



MEINERS OAKS WATER DISTRICT

Allocation Program

PUBLIC REVIEW DRAFT

January 15, 2019

To be adopted by the MOWD Board in March 2019

Background and Introduction

In 2015, MOWD implemented an allocation/rate program based largely on historical water use. Meanwhile, Casitas MWD has adopted its Water Efficiency and Allocation Program (WEAP). In 2018 MOWD signed a Memorandum of Understanding (MOU) for water service with Casitas MWD, in which MOWD agreed to implement measures consistent with the WEAP. This will make MOWD's water conservation measures more consistent with those applicable to the rest of the Ojai Valley. This process has culminated in MOWD's new *Allocation Program*, as described in this policy document.

MOWD may revise this Allocation Program at any time to incorporate future State regulations, changes to Casitas MWD's WEAP, or other changes at MOWD's discretion. MOWD's customers will be notified before any changes are implemented.

This Allocation Program is generally intended to cover existing customers/meters and current/historical levels of water use. A separate MOWD *Policy on New Meters and Expansion of Service* is being developed to guide policy on new customers, new meters, and increases in water demands above historical levels.

MOWD's water rates and fees, including over-allocation penalties, are described in a separate document, adopted each year by MOWD's Board of Directors (Board).

Definitions

Baseline allocation

A customer’s total allocation corresponding to an appropriate level of water usage in the absence of drought. Does not include any reductions made during various stages of drought.

Fixed allocation portion

The part of a customer’s allocation that is generally not reduced during various stages of drought. (May be modified to comply with future State laws, changes to the WEAP, or changes necessitated by other factors such as the ability of MOWD to serve water.)

Variable allocation portion

The part of a customer’s allocation that is reduced during various stages of drought. This allocation portion is also allowed to vary throughout the year, with more water use allowed in the summer.

Reduced allocation

The total allocation allowed during a given stage of declared drought, consisting of a non-reduced fixed portion and a reduced variable portion.

Irrigable area

The total area served by a parcel(s), less the areas of permanent facilities such as houses, garages, patios, driveways, sidewalks, etc.

Seasonal monthly allowance

The amount of a customer’s variable allocation that is allowed to be used in any given month, with more usage allowed in the summer.

Waiver process

A process by which a customer may request a higher baseline allocation, for consideration and possible approval by MOWD’s Board.

Permitted dwelling

A dwelling unit that has been or will be constructed with all necessary permits from the County of Ventura.

Meter categories

MOWD meters are divided into the following categories: R = residential; M = multiple family dwellings (new category); C = commercial; and A = agricultural.

Baseline Allocations

MOWD’s Baseline Allocations correspond to a reasonable amount of water use in the absence of drought conditions. Baseline Allocations are derived from elements of Casitas MWD’s WEAP. MOWD reserves the right to assign baseline allocations to individual customers based on audits or a waiver hearing.

Residential meters:

Each meter will be assigned a baseline allocation that includes a “fixed portion” and a “variable portion.”

Fixed portion: Each customer will receive a monthly allocation for water use for permitted dwellings as follows:

Single family homes	10 units/month
Multiple-family dwelling units (apartments)	7 units/month per dwelling unit
Mobile home parks	7 units/month per mobile home
Granny flats and second homes under 2,000 SF	7 units/month
Second/additional homes over 2,000 SF	10 units/month
Tiny houses (<500 SF, limit of one per lot)	5 units/month

Variable portion: Each customer will receive an annual variable baseline allocation based on square footage (SF) of irrigable area served by the meter up to 1.99 acres (86,684 SF), based on the permitted annual water application rates shown in Table 1:

Table 1. Tiers of Irrigable Area and Designated Annual Rates of Water Use

Tier 1	First 5,000 SF	15 gallons/SF/yr
Tier 2	Next 10,000 SF	10 gallons/SF/yr
Tier 3	Next 71,684 SF	3 gallons/SF/yr
Additional SF over 86,684 SF		No additional allocation

Irrigable Area: Irrigable area will be calculated as follows: From the total area served by the meter, subtract out the areas of permanent facilities such as houses, garages, carports, patios, brickwork, sheds, driveways, sidewalks, horse corrals, pools, fountains, gravel parking areas, etc. (MOWD’s estimates were based on an infrared aerial survey.)

Irrigable area associated with any single meter shall be limited to the contiguous lots of a single owner that have historically been served by the meter. The irrigable areas for all such parcels shall be combined for use in Table 1.

Multiple family dwelling units

Regardless of whether existing meters are currently categorized as residential or commercial, those meters serving multiple family dwelling units, apartments, or mobile home parks shall be treated as residential for the purposes of establishing allocations. In addition to the 7 units per month fixed allocation for each dwelling unit, a variable

allocation will be assigned to the meter in accordance with Table 2, based on the total irrigable area within the property served by the meter.

Commercial and Agricultural Meters:

Total annual baseline allocations for commercial and agricultural meters shall be based on the average annual historical demand from 2010 through 2012. Commercial meters will be assigned a fixed allocation of 10 units/month. A commercial annual variable baseline allocation will be the average annual historical usage less 120 units/yr. (But not less than zero.) Agricultural meters will not be assigned a fixed portion; all of an agricultural allocation will be treated as a variable allocation.

Regardless of historical use or crop type, agricultural baseline allocations shall not exceed 2.5 AF per acre of historically irrigated land per year (not including roads, structures, parking areas, etc.). Aerial imagery and/or MOWD-staff-supervised site visits will serve as the basis for determining irrigable land area served by an agricultural meter.

Reduced Allocations During Droughts

During declared drought stages, each customer will be assigned a reduced allocation based on his/her baseline (non-drought) allocation, using the percentages in Table 2:

Table 2. Mandatory Reductions During Drought Stages

Stage	1	2	3	4	5
Reduction	None*	20%	30%	40%	50%

* Voluntary 20% reductions in effect.

The reductions in Table 2 are subject to change based on changes to the WEAP adopted by Casitas MWD, other requirements imposed by the State, or as otherwise deemed appropriate at MOWD’s discretion.

Residential

The fixed portion of baseline allocations will normally not be reduced during a drought. However, the variable portion of the annual baseline allocation will be reduced during various drought stages using the percentages in Table 2.

Commercial Customers

The fixed portion of the baseline allocation for commercial customers (10 units/month) will normally not be reduced during a drought. However, the variable portion of the annual baseline allocation, which is based on historical use, will be reduced during various drought stages using the percentages in Table 2.

Agricultural Customers

All agricultural water use is considered to be variable use for the purpose of this allocation/rate program. To calculate reduced annual allocations during drought stages,

the entire annual baseline allocation assigned to an agricultural meter will be reduced during various drought stages using the percentages in Table 2.

Mid-Year Change in Drought Stage

In the event Casitas MWD and MOWD declare a change to a drought stage in the middle of a fiscal year, then the annual allocations for commercial and agricultural customers will be pro-rated by the number of months at each stage during the year.

Allowance for Seasonal Variations in Customers’ Demands

Residential Water Use

The fixed portion of residential allocations shall not vary from month to month, and will be established using the fixed monthly allocations described above for different categories of permitted dwellings. No carryover amount will be allowed from month to month.

When drought-stage-related reductions are in force, the variable portion of annual allocations will be distributed among months to accommodate typical seasonal variation in demand, using the percentages in Table 3.

**Table 3. Monthly Irrigation Allowance
Percentage of Variable Portion of Reduced Annual Allocation**

Month	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
% of Annual Variable Allocation*	17	17	13	5	5	5	2	2	2	10	10	12

*From the Casitas MWD WEAP. These percentages correspond well with patterns of residential usage within MOWD.

For example, suppose a residential meter serves 8,200 SF of irrigable area. As explained previously, the irrigable area determines the variable portion of the annual baseline allocation for the meter. Following the approach illustrated in Table 1, the 8,200 SF of irrigable area associated with that meter would be divided into two “tiers”:

Tier 1: First 5,000 SF

Tier 2: Next 3,200 SF

Using the formulas for calculating baseline variable allocations, the meter would be assigned an annual baseline variable allocation of 143 units, derived as follows:

Tier 1: $[(5,000 \text{ SF}) \cdot (15 \text{ gal/SF})] / (748 \text{ gal/Unit}) = 100 \text{ Units}$

Tier 2: $[(3,200 \text{ SF}) \cdot (10 \text{ gal/SF})] / (748 \text{ gal/Unit}) = 43 \text{ Units}$

Total Variable Allocation = 143 Units

As an example, in Stage 3, during which a 30% reduction would be applied to variable allocations, the annual variable allocation would be reduced to 100 Units/year (70% of

143 Units = 100 Units). Following the seasonal schedule in Table 3, the customer could use 17 Units (17% of 100 Units = 17 Units) of that annual variable allocation in July, but only 2 Units in January.

During drought Stages 2 through 5, monthly water use exceeding the sum of the fixed allocation and the seasonal monthly allocation allowance will be subject to an over-allocation penalty that month, in accordance with the water rate schedule then in effect.

Commercial and Agricultural Customers

Commercial and agricultural customers will be responsible for managing their own seasonal variations in water use, and for staying within their annual allocations. They will be assigned a reduced total allocation each year based on the drought stage(s) then in effect. For this purpose, a year will begin on July 1 and end on June 30 of the following year (based on the nearest meter readings). Once a customer’s cumulative usage during that period exceeds his/her total reduced annual allocation for that year, all subsequent water use during that year shall be subject to the Over-Allocation Penalty. This cycle will be restarted each July 1.

Commercial and Agricultural customers will be billed once a year for their Over-Allocation Penalties for the fiscal year, after July 1. These customers will be advised of their cumulative usage during the year to assist them with managing their water use. We will notify customers of actual and potential drought stage changes.

At the end of the fiscal year, the amount of over-allocation charges for commercial and agricultural customers will be pro-rated by the total percentage of water MOWD received from Casitas MWD during the year, for the purpose of calculating the over-allocation penalty for using Casitas water and the over-allocation penalty for using MOWD’s well water. For example, if MOWD took 40% of its water from Casitas MWD during the year, then 40% of a customer’s over-allocation penalty amount will be calculated using the “from Casitas” over-allocation rate and 60% will be calculated using the “MOWD wells” over-allocation rate. More information on this procedure will be available in the rates and fees documents, to be adopted.

Miscellaneous Policy Items

- 1) The allocation for a customer’s meter may include fixed and variable portions calculated from adjacent and contiguous parcels owned by the same customer and served by that meter. However, allocations may not be transferred or shared between non-contiguous properties.
- 2) Customers are not permitted to deliver or sell water to their neighbors or to other parties.
- 3) The Board will consider reclassifying meters (residential to agriculture, etc.) for customers who can justify a change. A minimum of 2 acres of irrigable land and proof of

a historically viable agricultural operation served by MOWD will be necessary to acquire a new agricultural meter or to reclassify a meter as Agricultural.

Additionally, in order to be classified as an Agricultural meter, a meter must provide water only to parcels that are enrolled in the Los Angeles Regional Water Quality Control Board's Irrigated Lands Program, as demonstrated by ongoing grower and/or owner membership in the Ventura County Agricultural Irrigated Lands Group (VCAILG), and ongoing payment of dues to VCAILG for all irrigated agricultural acreage within the parcels served by the meter.

4) Existing State regulations and reporting requirements distinguish between residential and agricultural water uses. For that reason, and to support future reporting requirements, MOWD intends to review the classifications of current customers and to revise their categories if appropriate.

SFor example, some MOWD meters currently classified as Agriculture do not presently serve agricultural demands. MOWD intends to contact non-functional agricultural customers to determine whether their meters should be reclassified. As discussed above, membership in VCAILG is required to confirm a customer's status as agriculture.

Waiver Program

MOWD has adopted a waiver system whereby a customer may request a higher baseline allocation for metered service. There are four categories of waivers:

1) Adjustments to Residential "Irrigable Areas"

MOWD used aerial imagery acquired in 2016 to estimate the irrigable and non-irrigable square footage associated with residential meters. If the actual irrigable area of a residential customer's property substantially exceeds the MOWD assigned irrigable area (by 10% or more), the customer may request an additional allocation to accommodate the actual irrigable area. As explained previously, for this purpose, irrigable area is the area served by a meter minus permanent facilities such as houses, garages, carports, patios, brickwork, sheds, driveways, sidewalks, horse corrals, pools, fountains, gravel parking areas, etc... Irrigable area assigned to a meter will not be adjusted for adjacent parcels that were not historically irrigated by that meter.

To request a waiver under this category, a customer should prepare a scale drawing of his property and all relevant improvements on it. He should measure the dimensions of each of those improvements and provide those on the drawing. The drawing should indicate the total square footage of the lot and how that was determined. The customer should provide a calculation of the irrigable area by

subtracting from the total parcel(s) area any impervious or otherwise non-irrigable areas, including but not limited to

- Houses, garages, carports, dwellings, structures, sheds,
- Driveways, roads, parking areas, concrete, asphalt,
- Pools, fountains, ponds

Non-irrigable areas should include overhanging roofs, patio covers, eaves, etc. Please call MOWD staff if you have any questions on what to include. An inspection of the property by MOWD will be required to verify the information being submitted by a waiver applicant.

If approved, a change in baseline variable allocation will be calculated based on the revised irrigable area. If supported by data from the customer or by an inspection by MOWD, a customer's allocation may end up being reduced below the initial MOWD-assigned baseline allocation. (In other words, if we find that a lower allocation is appropriate based on the characteristics of the property, that lower number may be assigned as the new allocation.)

No changes to the allowed rates of applied water for a given irrigable area (gallons/SF/yr.), as previously defined herein, will be considered for the purpose of calculating a revised allocation. Residential properties with over 2 acres of irrigable area will not receive any additional allocation for the area exceeding 2 acres.

2) Adjustments Specifically Allowed by Casitas MWD's WEAP

Adjustments to the baseline allocation may be allowed for the following:

A correction or change to the number of permitted dwelling units for a multiple family dwelling or mobile home park.

An exemption may be granted for a licensed in-home childcare or elderly care facility.

In accordance with the WEAP, additional allocations will not be allowed for the following:

Pools, ponds, spas, or hot tubs.

In-home businesses or hobbies that use an increased amount of water.

Gardens and orchards.

Homeowner association requirements for outside irrigation.

3) Adjustments to Commercial Customers' Allocations

Adjustments to fixed and variable allocations may be considered for the following:

Schools

Public health facilities

Water use that benefits the community as a whole in the judgment of the MOWD Board

Additional allocations provided for these purposes shall not be used for irrigating landscaping or crops.

Commercial customers who need additional water than historically used on a property, or who cannot reduce their usage, should refer to MOWD's *Policy for New Meters and Expansion of Service*, currently under development.

Commercial customers may submit waiver requests to address unique conditions that the customer believes may not be adequately considered in this Allocation Program. A site inspection by MOWD staff will be required.

4) Adjustments to Agricultural Allocations

Agricultural customers may submit waiver requests to address unique conditions that they believe may not be adequately considered in this Allocation Program. A site inspection by MOWD staff will be required.

Adjustments to agricultural allocations may be considered for a correction to the estimate of non-irrigated area used to apply the demand cap of 2.5 AF/acre/yr.

An increased allocation will not be allowed for new, more water-intensive crops planted after the beginning of the drought (January 1, 2013 is used for this purpose).

Factors to be Considered

The following factors will be given less weight when considering a waiver:

Adverse impacts on the viability of marginally profitable or unprofitable agriculture. Such fields should be removed from production during severe droughts.

Financial hardship for those on a fixed or limited income, on the basis that the easiest way to reduce water cost is to cut back on landscaping, gardening, etc.

Waiver Application and Approval Process

If a customer satisfies one of the appropriate criteria, he/she may request a higher allocation or other exclusion. The waiver process is as follows:

- 1) A customer must write a letter to MOWD describing his/her unique situation, provide detailed information, and explain why he/she feels entitled to an additional allocation. The letter should be clear and thorough, and request a specific amount. As supplemental information, the customer should also fill out and attach the waiver form posted on MOWD’s website. If the request is based on irrigable area, a scale drawing of the property should be submitted.
- 2) MOWD’s general manager will review the information provided and advise the customer whether or not the letter is sufficient and complete. Prior to Board consideration, a site visit will be required by MOWD representatives to verify the information submitted by the waiver applicant. If the general manager thinks the request may have merit, he/she will submit the request to the Board at the next regularly scheduled Board meeting. If the general manager believes the written request is inadequate or without merit, he/she will advise the applicant to provide additional information or justification. The applicant may then provide the additional information in a new or supplemental letter, or may decide to submit his/her original letter to the Board as-is.
- 3) At the General Manager’s discretion, the request may be sent to the District’s Drought Committee for discussion and review. The committee would normally make a verbal recommendation to the full Board.
- 4) As a condition for granting a waiver, MOWD may request that the customer implement reasonable on-site water conservation measures to offset the effects of the waiver. Any additional allocation amount would be subject to implementation of those measures.
- 5) At its next regular Board meeting, the Board will review the submitted information. The applicant may present his/her arguments at the meeting in person, or by representation by a third party. At the applicant’s request, the General Manager may present the information to the Board. The Board may grant the request as presented or make modifications, or the Board may deny the request, at its sole discretion. This topic would be discussed in open session with public attendance unless special conditions apply. The final Board decision will be made by voice vote and will be recorded in the minutes of the meeting. If an additional allocation is granted, a confirmation letter will be provided to the applicant.
- 6) The customer could appeal a Board decision on a waiver request by writing another letter to MOWD presenting any new relevant facts or arguments.

PLEASE CALL US AT (805) 646-2114 IF YOU HAVE ANY QUESTIONS.