Las Virgenes Municipal Water District
Flow Restriction Devices for Drought Response

Beverly Hills Public Works Commission
January 12, 2023

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About Las Virgenes MWD

- Retailer: Water, Wastewater, Recycled Water, Compost
- MWD Member Agency / SWP Dependent
- ~70,000 residents
- Hidden Hills, Calabasas, Westlake Village, Agoura Hills, Unincorporated Los Angeles County
- 21,000+ water service connections (mostly SFR)
- High gpcds (194 average / 303 high in 2021)
- Individualized water budgets
State, Regional and Local Actions

- July 8, 2021 - Governor issued EO N-10-21 calling for 15 percent voluntary reductions.
- July 20, 2021 – District declared a Stage 2 Water Shortage Warning and called for 15% voluntary reduction in water use.
- November 2, 2021 – District Board Declared local drought emergency and Stage 3 - Water Shortage Emergency.
State, Regional and Local Actions (cont.)

- November 16, 2021 – District Board modifies penalty structure for exceedances during droughts (USE OF FLOW RESTRICTORS APPROVED)
- March 18, 2022 – CADWR announces reduction in SWP allocation from 15% to 5%
- March 28, 2022 – Governor Newsom issued N-7-22, calling for intensified efforts to “further conserve water”
- April 5, 2022 – Board reduces outdoor water budgets to 50%, effective May 1st
- April 26, 2022 – MWD adopts Emergency Water Conservation Program (one day per week watering)
- June 1, 2022 – Current Restrictions Effective
Why Flow Restrictors?

- State of Emergency and finite water supplies – conservation mandates
- $$$ penalties do not always do the trick
- Equity/fairness
- Worked during Covid for non-pays
- We’ve done everything….last resort!
Considerations

- Impacts to households/businesses
- Legal opinion/liability
- Modification of the LVMWD Code – penalty structure
- Developing an Implementation Plan
  - Who, what, where, when, why, how
- Execution and modification of the Plan
## Impacts to Service

**RESTRICTED** (note: this is the maximum flow. All valves were fully opened)

<table>
<thead>
<tr>
<th>SIZE HOLE</th>
<th>TEST</th>
<th>TIME TO FILL</th>
<th>FLOW RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/64&quot;</td>
<td>7.48 gal</td>
<td>6min24sec</td>
<td>1.15 gallons per minute maximum flow</td>
</tr>
<tr>
<td>1/16&quot;</td>
<td>7.48 gal</td>
<td>6min47sec</td>
<td>.83 gallons per minute maximum flow</td>
</tr>
</tbody>
</table>

**NOT RESTRICTED** (note: these are standard “bench” flow tests)

<table>
<thead>
<tr>
<th>SIZE METER</th>
<th>TEST</th>
<th>TIME TO FILL</th>
<th>FLOW RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot;</td>
<td>7.48 gal</td>
<td>2min24sec</td>
<td>3 gallons per minute med flow test</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>7.48 gal</td>
<td>20seconds</td>
<td>22 gallons per minute high flow test</td>
</tr>
</tbody>
</table>
Please be advised that a water flow restriction device will limit water supply to basic essential needs only. The restricted water supply will not be sufficient for most non-essential services, including your landscape irrigation system and certain appliances. It is your responsibility to ensure and/or prevent any damage to your property and/or appliances once a flow restriction device is installed. Additionally, fire suppression systems may not function as intended.
Legal Opinion

- District’s position is that the use of flow restriction devices is a “last resort”
- Customers have many opportunities to avoid and warnings
- $$ penalties alone do not work (in our case)
- State of Emergency (local and state conservation mandates) provides protection from liability/inverse condemnation
Penalties

- **1st penalty:** A warning only
- **2nd penalty:** An extra charge of $2.50 per unit of water (748 gallons) over 150% of water budget
- **3rd penalty:** An extra charge of $5.00 per unit...
- Customers are also subject to the installation of a flow restriction device
- **4th penalty:** .... $7.50 per unit.....
- **5th and subsequent penalties:** .... $10.00 per unit.....
Warnings, Warnings and More Warnings

- Press releases / ads
- Website content
- Social media
- Mailers / bill stuffers
- Monthly water bills
- 2nd exceedance letters
- 4th exceedance letters
- Door tags / hangars
- Robo call (Message) to customers getting door tags
Opportunities to Avoid

- Request a free on site water use survey
- Sign and submit a “Commitment Form”
- Reduce water use (stay w/in 150% of water budget)
- Appeal (w/in 15 days of a penalty notice)
Door Tagging

- Fire Suppression Systems May Not Function
- District accepts no liability for any damages
- Start date and “window” for installation
- Door tag fees
- Installation/removal costs
- Hefty fines for tampering
- Last and final opportunity to avoid an installation
- Contact info to bypass the busy front office phones

NOTICE OF INTENT TO INSTALL A FLOW RESTRICTION DEVICE DUE TO WATER BUDGET EXCEEDANCES

Please be advised that if a water flow restriction device, with flow rate not exceeding 5 GPM (gallons per minute), is not installed by the due date as indicated or by the last and final opportunity to avoid an installation, a flow restrictor device will be installed at your property. This device will reduce the flow of water to 5 GPM, and may not be sufficient for use with certain appliances that require more water flow, such as irrigation systems. The District is not responsible for any damages caused by the installation of the flow restriction device. The device will remain in place until such time as the water budget is brought within acceptable limits.

Fire suppression systems, if present, may not function as intended with a flow restriction device. Therefore, we recommend that you contact the Fire Department if you have a suppression system.

Due to the number of water budget exceedances on your account, the device will be installed on your property on (the due date) for water consumption purposes.

(See Reserve)
Flow Restriction Device Durations

• 1<sup>st</sup> Occurrence: Device stays in 2-4 weeks
• 2<sup>nd</sup> Occurrence: Device stays in 3 months (yikes!)
• 3<sup>rd</sup> & more: 6 months (double yikes!)
Statistics (as of December 1, 2022)

- 4th exceedance notices: 3,499 (16.7%)
- Door tags for flow restriction: 500
- Total flow restriction devices installed: 205
- Flow restriction devices installed a 2nd time (90 days): 16
- No lawsuits / TROs (yet)
• District-wide conservation
  – 37% average (June 1. – Dec. 1 2022)
  – 41% in November 2022
• GPCD Reduction
  – 249 average (June 1. – Dec. 1 2021)
  – 149 average (June 1. – Dec. 1 2022)
• ~83% of customers have not had 4 or more exceedances since January 2022
• ~60% of customers within budget in recent months (fluctuates)
• No penalties by MWD and outdoor watering ban delayed
Lessons Learned / Do’s and Don’ts

Do:

- Get the support of your elected officials
- Get your own legal opinion / work with legal council
- Limit the # of devices / prioritize to keep the Program manageable with available resources
- Give lots of warnings/ opportunities to reduce water use
- Have an administrative appeal process in place
- Coordinate/communicate to local Fire Department / Code Enforcement
- Adjust the size of restriction holes if indoor water flows are inadequate
- Get ready for PRRs / Media Inquiries
Lessons Learned / Do’s and Don’ts

Do Not:

- Set installation targets that are not manageable / exceed available resources (you do not have to install them all to have an impact)
- Overcomplicate Program roll-out and on-going implementation
- “Abuse” the Program (use with caution and as a last resort)
- Give preferential treatment to any customer (be consistent)
- Cave to the threat of lawsuits (stick to your guns)
Contact Information

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