



Staff Report

File #: 17-249

Version: 1

Date: 5/22/2017

Item #: 6.i.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Peter Fernandez, PE, Public Works Director

SUBJECT:

Proposed Administrative Rulemaking for Water Curtailment Actions

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

ISSUE:

Notice of proposed administrative rulemaking to establish criteria for the City's water curtailment actions.

RECOMMENDATION:

Information only.

SUMMARY AND BACKGROUND:

Salem Revised Code (SRC) 72.250 authorizes the City to curtail the use of water when a critical water supply shortage exists or is imminent or any other emergency exists or is imminent which threatens the ability of the City to deliver essential water to its customers.

The proposed administrative rule outlines proactive measures the City may take to reduce demand and to find alternative supplies during short-term water supply shortages. There are four curtailment levels, each with its own set of curtailment measures, based on the severity of the event. The levels of curtailment and some of the potential measures are:

Level 1: Alert. Retail and wholesale customers are notified. The City disseminates messages asking customers to use water wisely.

Level 2: Voluntary Curtailment. Customers are notified of an actual water supply shortage and asked to voluntarily curtail water usage. The City will limit the use of water for irrigation, hydrant flushing, street sweeping, and other intensive water uses.

Level 3: Mandatory Curtailment. A critical water supply shortage has been declared. Mandatory restrictions are placed on all lawn watering and other non-essential water uses.

Level 4: Severe Curtailment. Water use is restricted to only that necessary for life and health. Water usage may be restricted for large industrial and institutional customers as determined by the City Manager.

FACTS AND FINDINGS:

The Notice of Administrative Rule Making (Attachment 1) will be posted May 22 through June 5, 2017. Interested parties will have 15 days to provide comment to staff. Subject to review by Council, the rule (Attachment 2) will become effective on June 22, 2017. This notice is given pursuant to SRC 20J.040(a)(3).

Adoption of Administrative Rules does not require Council approval. Council may elect to review the proposed Administrative Rule; however, the scope of Council's review is limited to: (1) whether the rule is within the scope of the provision of the Code authorizing adoption; and (2) whether the rule is duplicative of, or conflicts with, another rule or other Federal, State or local law or regulation, or is outside of the range of staff's rulemaking authority. The Legal Department has reviewed the proposed rules for consistency with the code pursuant to SRC 20J.080.

Robert D. Chandler, PhD, PE
Assistant Public Works Director

Attachments:

1. Notice of Proposed Rulemaking - Water Curtailment
2. Water Curtailment Administrative Rule