

RESOLUTION NO. 17-6
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE PALMDALE WATER DISTRICT
ENDING EMERGENCY DROUGHT RESTRICTIONS AND SURCHARGE
AND COMMENDING DISTRICT CUSTOMERS ON CONSERVATION
ACCOMPLISHMENTS DURING THE DROUGHT

WHEREAS, Palmdale Water District (“District”) is a water district empowered to provide water service within District boundaries; and

WHEREAS, Water Code Section 1058.5 grants the State Water Resources Control Board (SWRCB) the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation;” and

WHEREAS, on February 8, 2017, the SWRCB voted to extend the Governor issued Executive Order B 37-16 that orders provisions contained in his January 17, 2014 Emergency Proclamation, April 25, 2014 Emergency Proclamation, Executive orders B-26-14, B-28-14, B-29-15 and B-36-15 remain in full force and effect except as modified by B-37-16 through November 2017; and

WHEREAS, the District adopted Resolution No. 16-8 on July 13, 2016 extending water conservation by customers in response to drought and the April 25, 2014 Governor’s Proclamation; and

WHEREAS, on February 8, 2017, the SWRCB made a provision in the adopted resolution extending and amending Drought Related Emergency Regulations allowing for re-evaluation of self-certification by local water suppliers of water supply reliability during an additional three years of drought; and

WHEREAS, water supplies have improved to such an extent that an additional three years of drought would not threaten health and safety and that sufficient supplies exist to meet the State Water Resources Control Board’s criteria for no conservation under the self-certification provision; and

WHEREAS, the District’s customers have saved, through their collective conservation efforts, over 22% cumulatively since June of 2015, when compared to 2013 production; and

WHEREAS, the water savings through conservation during the course of the drought have protected and preserved precious water supplies; and

WHEREAS, the District is required to comply with State law, including regulations adopted by the SWRCB, codified at Title 23 of the California Code of Regulations and is authorized pursuant thereto to implement its requirements; and

WHEREAS, the District desires to comply with the SWRCB emergency water conservation regulations and to continue to provide the SWRCB with monthly production reporting and enforce water waste prohibitions as required by the continued Drought Related Emergency Regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Palmdale Water District as follows:

Section 1: Findings: The Board of Directors of the District hereby finds and declares as follows:

- 1) On February 8, 2017, the SWRCB adopted a resolution extending and revising Drought Related Emergency Regulations such that they shall carry through the end of November, 2017 requiring the District to continue to comply with the regulation and allowing for the District to eliminate its conservation order through self-certification of water supply.
- 2) In 2017, the District is utilizing carryover water from the 2016 State Water Project allocation.
- 3) The current 2017 State Water Project allocation is at 60%.
- 4) Due to available surface water, the District will rely less on groundwater supplies.
- 5) Available supplies are sufficient to cover health and safety needs in the event of three more years of drought.
- 6) District customers have conserved over 22% during the drought when compared to usage during 2013.

Section 2: Compliance with Extended State Water Board Regulation. The Board of Directors of the District authorizes the General Manager to continue to enforce water waste prohibitions as required by the SWRCB.

Section 3: Conservation Goal and Authorized Actions. The Board of Directors of the District hereby recognizes and commends the customers of the District for their conservation efforts and accomplishments during the drought.

Section 4: Cancellation of Stage 1 Water Shortage Rationing and Authorized Actions: The Board of Directors of the District, in accordance with the foregoing findings, hereby determines and declares the current water supply sufficient to call an end to Water Shortage Rationing. The General Manager is authorized to implement Action 1 through 3 to effectively lift all drought related charges and restrictions not required by the extended Drought Related Emergency Regulation.

Action 1. Submission of Self-Certification of Water Supply. The General Manager shall take all steps necessary to certify with the SWRCB the District's re-evaluated water supply.

Action 2. Cessation of Drought Surcharge. The General Manager shall take all steps necessary to cease assessment of the Stage 1 Drought Surcharge.

Action 3: Cessation of Time of Day Water Restrictions: The General Manager will take all steps necessary to repeal and cease enforcement of all Time of Day watering restrictions imposed under Resolution No. 16-8.


Section 5: Appeal: Decisions made by the District under the regulations set forth in this Resolution may be appealed by consumers in accordance with the procedure set forth in the District Rules and Regulations.

Section 6: Severability: If any portion of this Resolution is found to be unconstitutional or invalid, the District hereby declares that it would have enacted the remainder of this Resolution regardless of the absence of any such valid part.

Section 7: Effective Date: This Resolution shall take effect March 1, 2017.

BE IT FURTHER RESOLVED, that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code §21080(b)(4) and (8).

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Palmdale Water District held on February 22, 2017.




President, Board of Directors
Palmdale Water District



Secretary, Board of Directors
Palmdale Water District

APPROVED AS TO FORM:



Aleshire & Wynder, LLP
District Legal Counsel