



FLOW RESTRICTION DEVICE IMPLEMENTATION PLAN FOR CONSERVATION COMPLIANCE

1. Purpose. The purpose of the Flow Restriction Device Implementation Plan (Plan) is to reduce or eliminate the inefficient and wasteful use of water and/or to attain compliance with conservation mandates after all other efforts have been unsuccessful. The Las Virgenes Municipal Water District (District) activated Stage 3 of the Water Shortage Contingency Plan (WSCP) on November 2, 2021 in response to the prospect of a third year of drought conditions in the Northern Sierra and record-low water reservoir levels. The use of flow restriction devices is a “last resort” following outreach efforts and multiple notifications to persuade customers to reduce water use so that water supplies can be stretched and to ensure that water remains available for basic human health and safety needs. The use of flow restriction devices will remain one of several tools for use by the District in order to achieve and maintain mandatory water conservation targets.
2. Objective. The objective for implementation of this Plan is to assist customers in using water more efficiently and meeting mandatory water conservation targets District-wide. The current target is a 35% reduction in potable water consumption each month compared to the same month in 2020. The conservation target may be increased or decreased depending on the latest water supply forecasts, adoption of drought factors, or change to the activated stage of the WSCP.
3. Responsibilities.
 - a. Director of Engineering and External Affairs. Acts as Program Manager and is responsible for collaborating and communicating with the Division Managers and the Drought and Water Efficiency Committee for development, modification and consistent implementation of the Plan; and approval/denial of atypical appeal letters in which there is no precedence.
 - b. Resource Conservation Manager. Responsible for maintaining a master list and updating the list on at least a monthly basis of exceedances and sorting water accounts on the list from highest to lowest cumulative exceedances, for managing and conducting on-site surveys as requested by customers via the Water Use Survey & Commitment to the Efficient Use of Water Form (Commitment Form), on-the-ground verification of irrigated areas utilizing in-house Field



Customer Service Representatives and/or outside services (i.e. WaterWise Consulting), and verification that customers fulfill certain requirements to comply with Requirements to Defer an Installation, namely the installation and utilization of a weather-based irrigation controller device.

- c. Customer Service Manager. Responsible for tracking the status of all customers that are subject to the installation of a flow restriction device; for notifications/warnings, modifications to bills, oversight in the production and delivery of door tags; reviewing, approving or denying appeal letters; and for oversight in the installation/removal/modification of flow restriction devices. The Customer Service Manager will communicate with individual customers about their water use and details related to implementation of the Plan if their concerns/complaints were not addressed by a Field or Office Customer Service Representative. The Customer Service Manager will employ outside services (i.e., Ferguson or others) and/or utilize in-house Field Customer Service Representatives to install, modify, and remove backflow restriction devices and will employ temporary staff to assist with field operations, phone calls and other tasks as needed.
- d. Field Customer Service Representative (FCSR) Staff. Responsible for door tagging, installing/modifying/removing flow restriction devices. FCSR is also responsible for addressing flow/pressure complaints that may be received after a flow restriction device is installed as described in this Plan FCSR is responsible for tracking installations and removals and ensuring that they operate as intended. The FCSR also provides weekly reports in the form of a tracking spreadsheet showing the addresses/account numbers, installation and removal dates, meter reads (domestic and any separate fire service) and field notes to Director of Engineering and External Affairs and to the Los Angeles County Fire Department. The FCSR also takes pictures of door tags and before and after pictures of landscaping and e-mails them to the Administrative Assistant for uploading into CIS.
- e. Resource Conservation Specialist. Responsible for providing oversight of on-site water use surveys, training of personnel with contracted firms (i.e. Valley Soil and WaterWise) for conducting the surveys and/or on-the-ground irrigated areas verifications, for providing quality control of surveys and irrigated area verifications, and coordinating with the Information Technology group to access GIS maps for individual properties that show irrigated areas and to update maps. The Resource Conservation Specialist will provide Customer Service with any



updates needed to the Customer Interface Software (CIS) system regarding water budgets. If the accuracy of irrigated areas remains questionable, the Resource Conservation Specialist will notify and request from the Field Customer Service Supervisor or outside services to have it verified in the field via detailed measurements.

- f. Administrative Assistant (AA). Checks for the submission of Commitment Forms prior to issuing door tags and flags accounts on the Master Exceedance List (MEL) that should not receive a flow restrictor based on the established protocols; inserts notes and photos of meters, before and after pictures of front yards, and door tags into the Customer Interface Software system (CIS); and assists the Customer Service Manager with the issuance of warning letters and other duties as needed. The AA also sends out robocalls to customers that receive door tags via utilization of Everbridge.
 - g. Public Affairs and Communications Manager. Responsible for communications with the media related to the Flow Restriction Device Implementation Plan.
 - h. Information Technology/GIS: Responsible for aerial verification of irrigated areas when requested by the Resource Conservation Manager/Specialist or Customer Service Manager.
4. Methodology. The District will monitor/analyze monthly “counts” for penalties immediately after the last “book” of the month is read at the end of each calendar month (typically by no later than the 1st of each month). A penalty or exceedance is defined as water use for any single customer within a full billing period after December 1, 2021 that exceeds 150% of their actual monthly budget. A customer receives a “count” (1, 2, 3, etc.) corresponding with each penalty received each month they have an exceedance. In accordance with Section 3-4.202 and 7-1.112 of the LVMWD Administrative Code (Code), penalties are as follows:
- a. **1st penalty**: A warning will be provided (on the bill).
 - b. **2nd penalty**: A penalty amount of \$2.50 per unit of water (748 gallons) over 150% of water budget.
 - c. **3rd penalty**: A penalty amount of \$5.00 per unit of water over 150% of budget. Customers that receive a 3rd or subsequent penalties are also subject to the installation of a flow restriction device.
 - d. **4th penalty**: A penalty amount of \$7.50 per unit of water over 150% of budget.



- e. **5th and subsequent penalties:** A penalty amount of \$10.00 per unit of water over 150% of budget.
5. **Exceptions.** Until further notice and for a variety of reasons, flow restriction devices will NOT be installed on the following types of accounts, but all accounts are subject to all monetary penalties and will receive notifications/warnings of the potential for installation of a flow restriction device:
 - a. Commercial accounts except “Irrigation-Only Potable Water”;
 - b. Reclaim water accounts; and
 - c. Multi-residential accounts.
6. **Requirements to Defer an Installation.** A customer can elect to perform all of the items described in the latest version of the Request for a Water Use Survey and Commitment to the Efficient Use of Water Form in order to defer the installation of a flow restriction device. By performing all of these items, customers will be granted, one-time only during the drought emergency, four (4) additional exceedances or counts than what is permitted by the Code, before being subject to the installation of a flow restriction device (either the first, second or subsequent times).
7. **Warning and Notification Letters.** Initial warning letters (2nd Exceedance Letter) will be mailed out via USPS to customers with 2 counts since December 1, 2021. An e-mail of the same content will be sent to those customers that have an e-mail on file. The template letter will be updated as needed. Customers will also be notified if they have had 4 exceedances (4th Exceedance Letter) since December 1, 2021.
 - a. At the Customer Service Manager’s discretion, send out warnings in “batches” at least several days apart to help manage the number of calls from customer on any given day.
 - b. Continue sending letters each time the list is compiled and whenever a customer reaches 2 or 4 counts for the first time.
 - c. Include information and resources to help customers reduce their water consumption.
 - d. The letter will encourage customers to submit a Request for a Water Use Survey & Commitment to the Efficient Use of Water Form in order to defer the installation of a flow restriction device.
 - e. The letter will notify customers that since they are in violation, their names, addresses and other personal information (i.e., water use) may be disclosed to persons or entities, including the media, seeking such information as required by the Public Records Act.



- f. The letter will clearly inform customers that fire suppression systems, if present, may not function as intended with the installation of a flow restriction device.
8. On-Site Water Use Surveys. If a customer does call (write or e-mail) and submits a signed Request for a Water Use Survey & Commitment to the Efficient Use of Water Form, they will remain on the flow restriction list but will not receive a flow restriction device until they have exhausted the additional exceedances or not fulfilled the requirements listed on the Commitment Form. The Resource Conservation Manager will endeavor to have on-site water use surveys performed within thirty (30) calendar days from the time a signed Commitment Form is submitted and to confirm that certain requirements listed on the Commitment Form are fulfilled before a customer is again subject to the installation of a flow restriction device. The on-site water use survey will include an approximate field verification of the irrigated area to ensure that no significant areas are missing from the District's records. The Resource Conservation Manager will maintain the list of requests and coordinate with in-house or outside services (i.e., Valley Soil and WaterWise Consulting) for the surveys. Upon field verification of the irrigated areas:
- a. If the irrigated area is confirmed to be no more than 20% below the irrigated area that has been used to calculate the customer's water budget (a smaller area), the irrigated area shall be considered accurate and no changes to the irrigated area for use in calculating the outdoor water budget are required for purposes of reversing penalties or deferring the installation of a flow restriction device. However, an area equal to less than 20% of the current amount used with their account can be added if warranted. There will be no resets on the customer's counts and no credits for penalties already assessed but the budget may be modified for future billings.
 - b. If a substantial difference is identified in a customer's field verified irrigated area versus what was used to calculate their water budget (irrigated area increases by more than 20% based on the survey), the customer's exceedance count will be reduced by at least 1. The customer will be encouraged to perform the remaining Requirements to Defer an Installation, but will again be subject to the installation of a flow restriction device after a fourth exceedance. They will not be eligible for another water survey for the duration of the



drought (continued activation of any Stage of the WSCP) or for three (3) years, whichever is longer. The customer's penalties and penalty count will be reversed based on the date the customer submitted a budget adjustment request or submittal of a Commitment Form.

9. Selection of Flow Restrictor Installations (First Time). Beginning after 4 full billing cycles after Dec. 1, 2021 and each month thereafter, the compiled list of customers with exceedances will be analyzed. All customers with at least four (4) exceedances will be advised of the opportunity to Appeal. Flow restriction devices will only be installed on an established number of the most egregious accounts and on a weekly basis with the resources that are available at the time. When determining which accounts will be subject to door tagging, the following criteria will be used:
 - a. At least 4 monthly bill exceedances of 150% of budget since December 1, 2021.
 - b. Account is not recycled water, commercial, or multi-family.
 - c. Customer was sent both a 2nd exceedance notice and 4th exceedance notice.
 - d. Customer did not submit an appeal OR submitted an Appeal and it was denied within 30 calendar days of receipt of Appeal by District.
 - e. Customer did not submit a Commitment Form.
 - f. Customer is not on the list for survey requests.
 - g. No significant decrease (at least 20% less) as a percentage of excessive use in the last month compared to the average of the previous 3 months.
 - h. Highest total cumulative exceedances by volume on the MEL since December 1, 2021 by volume (HCF).
10. Appeals. All customers that are subject to the installation of a flow restriction device, first or subsequent installations, will be notified of their right to appeal with their bill, 2nd and 4th Exceedance Letters, and/or in separate correspondence and will have 15 calendar days to do so upon bill date or date of letter. If a customer appeals, the District will delay the installation of a flow restriction device until the appeal is reviewed within 30 calendar days and will then only consider installation of a device if the appeal is denied.
11. Confirmations before Door Tagging and Installations. The Customer Service Manager in coordination with the AA will check the MEL, CIS and e-mails for appeals, Commitment Forms (including different versions), whether excessive use is significantly less (at least 20%) in the last month compared to the average of the previous 3 months, and other criteria under Selection of Flow Restriction Installations to confirm eligibility for a flow restriction device. Door tags will not be delivered until confirmations have been made the day prior to the door tagging. Flow restrictors will not be installed until



confirmations are made the day prior to installations; however, a final check for Appeals and Commitment Forms needs to be conducted the morning of scheduled installations.

12. Timing for Door Tags and Flow Restriction Device Installations. After confirmations are made, door tags will be delivered on Thursdays. Flow restriction device installations for door tags delivered the week prior, will occur on Wednesdays. These times may be adjusted on occasion as needed in order to accommodate other work activities that may arise; however, door tags must be delivered at least 72 hours in advance of installing a flow restriction device.
13. Door Tag. Door tags will be provided each time a flow restriction device installation is imminent at least 72 hours in advance. When delivering door tags, they shall be placed on the door of the residence if accessible, otherwise rubber banded or adequately secured at the entry gate to the property. When leaving door tags, the FCSR will take a picture of the placed tag and provide the photo to the AA for uploading into CIS. The AA will then send a robocall (pre-recorded voice message via Everbridge) to customers that received door tags. The message will inform the customer that a door tag has been delivered and the installation of a flow restriction device is imminent unless an Appeal is granted or a Commitment Form is submitted. The door tag will include:
 - a. The earliest date and window of installation (5 business days) and duration of future installations (3 months for 2nd installation and 6 months for each installation thereafter);
 - b. Language that certain appliances such as dishwashers, clothes washers, and any other appliances or systems such as irrigation and fire suppressions systems that need high volumes of water may not function properly and that the District is not liable for any damages to those appliances, systems or landscapes;
 - c. Language that fire suppression systems, if present, may not function as intended with the installation of a flow restriction device;
 - d. Language that the customer should notify the Fire Department if a fire suppression system is present;
 - e. Language that a customer can avoid a device if a Commitment Form is submitted prior to the earliest date of installation;
 - f. Applicable fines/penalties associated with a flow restriction device including the door tag fee, installation/removal fee, and tampering penalties;



- g. The phone number of the Customer Service Manager to contest the scheduled installation via an appeal; and
 - h. Information on resources for concepts/helpful hints for preserving landscapes (i.e., hand water trees, pick-up and transport reclaim from Rancho, etc.).
14. Installation/Removal Protocols. At time of installations, the FCSR will take a manual reading of the meter and any separate fire meter and also take a picture of the front lawn of the residents from the street or sidewalk. The readings and photo will be provided to the AA for uploading into CIS. The appropriately sized flow restriction device will be installed on the customer side of the meter along with a seal and tag to alert persons of fines associated with the attempted removal of the flow restriction device. The FCSR will maintain a list of all flow restriction devices installed (and removed), including date of installation and scheduled date of removal. The list will include notes regarding the condition of the front yard landscaping both at time of installation and at time of removal (i.e., green, wet, brown, etc.).
15. Last Chance. If immediately before or during an installation, a customer or a customer's representative encounters an installer, they will be afforded an opportunity to sign and submit a Commitment Form. If the Commitment Form is signed on the spot before the field staff leaves, the device will not be installed. If the customer or their representative desires to have more time to review the Commitment Form before signing and submitting it, the flow restriction device will be installed but the customer will have 24 hours to submit the Commitment Form, at which time the device will be removed the next business day. In all other cases, once a flow restriction device is installed, it will remain in place for the specified Duration of Installation except under special circumstances, which must be approved by the Customer Service Manager or Director of Engineering and External Affairs. Typically, this will only occur if an Appeal was missed and would have been approved, if a budget adjustment was requested but not addressed and would have made a difference in exceedance counts, or similar situations where the District may not have fulfilled its obligations under the Plan.
16. Pressure/Flow Complaints after Installation. In some instances, a customer that receives a flow restriction device may call in to complain of low pressure or flows. In those instances, a FCSR will investigate the complaint within 24 hours and confirm a minimum flow rate of 0.8 gallons per minute from the outdoor hose spigot. If there are multiple stories at the residence, the



FCSR will confirm with the customer that there is sufficient flow (0.8 gpm) from an upper story faucet or shower head. When troubleshooting, the FCSR needs to confirm that there are no leaks and no other appliances running during the confirmation, which could explain low or no flows from a faucet or showerhead. The FCSR will remove and reinstall a larger diameter (i.e., 1/8-inch versus 1/16-inch) orifice if necessary. The response and upsizing, if required, will occur within 24 hours of receiving a complaint.

17. Duration of Installations. Once a flow restrictor is installed, it will remain in place and will not be removed until the stated time has lapsed as follows:
 - a. 1st time. Fourteen (14) calendar days or as soon as possible thereafter but no more than thirty (30) calendar days. The District will strive to remove the device by day 15 after its installation. In the event that a customer excessively harasses or verbally abuses staff or bribes an installer with a gift or cash to not install or to remove a flow restriction device, the incident will be reported to the Customer Service Manager and documented in CIS. The Customer Service Manager will have the discretion to extend the installation of the device up to the full thirty (30) calendar day period – especially if the customer was interfering with the installation. Also, the meter will need to be monitored for tampering so that the appropriate fine (\$2,500 first offense) can be assessed on the account.
 - b. 2nd time. Ninety (90) calendar days.
 - c. 3rd and subsequent times. One-hundred eighty (180) calendar days.
18. Concepts/Helpful Hints for Preserving Landscapes. Customers that do receive a door tag and that will likely have a flow restriction device installed should be provided some recommendations that they can implement for preserving their landscapes to the greatest extent possible. Door tags will include some guidance to resources on the District’s website such as the ability to water by hand, installation of drip irrigation systems, obtaining and trucking recycled water from a fill station on the recycle water system, and utilization of compost to better absorb and retain water in landscape areas. Advice will focus on preserving trees and shrubs, vegetated slopes for erosion control, and limiting or eliminating watering of non-functional turf.
19. Media. Upon the start of installation of first round of flow restriction devices, the Public Affairs and Communications Manager will send out a press release with information about the use of flow



restriction devices and that their use has been initiated and limited to the highest water wasters that have not responded to notifications/warnings nor taken adequate steps to improve water use efficiency. Include language that the District will continue to utilize flow restriction devices and will increase or decrease their use based on the level of conservation that is achieved in each month in relation to the District's objective.

20. Assessment and Plan Modifications. Within one month after removal of the first round of flow restriction devices, prior to installing any flow restrictors a second time for any single customer, and as needed thereafter, the Plan shall be assessed and modified based on effectiveness, inefficiencies and fairness. The assessment of the Plan and any modifications should consider at least the following:
- a. Has the monthly conservation target been achieved? If not, should the number of flow restriction devices for each round be increased or kept at the same level? If the conservation target is being met, should the same quantity of flow restriction devices for each round be installed?
 - b. Can the implementation be simplified and made more efficient?
 - c. Are there other elements that can be added that would better assist customers to achieve water use reductions?
 - d. Are additional resources needed to more effectively implement that Plan and achieve the stated objective?
21. Flow Restrictor Installations (Second and Subsequent Times). Customers that have fulfilled all of the Requirements to Defer an Installation, are granted four (4) additional exceedances than what is permitted under the Code before being subject to the installation of a flow restriction device. Customers that have not fulfilled the Requirements to Defer an Installation are subject to the installation of a flow restriction device a second time upon at least five (5) exceedances, a third time upon at least six (6) exceedances, etc. All customers that are subject to the installation of a flow restriction device a second or subsequent times will be advised of the opportunity to Appeal. A Door Tag will be provided at each property in advance of an imminent installation. Customers that had already submitted a Commitment Form and have already had a flow restriction device installed a first time, will not be granted any deferrals. The same protocols described for First Time Installation will be followed.



22. Audits. Audits will be performed in order to ensure that customers are complying with the Plan and that the Plan is being implemented as intended. Two types of audits will occur, office and field as follows:

- a. Office audits will consist of verifying that customers are fulfilling requirements listed on the Commitment Form. The audits will occur weekly, but no sooner than 30 days after a Commitment Form for the account is submitted. Specifically, that customers have registered for Water Smart and have installed a Rachio or similar weather-based irrigation controller. Office audits will be performed on no less than 10% of all accounts that have been identified for door tagging, but the customer submitted a Commitment Form and avoided an installation. The audit will consist of the following:
 - i. Confirm that the customer registered for WaterSmart;
 - ii. Confirm that the customer either successfully scheduled for an on-site water use survey or that an on-site water use survey was conducted; and

If all of the above conditions are met, the customer will be considered compliant and the allowance for additional exceedances will remain in effect. If all of the above conditions are not met, the customer will be considered non-compliant.

Non-compliant customers will return to being subject to the installation of a flow restriction device and the Commitment Form submitted will be deemed null and void. The customer will be informed in writing that they are again subject to the installation of a flow restriction device and the reason for non-compliance.

- b. Field audits will consist of verifying that customers that received a flow restriction device, have not compromised the device and/or have devised another means to provide water to their property. Field audits will be performed on no less than 10% of the meters that have flow restriction devices installed. Alternative means of providing water to the property, which are not allowed and considered illegal water consumption, includes but is not limited to:
 - i. Drawing water through a separate water connection (i.e., fire service);
 - ii. Connecting to a neighbor's home (hose bib to hose bib connection with a temporary pipe or flexible hose).



- iii. Spinning the meter (drawing from the meter continuously to fill a storage tank on the property);
- iv. Removing the flow restriction device; and
- v. Removing the flow meter (i.e., installing a jumper).

In the event that a customer conducts any of the above actions, the customer will be notified in writing, along with any photographic evidence, that they are being fined for illegal water consumption and to cease from such conduct immediately. The customer will be fined \$2,500 (first offense) and will be notified that failure to cease the conduct or repeating the conduct will result in a \$10,000 fine (each occurrence). In the event of any violations, the flow restriction device will remain in place for a full 30 days (first installation) and for the full duration for 2nd and subsequent installations.