

RESOLUTION NO. 23-3

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT UPDATING THE WATER SHORTAGE CONTINGENCY PLAN STAGE 2 FROM MANDATORY TO VOLUNTARY

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

WHEREAS, California has experienced three consecutive years of drought spanning 2020-2022; and

WHEREAS, conservation of water by District customers has helped alleviate the water shortages during the above years; and

WHEREAS, Palmdale Water District has made significant investments in local programs and projects to improve water supply reliability, including supplemental water supply contracts, local water storage projects, water conservation, water recycling and other strategies to stretch supplies, and will continue to do so; and

WHEREAS, on April 21, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to drought for two counties in the state of California; and

WHEREAS, the District adopted Stage 1 of its 2015 Water Shortage Contingency Plan on April 26, 2021, and urged customers to voluntarily reduce their water use by 15%; and

WHEREAS, on May 21, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to drought for forty-one counties in the state of California; and

WHEREAS, on July 8, 2021, Governor Gavin Newsom issued Executive Order N-10-21 recognizing the continued state of drought in California and called on all Californians to voluntarily reduce their water use by 15%; and

WHEREAS, the District adopted Voluntary Stage 2 of its 2020 Water Shortage Contingency Plan on August 9, 2021 and continued to urge rate payers to voluntarily reduce their water use by 15%; and

WHEREAS, on October 9, 2021, Governor Gavin Newsom further issued a Proclamation of a State of Emergency due to drought for the entire state of California, reaffirmed the call for all Californians to reduce their water use by 15%, and called on the State Water Resource Control Board to adopt emergency regulations prohibiting certain wasteful water practices; and

WHEREAS, on March 28, 2022, Governor Gavin Newsom further issued Executive Order N-7-22 that reaffirmed the April 21, 2021, May 10, 2021, and October 9, 2021 proclamations of State of Emergency due to drought and the provisions of Executive Order N-10-21 and called on the State Water Resource Control Board to adopt an emergency regulation that would require all urban water suppliers who have submitted a Water Shortage Contingency Plan to, at a minimum, adopt level 2 of

their Plan and to consider banning non-functional turf in the commercial, industrial, and institutional sectors; and

WHEREAS, on June 10, 2022, the State of California Office of Administrative Law approved the emergency action taken by the State Water Resources Control Board pursuant to sections 11346.1 and 11349.6 of the Government Code to adopt the new regulation which requires urban water suppliers to ban the irrigation of non-functional turf with potable water in commercial, industrial, and institutional sectors; and

WHEREAS, Water Code Section 1058.5 grants the State Water Resources Control Board 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, following the making of findings as required by law, the District has the power and authority to adopt mandatory water conservation measures within its boundaries pursuant to Part 5 of the Irrigation District Law, codified at Division 11 of the California Water Code.

WHEREAS, the District adopted Stage 2 – Mandatory of its Water Shortage Contingency Plan on April 11, 2022; and

WHEREAS, the 2023 year has started with above average precipitation in the State of California; and

WHEREAS, the current State Water Project allocation of 35% provides sufficient supply to meet customer demands and save water for 2024 with 12% conservation required from customers compared to 2020; and

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) The State Water Project water available to the District is at (35%) allocation.
- 2) At present, without supplemental supplies, the anticipated water available to the District is still insufficient to meet anticipated demands and provide back-up supply for 2024.
- 3) Should additional water supplies not be available, or should the District lose its water production capacity, there may be insufficient water available for human consumption, sanitation and fire protection.

Section 2: Conservation Goal and Authorized Actions: The conservation goal of the District is a voluntary reduction in water use of twelve percent (12%) when compared against usage in 2020. The General Manager is authorized to implement Action 1 of this Resolution to meet said conservation goal.

Action 1: Stage 2 Water Conservation Regulations: The General Manager shall take all steps necessary to advise the District's customers of the following water waste prohibitions and voluntary regulations and to enforce them in accordance with the District's existing Waste of Water Policy:

1. Water Waste Prohibitions (Remain in full affect and violations will result in water waste fines):
 - a. Application of potable water to outdoor landscapes in a manner that causes runoff.
 - b. Failure to repair water leaks or to adjust sprinkler overspray in a timely manner.
 - c. Hosing of hardscape surfaces, except where health and safety needs dictate.
 - d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
 - e. Irrigation with potable water of ornamental turf on public street medians.
 - f. Watering of outdoor landscapes within 48 hours of measurable rainfall.
 - g. Car washing and outside cleaning activities except when performed with buckets and automatic hose shutoff devices.
 - h. The serving of drinking water other than upon request in eating or drinking establishments.
 - i. Failure of operators of hotels and motels to provide guests with the option of choosing not to have towels and linens laundered daily. (The hotel or motel shall prominently display notice of this option in each guestroom.)
 - j. Inefficient use of water for construction purposes.
 - k. Irrigation with potable water outside of newly constructed homes and buildings not delivered by drip or microspray.

2. Stage 2 Regulations:
 - a. (Voluntary and serve as recommendations) No lawn, landscape, or other turf area shall be watered more often than three (3) days per week nor during the hours between 10:00 a.m. and 6:00 p.m. Water days will be set as follows: Mondays, Wednesdays and Saturdays only.
 - i. Exemptions:
 1. Watering hour restrictions are lifted during the months of November, December, January, February, and March.
 2. Watering of turf in athletic fields, turf used for recreation, or turf used for community purposes.
 3. Commercial nurseries, golf courses, parks, school yards, and other public open spaces may request approval of a modified watering schedule in the event that public use necessitates it.

4. Watering schedules must be adhered to at all times. The District requires advance written notice of any maintenance activities requiring water use between the hours of 10:00 a.m. and 6:00 p.m.
 5. Watering delivered by microspray, drip irrigation, or by hand.
- b. (Remains in full effect) The issuance of potable water construction meters shall be suspended.
 - c. (Remains in full effect) Irrigating turf at commercial, industrial, and institutional properties is banned per State Water Resources Control Board.

Action 2: Voluntary Water Rationing: Upon specific authorization from the Board of Directors, the General Manager shall implement phased water rationing to protect the water supply of the District and to guarantee adequate supply for domestic use, sanitation, and fire protection as follows:

1. Stage 2: Water Rationing: A 12% reduction in water deliveries to all District customers when compared to 2020 deliveries.

Action 3: Revocation of the 20% Drought Factor: Upon specific authorization by the Board of Directors, the General Manager shall revoke the drought factor for outdoor allocation usage tier (Tier 2).

1. Stage 2: Drought Factor: The twenty percent (20%) reduction applied to the outdoor usage tier (Tier 2) will be revoked. This will be effective on water use as of April 1, 2023.

Action 4: Revocation of Drought Surcharge: Upon specific authorization by the Board of Directors, the General Manager shall revoke the drought surcharge used to cover costs due to lost revenue during mandatory water cutbacks.

1. Stage 2: Drought Surcharge: The 40-cent surcharge on all non-essential usage tiers (Tiers 3-5) will be revoked. This will be effective on water use as of April 1, 2023.


Section 3: Duration of Water Emergency: The regulations, restrictions, and actions set forth herein shall take full force and effect on March 14, 2023, and shall remain in full force and effect through March 14, 2024 or until otherwise changed or lifted by authorization of the Board of Directors.

Section 4: Effective Date: March 14, 2023

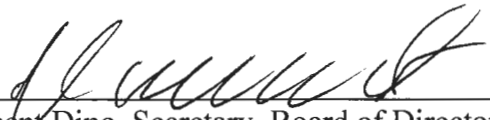
BE IT FURTHER RESOLVED, that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action

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 March 13, 2023.

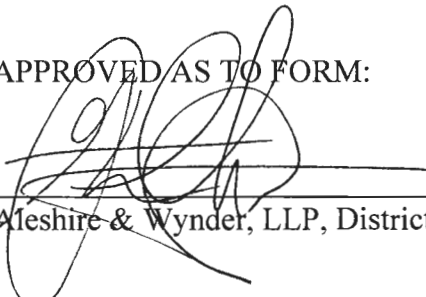


Don Wilson, President, Board of Directors



Vincent Dino, Secretary, Board of Directors

APPROVED AS TO FORM:



Aleshire & Wynder, LLP, District Legal Counsel