



## ENVIRONMENTAL QUALITY COMMISSION AGENDA

Regular Meeting  
Wednesday, October 22, 2014 at 6:30 PM  
City Administration Building  
701 Laurel Street, Menlo Park, CA 94025

---

### CALL TO ORDER

**ROLL CALL** – Allan Bedwell (Vice Chair), Chris DeCardy, Kristin Kuntz-Duriseti, Scott Marshall (Chair), Deborah Martin, Mitchel Slomiak, Christina Smolke

### A. PUBLIC COMMENT (Limited to 30 minutes)

Under “Public Comment,” the public may address the advisory body on any subject not listed on the agenda within the jurisdiction of the Commission. Each speaker may address the Commission once under Public Comment for a limit of three minutes. Please clearly state your name and address or political jurisdiction in which you live. The Commission cannot act on items not listed on the agenda and, therefore, the Commission cannot respond to non-agenda issues brought up under Public Comment other than to provide general information. The public may address the Commission regarding items listed on the agenda during the consideration of each item.

### B. REGULAR BUSINESS

- B1.** Discuss and Make a Recommendation to Council on the City’s Update to the Water Shortage Contingency Plan ([Attachment](#))
- B2.** Receive Informational Arborist Report
- B3.** Discuss and Review Previous EQC Recommendation to City Council on the City’s Heritage Tree Ordinance
- B4.** Informational Staff Update on the Regional Renewable Energy Procurement Project (R-REP)
- B5.** Discuss Quarterly Report to City Council
- B6.** Approve September 17, 2014 Minutes ([Attachment](#))

### C. REPORTS AND ANNOUNCEMENTS

- C1.** Staff Update on Environmental Policies to be Considered by City Council

**C2. Commission Subcommittee Reports and Announcements**

**C3. Discuss Future Agenda Items**

**D. ADJOURNMENT**

This Agenda is posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website at <http://www.menlopark.org> and can receive e-mail notification of agenda and staff report postings by subscribing to the "Notify Me" service on the City's homepage at [www.menlopark.org/notifyme](http://www.menlopark.org/notifyme). Agendas and staff reports may also be obtained by contacting Vanessa Marcadejas, at (650) 330-6740. (Posted 10/16/14)

At every Regular Meeting of the Commission, in addition to the Public Comment period where the public shall have the right to address the Commission on any matters of public interest not listed on the agenda, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during the Commission's consideration of the item.

At every Special Meeting of the Commission, members of the public have the right to directly address the Commission on any item listed on the agenda at a time designated by the Chair, either before or during consideration of the item.

Any writing that is distributed to a majority of the Commission by any person in connection with an agenda item is a public record (subject to any exemption under the Public Records Act) and is available for inspection at the Menlo Park Library, 800 Alma Street, Menlo Park, CA 94025 during regular business hours.

Persons with disabilities, who require auxiliary aids or services in attending or participating in Commission meetings, may call the City Clerk's Office at (650) 330-6620.



**PUBLIC WORKS DEPARTMENT**

701 Laurel Street / Menlo Park, CA 94025-3483

(650) 330-6740 / Fax (650) 327-5497

**MEMORANDUM**

---

**DATE:** October 22, 2014  
**TO:** Environmental Quality Commission  
**PREPARED BY:** Pam Lowe, Associate Civil Engineer  
**APPROVED BY:** Ruben Nino, Assistant Public Works Director  
**SUBJECT:** Amending the Water Shortage Contingency Plan

---

The State Water Resources Control Board's (SWRCB) emergency mandatory regulations for water conservation became law on July 28, 2014. The new law is in effect up through April 25, 2015, and it consists of 3 components:

1. Restrict the following outdoor irrigation activities:
  - Applying potable water to any driveway or sidewalk.
  - Using potable water to water outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
  - Using a hose that dispenses potable water to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle.
  - Using potable water in a fountain or decorative water feature, unless the water is recirculated. Recycled water is not mandated, but encouraged for fountain use.
2. Implement all requirements and actions of the water supplier's stage of its Water Shortage Contingency Plan (WSCP) that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water. (This is Stage 3 in the City's current WSCP.)
3. Submit monthly reports to the SWRCB.

The City Council held a Study Session on July 28, 2014, adopted an urgency ordinance and resolution on August 26, 2014 to implement the City's WSCP Stage 3 in order to meet the new law, and adopted an ordinance (to replace the urgency ordinance) on September 9, 2014.

The City's current WSCP, which is part of the 2010 Urban Water Management Plan, requires a 45% water use reduction for dedicated irrigation accounts and a 30% water use reduction for all other customers. In order to better reflect the SWRCB's 20% conservation goal, staff is amending the WSCP, and anticipates a City Council public hearing to adopt the revised WSCP on November 18, 2014.

---

**Attachments:**

- A Current WSCP (from the 2010 Urban Water Management Plan)
  - B *Draft* Amended WSCP
  - C. *Draft* Additional Water Regulations if Approved by Resolution of the City Council
-

**ATTACHMENT A**  
**Water Shortage Contingency Plan**

Every five years, the City must develop and update its Urban Water Management Plan (UWMP) and submit it for approval to the California Department of Water Resources. The UWMP addresses changing conditions related to water sources, water availability, water demands, and water reliability for the next 20 to 25 years. The Water Shortage Contingency Plan (WSCP), developed as part of the UWMP, describes the water supplier's response and planning for changes or shortages in water supply. It compares supply and demand under normal, single-dry, and multiple-dry years and describes stages and actions to be undertaken in response to water supply shortages of up to 50%.

Below is the City's WSCP (Table 5.11 from the 2010 UWMP). The City is currently implementing all of the voluntary Stage 2 actions. The current 2010 UWMP can be viewed in its entirety at <http://www.menlopark.org/150/Urban-Water-Management-Plan>.

**Water Shortage Contingency**  
**Rationing Stages\* to Address Water Supply Shortages**  
**(Table 5.11 from the 2010 UWMP)**

Stage No.	Water Supply Conditions	% Shortage
<b>1</b> <b>Ongoing</b>	Water Waste Prohibitions including <ul style="list-style-type: none"> <li>• Repair of defective irrigation systems</li> <li>• No flooding of gutter, driveways and streets</li> <li>• Restaurant water served on request</li> <li>• Water use for cooling must be recycled</li> <li>• Prohibition against sidewalk and building washing</li> </ul>	<b>NA</b>
<b>2</b> <b>Voluntary</b>	Increase in public information budgets	<b>Up to 20%</b>
	Increased enforcement of the water waste prohibition	
	Restaurant water served on request	
	10% reduction across all customer classes	
<b>3</b> <b>Mandatory</b>	All Stage 2 Prohibitions and <ul style="list-style-type: none"> <li>• No new or expanded irrigation systems</li> <li>• Prohibition against noncommercial vehicle washing</li> <li>• Prohibition against filling swimming pools and using ornamental fountains</li> <li>• Limited new water service connections</li> <li>• Prohibitions against use of potable water for construction dust control</li> <li>• Controls on groundwater use</li> </ul>	<b>25% to 35%</b>
	30% reductions for residential, commercial, industrial & public customers	
	45% reducing in dedicated irrigation accounts	
<b>4</b> <b>Mandatory</b>	All Stage 2 and 3 Prohibitions	<b>40% to 50%</b>
	50% reductions for residential, commercial, industrial & public customers	
	75% reductions in dedicated irrigation accounts	

\* One of the stages of action must be designed to address a 50 percent reduction in water supply.



## Amendment to the 2010 Urban Water Management Plan

The following provisions of the 2010 Urban Water Management Plan are hereby amended with additions underlined and deletions shown lined out:

1. Section 5.5 is amended to read as follows:

### 5.5 WATER SHORTAGE CONTINGENCY AND DROUGHT PLANNING

This section provides information required by Water Code Section 10632. MPMWD has authority within Sections 7.3~~54 and 7.38~~ of the City's Municipal Code to require water rationing and water conservation and to enforce penalties. MPMWD has also developed an independent Water Shortage Contingency Plan. This Plan was amended in 2014 to more accurately reflect the State Water Resources Control Board's regulations that became law on July 28, 2014 ("New Law"). The New Law requires urban water suppliers to "implement all requirements and actions of the stage of its Water Shortage Contingency Plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water."~~While this Plan was developed in 1993 and some of information regarding customer counts and finances is dated, the Plan does clearly establish stages of actions and monitoring procedures.~~ Information from the Municipal Code and the Water Shortage Contingency Plan is summarized here. The Municipal Code sections ~~are~~is included as Appendix D of this UWMP.

2. Section 5.5.1 is amended to read as follows. Table 5.11 is replaced in its entirety to provide that there will be five stages for specific reduction methods in the event of a declared emergency rather than four stages.

#### 5.5.1 Actions in Response to Water Supply Shortages (Water Code 10632(a))

Water Code Section 10632(a) requires a description of the actions to be undertaken by the urban water supplier in response to water supply shortages of up to 50%. This section also requires the water supplier to outline the specific water supply conditions that are applicable at each stage of action.

MPMWD currently has one strategy for managing water supply reductions: authorized mandatory demand management measures. As it brings its groundwater supply on-line, MPMWD will add important redundancy and flexibility to its system. Each of these strategies is outlined below.

#### *Description of Actions to be Taken*

The City Council has the authority to declare a water shortage emergency. Emergencies are declared in ~~four~~five stages with specific reduction methods used for each stage. Table 5.11 (DWR Table 35) summarizes the consumption reduction methods that MPWMD has the authority to use.

**Table 5.11 (DWR Table 35)**  
**Water Shortage Contingency Plan**  
**Rationing Stages to Address Water Supply Shortages**

<b><u>Stage</u></b>	<b><u>Water Use Regulations</u></b>	<b><u>% Goal</u></b>
<b><u>1</u></b>	<ul style="list-style-type: none"> <li>• <u>Hoses must be equipped with a shut-off valve for washing vehicles, sidewalks, walkways, or buildings.</u></li> <li>• <u>Broken or defective plumbing and irrigation systems must be repaired or replaced within a reasonable period.</u></li> <li>• <u>Other measures as may be approved by Resolution of the City Council.</u></li> </ul>	<b><u>NA</u></b>
<b><u>2</u></b>	<ul style="list-style-type: none"> <li>• <u>Continue with actions and measures from Stage 1, except where superseded by more stringent requirements.</u></li> <li>• <u>Potable water shall not be used to water outdoor landscapes in a manner that causes runoff onto non-irrigated areas, walkways, roadways, parking lots, or other hard surfaces.</u></li> <li>• <u>Potable water shall not be applied in any manner to any driveway or sidewalk, except when necessary to address immediate health or safety concerns.</u></li> <li>• <u>Restaurants and other food service operations shall serve water to customers only upon request.</u></li> <li>• <u>Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction</u></li> </ul>	<b><u>Up to 20%</u></b>
<b><u>3</u></b>	<ul style="list-style-type: none"> <li>• <u>Continue with actions and measures from Stage 2, except where superseded by more stringent requirements.</u></li> <li>• <u>Use only re-circulated or recycled water to operate ornamental fountains.</u></li> <li>• <u>Limit outdoor irrigation to occur during specific hours, as determined by the Public Works Director, or his designee.</u></li> <li>• <u>Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction.</u></li> </ul>	<b><u>Up to 30%</u></b>
<b><u>4</u></b>	<ul style="list-style-type: none"> <li>• <u>Continue with actions and measures from Stage 3, except where superseded by more stringent requirements.</u></li> <li>• <u>Potable water shall not be used for street cleaning.</u></li> <li>• <u>No new landscaping shall be installed at new construction sites.</u></li> <li>• <u>Limit outdoor irrigation to a set number of days per week, as determined by the Public Works Director, or his designee.</u></li> <li>• <u>Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction.</u></li> </ul>	<b><u>Up to 40%</u></b>
<b><u>5</u></b>	<ul style="list-style-type: none"> <li>• <u>Continue with actions and measures from Stage 4, except where superseded by more stringent requirements.</u></li> <li>• <u>Newly constructed pools, spas and hot tubs shall not be filled.</u></li> <li>• <u>Existing irrigation systems shall not be expanded.</u></li> <li>• <u>Turf irrigation is prohibited at all times.</u></li> <li>• <u>Other measures as may be approved by Resolution of the City Council to achieve the overall percentage reduction.</u></li> </ul>	<b><u>Up to 50%</u></b>

3. Section 5.5.6 is amended to read as follows

**5.5.6 Water Shortage Contingency Ordinance (Water Code 10632(h))**

As noted above, MPMWD has adopted a Water Shortage Contingency Plan and has codified its authority for implementing the plan in Section 7.3~~5~~<sup>4</sup> of the Municipal Code.

To view the 2010 Urban Water Management Plan in its entirety, go to  
<http://www.menlopark.org/150/Urban-Water-Management-Plan>.

DRAFT

**ATTACHMENT C**  
**Water Shortage Contingency Plan 2014**  
**Additional Water Regulations if Approved by Resolution of the City Council**

<b>Water Regulations</b>	
1.	Potable water shall not be used to water outdoor landscapes in a manner that causes runoff onto non-irrigated areas, walkways, roadways, parking lots, or other hard surfaces.
2.	Potable water shall not be applied in any manner to any driveway or sidewalk, except when necessary to address immediate health or safety concerns.
3.	Restaurants and other food service operations shall serve water to customers only upon request.
4.	Use only re-circulated or recycled water to operate ornamental fountains.
5.	Limit outdoor irrigation to occur during specific hours, as determined by the Public Works Director, or his designee. Outdoor irrigation may be limited to spray irrigation, drip irrigation, and/or hand watering.
6.	Limit the amount of time that outdoor irrigation can occur (i.e. 10 minutes per day).
7.	Limit outdoor irrigation to spray irrigation, drip irrigation, and/or hand watering.
8.	Potable water shall not be used for street cleaning.
9.	No new landscaping shall be installed at new construction sites.
10.	Newly constructed pools, spas and hot tubs shall not be filled.
11.	Landscape irrigation with potable water is prohibited.
12.	Landscape shall not be irrigated during rain events.
13.	Restaurants must use water-conserving dishwashing spray valves.
14.	Water use for cooling must be recycled.
15.	No new, non-residential water meters shall be issued unless the Public Works Director, or his designee, determines that such issuance will not impede the City's compliance with the required water use reductions.
16.	Filling or re-filling ornamental lakes or ponds is prohibited except (1) to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level, or (2) with recycled water, if available.
17.	All vehicles must be washed at commercial car washes that re-circulate water.
18.	No new potable water service shall be provided.
19.	No statements of immediate ability to serve or provide potable water service (such as will-serve letters) shall be provided.
20.	Water use, by individual water service account, shall be reduced by a percentage or method as approved by Resolution by the City Council.
21.	Mobile high pressure/low volume wash systems may be used.
22.	Potable water shall not be used for fire protection training.
23.	Potable water for construction backfill consolidation shall not be used.
24.	Potable water for construction dust control purposes shall not be used.
25.	New decorative water features may not be filled.
26.	Existing swimming pools or spas shall not be re-filled.
27.	Commercial and industrial buildings must install single-pass cooling systems.
28.	Commercial car wash facilities must install recirculating systems.
29.	Using outdoor cooling devices (i.e. misters) is prohibited.
30.	Pools must have covers when not in use.
31.	Spas must have covers when not in use.
32.	Hotels, motels, and other commercial lodging establishments must offer guests the option of not laundering towels and linens daily.
33.	Non-commercial customers must post water conservation messages in all restroom facilities.
34.	Schools, golf courses, governmental agencies, parks and cemeteries, public or private, shall be required to submit a copy of a water conservation plan and landscape irrigation schedule.
35.	Drought tolerant or native plant materials shall be installed to the maximum extent possible in all new residential construction.
36.	The use of drought tolerant or native plant material is required for new commercial and industrial



## Water Regulations

construction.

37. Broken or defective plumbing and irrigation systems must be repaired or replaced within 24 hours.
38. The City shall not issue building permits that increase water demands.
39. Flushing water mains or hydrants shall only be allowed to protect public health.
40. The use of water from fire hydrants shall be limited only to fire fighting and related activities, construction activities, or other activities necessary to maintain the health, safety, and welfare of the public.
41. No water shall be used for air conditioning purposes.
42. No statements of immediate ability to serve or provide potable water service (i.e. will-serve letters) shall be issued by the City except under certain circumstances (valid , unexpired building permit has been issued; project necessary to protect the public's health, safety, and welfare; etc.)
43. Groundwater may not be used for outdoor irrigation.
44. Limit groundwater use for domestic purposes only (i.e. no irrigation purposes).
45. Other water restrictions if approved by Resolution by the City Council.

THIS PAGE INTENTIONALLY LEFT BLANK



## ENVIRONMENTAL QUALITY COMMISSION MINUTES

Regular Meeting  
Wednesday, September 17, 2014 at 6:30 PM  
City Administration Building  
701 Laurel Street, Menlo Park, CA 94025

---

The meeting was called to order by Chair Marshall at 6:35 p.m.

### ROLL CALL:

Present: Allan Bedwell (Vice Chair), Chris DeCardy, Kristin Kuntz-Duriseti, Scott Marshall (Chair), Deborah Martin (arrived at 7:24pm), Mitchel Slomiak, Christina Smolke

Absent: None

### A. PUBLIC COMMENT – None

### B. REGULAR BUSINESS

#### B1. Approve August 27, 2014 Minutes

**ACTION:** Motion and Second (Bedwell/Kuntz-Duriseti) to approve the August 17, 2014 minutes as presented, passes (5-0-2), (Absent: Martin, Abstain: Smolke)

#### B2. Discuss and Review Previous EQC Recommendation to City Council on the City's Heritage Tree Ordinance

Commissioner Martin arrives during Item B2 discussion.

**ACTION:** No formal action was taken on this item. The Heritage Tree Subcommittee presented potential improvements to the recommendations to City Council on changes to the Heritage Tree Ordinance and replacement policy that was originally approved by the EQC in September 2012. A number of suggestions were provided by the commission to the Heritage Tree Subcommittee to consider as updates to the recommendations for consideration at a future EQC meeting.

Commissioner Kuntz-Duriseti leaves meeting after Item B2 discussion in order to participate as EQC representative at the Menlo Park General Plan Advisor Committee.

#### B3. Informational Staff Update on City Recycling Rates

**ACTION:** No formal action was taken on this item. Staff shared a presentation on the City recycling rates for the June to August 2014 period. The trend is for slightly lower recycling than the prior quarter, though well above state mandated requirements of 50%.

Commissioner Smolke leaves the meeting after Item B3 discussion.

**C. COMMISSION REPORTS AND ANNOUNCEMENTS**

The following updates were received by the Commission:

**C1.** Staff Update on Environmental Policies to be Considered by City Council

**C2.** Commission Subcommittee Reports and Announcements

**C3.** Discuss Future Agenda Items

**D. ADJOURNMENT**

The meeting was adjourned at 9:32 p.m.

Meeting minutes taken by Chris DeCardy, Environmental Quality Commissioner

Meeting minutes prepared by Vanessa Marcadejas, Environmental Programs Specialist