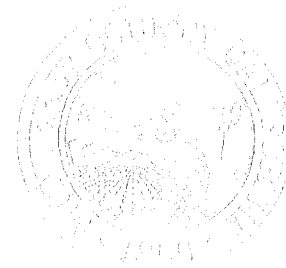


MONTEREY COUNTY

WATER RESOURCES AGENCY



PO BOX 930
SALINAS, CA 93902
(831) 755-4860
FAX (831) 424-7935

CURTIS V. WEEKS
GENERAL MANAGER

January 8, 2007

STREET ADDRESS
893 BLANCO CIRCLE
SALINAS, CA 93901-4455

Real Estate Agents
Monterey County, CA

SUBJECT: Monterey County Water Resources Agency
Water Conservation Certification (Retrofit) Form

Dear Real Estate Agent:

In 1997 the Monterey County Water Resources Agency (Agency) adopted Ordinance #3932 which enacts mandatory water conservation regulations in an attempt to conserve water and reduce or eliminate water waste. Monterey County is in a state of overdraft meaning the amount of water overdrawn by pumping exceeds the amount of water replenishing the ground water basin, resulting in degradation of ground water quality, i.e. seawater intrusion.

The Ordinance mandates the replacement of all toilets with a flush capacity greater than 1.6 gallons. All new toilets will have a flush capacity of 1.6 gallons or less, per California law.

Upon sale of residential, commercial or industrial property, all plumbing fixtures must be brought into compliance with current County and State regulations. All showerheads must have a maximum flow of 2.5 gallons per minutes; all toilets must have a maximum flush capacity of 1.6 gallons. Compliance shall be verified by submitting a completed, original Monterey County Water Resources Agency *Water Conservation Certification Form* and any one of the items listed below.

- a signed building inspection report
- a signed purveyor inspection report (ask your local water company if they do this)
- a plumber or contractor's completed work order
- an original purchase receipt (showing detail of fixture purchased)

A blank Water Conservation Certification form can be obtained from the Agency's web-site: http://www.mcwra.co.monterey.ca.us/forms/wc_certification.htm

You may require a building permit for toilet replacement. Check with the City Building Department in your area or, if you are outside the city limits, check with the Monterey County Planning & Building Inspection Department, to determine if a permit is required.

Toilet replacement rebates or free low-flow showerheads may be available through some local water purveyors such as California Water Service Company in Salinas. Please call your local water purveyor to find out if these services are offered in your area.

The Agency's jurisdiction includes all incorporated and unincorporated areas of the County of Monterey. Certain local jurisdictions, including the Monterey Peninsula Water Management District and the Marina Coast Water District, conduct their own retrofit-on-resale programs. Each district has its own certification form and methods of compliance enforcement. Please call the Monterey Peninsula Water Management District (831) 658-5600 and Marina Coast Water District (831) 384-6131 for more information regarding their programs.

Some common questions:

Q: What if the fixtures have already been retrofitted?

A: If done at previous sale, it would have been submitted at that time and we would have it on file. You may call the Agency and we can verify this. If the fixtures have been retrofitted, complete a Seller's Certification and state that it was done at previous sale and state the year.

Q: What if the home is new/was built with low-flow fixtures, in compliance with current building code?

A: If the property was built after 01/01/92 in compliance with current building code, complete the Seller's Certification form and check box number two; *built after 01/01/92*.

Q: What if the seller doesn't know whether it has been retrofitted or not?

A: If you think it may have been retrofitted in a previous sale, you can call this office and ask if we have a form on file for the property in question. Another alternative would be to have the toilets/showers checked and certified by a journeyman plumber.

Q: If the property is on a private well, do they still have to comply with the ordinance?

A: Yes, they are required to comply with the ordinance. This ordinance is focused on water conservation, it does not matter where the water comes from.

Compliance is the responsibility of the seller; however, the buyer may assume the responsibility upon agreement of both parties. Ordinarily, all work, and the subsequent compliance verification, is to be completed before the close of escrow; however, extensions may be granted to allow for unusual circumstances such as remodeling by the buyer. In any case, **retrofit must be completed within one hundred and twenty (120) days** of close of escrow. The process for the granting of extensions shall be as follows:

Real Estate Agents

January 8, 2007

Page 3

1. Seller completes all except the certification portion of the *Water Conservation Certification* form, checking the extension box, number three. The buyer initials the extension request line to acknowledge the agreement. A photocopy of the form is submitted to the Agency; the buyer retains the **original** form.
2. The Agency holds the copy in lieu of the original form for **no more than 120 days**. The extension is considered granted upon submittal of the copy of the form (the Agency will verify receipt only upon request).
3. **Buyer completes the remainder of the original form when retrofit is complete, attaches verification, and submits it to the Agency.**

If you have any questions please contact Teresa Campa, Engineering Aide II, at (831) 755-4860. Thank you.

Sincerely,

Robert Johnson
Chief of Water Resources Planning and
Management Division

Enclosures: Water Conservation Certification Form
Ordinance #3932