,

Saturday

- b. Five (5) irrigated acres or greater in size, water use for irrigation shall be restricted to the hours of 4:00 A.M. to 7:00 A.M., Saturday.
2. Low-volume irrigation and low-volume hand watering of new landscaping shall be restricted to Monday, Wednesday and Friday.
3. Cleaning and adjusting of new irrigation systems shall be prohibited.

C. Landscape Irrigation - Existing Installation

1. For existing installations less than five (5) irrigated acres in size, water use for irrigation shall be restricted to the hours from 6:00 A.M. to 7:00 A.M. for all types of irrigation, except low volume irrigation, and 5:00 P.M. to 7:00 P.M. for low volume hand watering only, one (1) day per week.
 - a. Installations with odd addresses shall be permitted to irrigate on Saturday.
 - b. Installations with even addresses or no address shall be permitted to irrigate on Sunday.
2. For existing installations five (5) irrigated acres or greater in size, water use for irrigation shall

be restricted to the hours from 4:00 A.M. to 7:00 A.M., one (1) day per week.

- a. Installations with odd addresses shall be permitted to irrigate on Saturday.
 - b. Installations with even addresses or no address shall be permitted to irrigate on Sunday.
3. Low volume irrigation uses shall be restricted to Monday, Wednesday and Friday.

D. Recreation Area Use

1. Landscape irrigation for new and existing recreation areas shall be restricted to the hours prescribed for new and existing landscape in paragraphs 2.5.5.3(B) and (C) respectively.
2. Watering of pervious non-vegetated recreational / sporting surfaces shall be restricted to ten (10) minutes of application prior to each recreational / sporting event. Low volume watering shall be used.

E. Golf Course Use

1. Irrigation of greens shall be voluntarily reduced and shall be accomplished during non-daylight hours.
2. Irrigation of tees shall be restricted to non-

daylight hours one (1) day per week. The front nine (9) holes shall be restricted to Saturday and the back nine (9) holes shall be restricted to Sunday.

3. Irrigation of fairways, roughs and non-playing areas on the first nine (9) holes of the course shall be restricted to the hours of 4:00 A.M. to 7:00 A.M., on Saturday.
4. Irrigation of fairways, roughs and non-playing areas on the last nine (9) holes of the course shall be restricted to the hours of 4:00 A.M. to 7:00 A.M., on Sunday.

F. Water Based Recreation Use

1. Draining of facilities into sewers or onto impervious surfaces shall be prohibited.
2. Filling of new or existing facilities shall be prohibited.
3. Use of makeup water shall be prohibited.

History Note: Amended 6-28-94.

2.5.5.4 Miscellaneous

A. Cooling and Air Conditioning Use

1. The use of water for cooling and air conditioning shall be restricted to that amount of water necessary to maintain a minimum

temperature of seventy-eight (78) degrees Fahrenheit.

2. Cooling and air conditioning systems shall not discharge water to tide.
3. Reuse of water shall be required.

B. Dewatering Use Dewatering discharge of fresh water to tide shall be prohibited.

C. Other Outside Uses

1. Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water shall be prohibited.
2. Mobile equipment washing with water shall be restricted to the hours and days prescribed for existing landscape irrigation in 2.5.5.3(C) using only low-volume mobile equipment washing methods and shall be conducted over a pervious surface or in an area that immediately drains to a pervious surface. Rinsing and flushing of boats after saltwater use shall be limited to fifteen (15) minutes once a day for each boat.
3. Outside pressure cleaning shall be restricted to only low-volume pressure cleaning, Monday and Wednesday.
4. Washing boats that serve as a primary

residence shall be restricted to the hours and days prescribed for existing landscape irrigation in paragraph 2.5.5.3(C)1. Boats with an odd slip number shall be permitted to be washed on Saturday. Boats with an even slip number or no slip number shall be permitted to be washed on Sunday.

D. Aesthetic Use

1. Outside aesthetic uses of water shall be prohibited.
2. Inside aesthetic uses of water shall be prohibited.

History Note: Amended 6-28-94.

2.6 THE CLASSIFICATION SYSTEM

2.6.1 Classification System Unless the emergency provisions of Part 2.3 are invoked, water users are regulated by class under the provisions of this water shortage plan. The sections of this Part establish the classification system which provides the basis for distinguishing among different user classes. Under the system, each water user is classified according to source, use and method of withdrawal.

2.6.2 Source Classes Source classes are generally divided into surface water use basins and groundwater sources. A water user may be assigned any combination of both surface water use basin and groundwater source classes.

2.6.2.1 **Surface Water Use Basins** Surface waters

are classified by surface water use basin. The surface water use basins are grouped by region as follows (See Figure 2-1):

A. Water Conservation Area / Everglades National Park (See Figure 2-2) The surface water use basins in this area are directly supplied with surface water from the Water Conservation Areas and Everglades National Park. The following surface water use basin is included in the area:

1. Water Conservation Areas / Everglades National Park Water Use Basin.

B. Lower East Coast (See Figure 2-3) The water use basins in this area are directly supplied with surface water from the Water Conservation Areas or the M Canal. The following surface water use basins are included in the area:

1. Water Conservation Area 2 Water Use Basin.
2. Water Conservation Area 3 Water Use Basin.

C. Lake Okeechobee (See Figure 2-4) The surface water use basins in this area are directly supplied with surface water from Lake Okeechobee. The following surface water use basin is included in the area:

1. Lakeshore Perimeter Water Use Basin.

D. Indian Prairie (See Figure 2-5) The surface water use basins in this are directly supplied with surface

water from Lake Istokpoga and Fisheating Creek or associated surface water bodies. The following surface water use basins are included in the area:

1. Indian Prairie Water Use Basin.
2. Fisheating Creek Water Use Basin.

E. Lower West Coast (See Figure 2-6) The surface water use basins in this area are directly supplied from local surface waters. The following surface water use basins are included in the area:

1. Big Cypress Preserve Water Use Basin.
2. Fakahatchee North Water Use Basin.
3. Fakahatchee South Water Use Basin.

History Note: Amended 6-28-94.

2.6.2.2 **Ground Water Sources** Ground water sources are classified based on the available hydrologic information, and the restricted area may include aquifers underlying all or part of a county, municipality, surface water basin or utility service area, as follows:

A. Water Table Aquifers Ground waters directly recharged by surface waters and rainfall are classified according to the surface water use basin within which they are located. The titles and boundaries described in 2.6.2.1 shall apply.

B. Confined and Semi-Confined Aquifers Ground

waters not directly recharged by surface waters and rainfall are classified as follows:

1. Potable Floridan Aquifer.
 2. Non-Potable Floridan Aquifer.
 3. Sandstone Aquifer.
 4. Upper Hawthorn Aquifer.
 5. Other artesian or leaky artesian aquifers.
- C. Figures 2-2 through 2-6 list the water table, confined and semi-confined aquifers generally found within each surface water use basin. Adjacent areas which are supplied from a restricted ground water source may also be included in the restricted area.

History Note: Amended 6-28-94.

2.6.3 Method of Withdrawal Classes Each water user may be identified by one or more of the following methods of withdrawal classes:

2.6.3.1 **Surface waters:**

- A. Pump.
- B. Gravity flow.

2.6.3.2 **Ground waters:**

- A. Artesian well.

- B. Pumped well.
- C. Infiltration gallery.