



DATE: June 6, 3023

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT Adopt a Resolution Rescinding Implementation of Level 2 of the City of Hayward’s Water Shortage Contingency Plan

RECOMMENDATION

That the Council adopts a resolution (Attachment II) rescinding Resolution 22-177 implementing Level 2 of the City of Hayward’s Water Shortage Contingency Plan (WSCP).

SUMMARY

On June 28, 2022, Council adopted Resolution 22-177 implementing WSCP Level 2 measures in response to an Emergency Regulation issued by the State Water Resources Control Board (SWRCB). This action was taken after a significantly dry winter. The hydrologic outlook and water supply conditions have vastly improved due to very wet conditions this past winter. As a result, the SWRCB is expected to rescind the requirement for Level 2 measures in June 2023. Similarly, the City’s water supplier, the San Francisco Public Utilities Commission (SFPUC) has rescinded its declaration of a drought emergency and acted to end its implementation of Level 2 measures. Staff has reviewed water supply updates from the SFPUC and recommends that Council adopts a resolution rescinding WSCP Level 2 measures, when the SWRCB takes the expected actions.

BACKGROUND

Hayward receives its potable water supply from the SFPUC’s Regional Water System, which is largely supplied by Sierra snowmelt that drains into the Hetch Hetchy Reservoir. In addition to Hayward, the SFPUC supplies water to twenty-five other Bay Area water agencies and the City of San Francisco. Last year, after a significantly dry winter, the SFPUC adopted a system-wide 11% water use reduction requirement in order to conserve supplies.

In addition to the SFPUC’s action, the SWRCB issued an Emergency Regulation in May 2022 in response to Governor Newsom’s Executive Order (EO) N-7-22, which, among other provisions, required urban water suppliers to implement WSCP Level 2 (for supply shortages of 11% to 20%). The WSCP is a planning document designed to prepare for and respond to water shortages. Hayward’s WSCP, adopted by Council on July 20, 2021, defines six standard water shortage levels and response actions that are to be implemented at each level. A Level 2 shortage triggers measures including:

- Increased public information and outreach

- Prohibition of all non-essential commercial and industrial water use, including irrigation of non-functional turf
- Limiting turf irrigation to three days per week
- Repair of leaks and faulty irrigation equipment within 4 days

On June 28, 2022¹, Council adopted Resolution 22-177 to comply with the Emergency Regulation requiring implementation of Level 2 measures in the WSCP. Staff implemented the required measures primarily through enhanced public outreach and follow up on water waste complaints received from concerned residents.

DISCUSSION

Winter storms this year have significantly improved local hydrologic conditions and availability of water supplies in the SFPUC's Regional Water System. As of April 1, snowpacks ranged from 250% to 270% of median, and the system is expected to be completely filled by July 1 and remain full through the year. Similar conditions exist throughout a large portion of the State.

In response to these improved supply conditions, Governor Newsom issued an Executive Order on March 24, 2023 rescinding relevant portions of EO N-7-22, requiring implementation of Level 2 measures. The SWRCB is expected to terminate or modify the Emergency Regulation to remove the Level 2 requirement in June 2023. Additionally, on April 11, the SFPUC took action to rescind its declaration of a drought emergency and end the 11% reduction requirement if and when the SWRCB acts. Staff has reviewed water supply updates from the SFPUC, as well as available information from the State entities, and recommends Hayward likewise rescind implementation of WSCP Level 2 measures at such time as the SWRCB acts on this issue.

While last winter saw exceptionally dry conditions, the region is actually coming to the end of a three-year drought. The Hayward community again responded to the call for reduced consumption, even though its per-capita usage continues to be among the lowest when compared to other agencies that purchase SFPUC water. Hayward's total water deliveries in Calendar Year 2022 were lower by more than 5% as compared to 2020, which was the last normal water year. Deliveries during the summer months, when water use is at its peak, were lower by more than 6%.

Taking the recommended action will not bring an end to Hayward's water conservation efforts. The City's Water Waste Prohibition Ordinance and WSCP Level 1 measures will remain in effect. These actions encourage ongoing efficient use of water and include practical measures such as using hoses with automatic shut-off devices, timely repair of leaks, use of pool covers, and encouraging full loads of dishes and laundry. Hayward's commitment to water use efficiency and conservation will continue, with a wide range of incentives and ongoing public outreach and education.

ECONOMIC AND FISCAL IMPACT

¹ [CITY OF HAYWARD - File #: CONS 22-389 \(legistar.com\)](#)

Approval of the proposed rescinding of WSCP Level 2 actions will not have an impact on customer water rates or a fiscal impact on the Water or Wastewater Operating Funds or the City's General Fund.

STRATEGIC ROADMAP

This agenda item does not relate to one of the Council's six Strategic Priorities.

SUSTAINABILITY FEATURES

Hayward customers have long supported water conservation and efficient use of this critical natural resource, regardless of water supply conditions in a given year, as evidenced by Hayward's overall low per-capita usage. While there may be some rebounding of water use to pre-drought levels, rescinding the Level 2 measures is not expected to result in a significant increase.

PUBLIC CONTACT

This item does not require public contact.

NEXT STEPS

If Council approves this item, at such time as the SWRCB acts to remove the requirement for Level 2 measures, staff will notify the community through the City's website and other communication methods that the measures are no longer in effect, and remind customers of the importance of ongoing water conservation and efficiency.

Prepared by: Cheryl Muñoz, Water Resources Manager

Recommended by: Alex Ameri, Director of Public Works

Approved by:



Kelly McAdoo, City Manager