

State Water Resources Control Board
Order Dated 08/25/2014

Provision 17 - Water Demand Reduction Plan and August Status Update



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Table of Contents

1	Introduction	1
2	Water Retailers included in Plan (Plan Component #1).....	2
3	Baseline Water Demands (Plan Component #2).....	3
4	Existing Actions (Plan Component #3)	4
4.1	City of Cotati.....	6
4.2	Forestville Water District.....	7
4.3	City of Healdsburg	7
4.4	California-American Water – Larkfield.....	8
4.5	Marin Municipal Water District.....	9
4.6	North Marin Water District	11
4.7	City of Petaluma	11
4.8	City of Rohnert Park	12
4.9	City of Santa Rosa.....	13
4.10	City of Sonoma	14
4.11	Town of Windsor Public Works	14
4.12	Valley of the Moon Water District	16
5	Additional Actions (Plan Component #3).....	17
5.1	City of Cotati.....	17
5.2	Forestville County Water District	17
5.3	City of Healdsburg	17
5.4	California-American Water - Larkfield.....	18
5.5	Marin Municipal Water District.....	18
5.6	North Marin Water District	18
5.7	City of Petaluma	18
5.8	City of Rohnert Park	18
5.9	City of Santa Rosa.....	18
5.10	City of Sonoma	18
5.11	Town of Windsor Public Works	18
5.12	Valley of the Moon Water District	19
6	Water Agency Authority (Plan Components #4 & #5)	19
7	Schedule (Plan Component #6).....	20
	Attachment A: August Status Update	21
1	Introduction	21

2	Water Demand Reduction.....	21
3	Actions.....	22
	3.1 Water Agency	22
	3.2 City of Cotati.....	22
	3.3 Forestville Water District.....	22
	3.4 Marin Municipal Water District.....	22
	3.5 North Marin Water District	23
	3.6 City of Rohnert Park	23
	3.7 City of Santa Rosa	23
	3.8 City of Sonoma	23
	3.9 Town of Windsor Public Works	23
	3.10 Valley of the Moon Water District	23
	Appendix A-1	24
	Appendix of Resolutions.....	26

1 Introduction

This Water Demand Reduction Plan (plan) has been prepared by the Sonoma County Water Agency (Water Agency) to fulfill the requirements of Provision 17 of the State Water Resources Control Board (State Board) Order dated August 25, 2014 (Order).

Provision 17 of the Order directs the Water Agency as follows:

“17. The temporary changes authorized by this Order are not effective unless SCWA is operating in accordance with a Water Demand Reduction Plan (Plan) satisfactory to the Deputy Director for Water Rights. The Plan shall be designed to ensure that all parties that beneficially use water diverted and/or stored under this right implement actions to meet a water demand reduction of a minimum of 20 percent of the baseline water demand. The Plan shall define baseline water demand as appropriate for SCWA's situation based on considerations such as weather, economy, wholesale supplier allocations or other relevant information. For the purpose of compliance with this term, if the Plan does not define baseline water demand, it is assumed to be the average water demand for the previous year (excluding drought years).

The Plan shall include, at a minimum, the following components:

- 1) All parties that beneficially use water diverted and/or stored under these rights and/or parties otherwise subject to the temporary change(s) authorized by this Order (excluding SCWA's surplus customers, whom are curtailed, and parties found on the De Minimus list provided by SCWA on August 22, 2014, whose diversions amount to less than one percent of SCWA's total water distributed);
- 2) Baseline water demand for all parties included in (1) above;
- 3) Existing actions and additional actions planned by each party included in (1) above to reduce water use in order to meet the water demand reduction required by this term, including a description of how such actions can be expected to meet the demand reduction. The Plan shall also identify additional actions to be implemented, in the event that SCWA does not attain the amount of water use demand reduction relative to baseline water demand.

Additional actions to be considered include, at a minimum, those recommended in any applicable Governor's Drought Proclamation as applicable to SCWA's operations, and determine if implementation of such action(s) may increase conservation of their water supply. If so, SCWA will either implement the recommendation(s) or provide documentation as to why such action is not reasonable for SCWA's situation. Actions to evaluate include, but are not limited to, 1) Avoid using water to clean sidewalks, driveways, parking lots and other hardscapes; 2) Turn off fountains and other decorative water features unless recycled or grey water is used for those water features, 3) Limit vehicle washing at home by patronizing local carwashes that use recycled water; 4) Limit outdoor watering of lawns and landscaping to no more than two times a week; 5) Recreational facilities, such as city parks and golf courses, and large institutional complexes, such as schools, business parks and campuses, should immediately implement water reduction plans to reduce the use of potable water for outdoor irrigation; 6) Commercial establishments such as hotel and restaurants should take steps to reduce water usage and increase public awareness of the drought

through measures such as offering drinking water only upon request and providing customers with options to avoid daily washing of towels or sheets; 7) Professional sports facilities, such as basketball arenas, football, soccer, and baseball stadiums, and hockey rinks should reduce water usage and increase public awareness of the drought by reducing the use of potable water for outdoor irrigation and encouraging conservation by spectators.;

Additional actions to be considered include, but are not limited to, those associated with on farm conservation, such as irrigation scheduling, tailwater recovery systems, and irrigation system improvements, and irrigation district system improvements, such as canal lining, canal structure improvements, and remote measurement, monitoring and control. SCWA shall determine if implementation of such action(s) may increase conservation of water supply. SCWA will either implement action(s) or provide documentation as to why such action is not reasonable for SCWA's situation;

- 4) For parties included in (1) above over which SCWA has the authority or other ability to impose the listed water demand reduction actions, a list of such parties and a description of such authority or other ability over each party;
- 5) For parties included in (1) above over which SCWA does not have the authority or other ability to impose the listed water demand reduction actions, a list of such parties, a description of the efforts of SCWA to coordinate with each of the listed parties to ensure that each party take appropriate action to reduce water demand, and a description of such actions for each party;
- 6) A detailed schedule with planned completion dates for key events.

SCWA shall submit to the Deputy Director for Water Rights a written report within 15 days of the end of each month (monthly status update) that provides a summary of compliance with this term. The monthly status update shall, at a minimum, include a description of SCWA's actions to date to comply with the requirements of this term and the results of such actions, including but not limited to the amount of water demand reduction relative to baseline water demand. The data submitted for the amount of water demand reduction shall include both monthly and aggregate annual to date information and shall be compared to baseline water demand. When the monthly status update reflects that SCWA is not achieving the minimum water demand reduction of this term, SCWA shall also include additional actions SCWA has adopted and/or implemented to meet the demand reduction and identify the date when such additional actions will be fully implemented as part of the monthly status update."

2 Water Retailers included in Plan (Plan Component #1)

The individual water utilities (Water Retailers) that are subject to the temporary change authorized by the Order are listed below. The list excludes Water Agency's surplus customers, whom are curtailed, and parties found on the De Minimus list provided to the State Board on August 22, 2014, whose diversions amount to less than one percent of Water Agency's total water distributed.

1. City of Cotati
2. Forestville Water District
3. City of Healdsburg
4. California-American Water – Larkfield
5. Marin Municipal Water District
6. North Marin Water District
7. City of Petaluma
8. City of Rohnert Park
9. City of Santa Rosa
10. City of Sonoma
11. Town of Windsor Public Works
12. Valley of the Moon Water District

3 Baseline Water Demands (Plan Component #2)

The Order provides the following description for determining the baseline water demands:

“The Plan shall define baseline water demand as appropriate for SCWA's situation based on considerations such as weather, economy, wholesale supplier allocations or other relevant information.”

The Water Agency has determined that the SBx7-7 methodology for calculating the baseline water demands would be appropriate. According to California Water Code Section 10608.12(b)(1) ‘Base daily per capita water use’ is defined as the following:

“The urban retail water supplier’s estimate of its average gross water use, reported in gallons per capita per day and calculated over a continuous 10-year period ending no earlier than December 31, 2004, and no later than December 31, 2010.”

The Water Agency and Water Retailers have selected a continuous 10-year period ending in December 31, 2006 to be used to determine the baseline water demands for each Water Retailer. The 10-year period selected accounts for the economic downturn and severe weather patterns that the region has experienced. The baseline accounts for varying economic conditions and weather patterns that constitute generally normal conditions for the region. It is also consistent with determining per capita water use targets as required by the Urban Water Management Planning Act. The Water Retailers baseline gallons per capita per day (GPCD) water demand will vary month to month to allow an accurate comparison to the 2014 water demands. Below are the baselines that will be used during the term of the Order (August-February).

Water Retailer	Aug	Sep	Oct	Nov	Dec	Jan	Feb
Cotati	224	210	172	113	93	100	103
Marin Municipal	197	183	157	115	104	96	100
North Marin	259	245	204	138	101	101	91
Petaluma	259	236	190	122	109	104	103
Rohnert Park	201	192	153	115	101	100	105
Santa Rosa	205	181	150	104	87	91	90
Sonoma	305	294	247	159	132	134	121
Valley of the Moon	206	193	162	112	97	97	93
Windsor	244	221	175	102	85	77	78
Forestville	292	264	214	124	104	104	99
Healdsburg	300	279	224	146	133	127	131
Cal-Am Larkfield	281	258	209	147	128	119	119
Regional Average	248	230	188	125	106	104	103

4 Existing Actions (Plan Component #3)

The Water Agency and the Water Retailers are committed to eliminating unnecessary use of potable water for landscape irrigation and other waste during these drought conditions. The Water Agency and its water contractors continue to implement water use efficiency programs that align with the California Urban Water Conservation Council’s Best Management Practices (BMPs) and comply with SB 7x-7. While these BMPs remain the baseline for the region, the establishment of the Sonoma-Marín Water Saving Partnership (Partnership) in December 2010 memorialized the region’s commitment to long-term, year-round water use efficiency. The Partnership removes one of the most significant barriers to implementing conservation programs, funding. Each Partner has committed to a sustained level of funding that is allocated specifically to implementing conservation programs.

The Partnership represents ten water utilities in the North Bay in Sonoma and Marin counties (Partners) that have joined together to provide regional solutions for water use efficiency. The Partners include: the Cities of Santa Rosa, Rohnert Park, Petaluma, Sonoma, and Cotati; North Marin, Valley of the Moon, and Marin Municipal Water Districts; the Town of Windsor, and the Water Agency. The Partnership was formed to identify and recommend water use efficiency projects and to maximize the cost-effectiveness of water use efficiency programs in our region.

Each Partner is continuously implementing water conservation programs to reduce overall regional water use. Over the last few years, in response to the drought, the Partnership has increased outreach, revised education programs and expanded the available conservation incentives.

At the onset of the drought in 2013, the Partnership doubled its annual public education campaign to encourage residents to voluntarily reduce water consumption. The Partnership launched the "20-Gallon Challenge" campaign to increase awareness of the water supply situation and as a call to action. The campaign featured a pledge to save 20 gallons per person per day. As an incentive to pledge, entries for

monthly prize drawings for high-efficiency toilets and clothes washers, rainwater catchment and gray water systems, and custom water-wise landscape designs were provided. Pledges and contest entries were accepted from participants throughout the Russian River Watershed to encourage water users in both Upper Russian River and Lower Russian River areas to participate in the challenge.

In January 2014, in response to Governor Brown's emergency drought proclamation, the Partnership launched a regional multi-media effort throughout the North Bay region with a simple message: "There's a drought on. Turn the water off." The campaign has included: (1) outdoor water conservation tips that have been rotated in local and regional publications; and (2) advertisements on local radio stations and online media. Each advertisement spotlights a creative or humorous method for saving water. The campaign has been well received and is ongoing.

An additional effort by the Water Agency included sponsoring four drought town hall meetings in Sonoma County in April 2014 to educate the public about the drought and the need to conserve water. The meetings were held in Santa Rosa, Rohnert Park, Windsor, and Petaluma. Water resource and conservation specialists attended these meetings to discuss the drought, water supply conditions and water conservation rebate programs. In addition, officials from the County of Sonoma's Permit and Resources Management Department and Office of Emergency Services attended each meeting to provide drought information relevant to rural residents and fire prevention.

The Water Agency also sponsored ten "Drought Drive-Up" locations on April 23, 2014, in coordination with the Partnership. Over 4,000 community members drove up to the ten locations to receive free drought tool kits, which included: (1) a water efficient faucet aerator; (2) toilet dye tab test; (3) shower timer; (4) shower bucket; (5) low-flow showerhead; and (6) conservation tip card. All participants in the "Drought Drive-Up" were also entered to win a free high-efficiency toilet or high-efficiency washing machine.

The Partnership's outreach efforts have improved water-use efficiency in the region and the Water Agency remains committed to ensuring that our water supply is reliable. The Partners remain in good standing with the California Urban Water Conservation Council (CUWCC) and implement the CUWCC's Best Management Practices (BMPs) for water conservation.

To promote water savings that extend beyond the Water Agency's service area, the Water Agency has spearheaded the Sonoma-Mendocino Immediate Drought Relief Project (SMIDR), a demand reduction program that includes many entities in the Upper Russian River, an area that has lacked aggressive water conservation programs in the past, where opportunities exist to achieve significant water savings. SMIDR offers immediate drought relief and long-term water savings to the following participating agencies: 12th District Agricultural Agency (Redwood Empire Fairgrounds), Airport-Larkfield-Wikiup Sanitation Zone, Belmont Terrace Mutual Water Company, City of Cloverdale, City of Healdsburg, City of Ukiah, County of Sonoma - Department of Transportation and Public Works, City of Fort Bragg, Geyserville Sanitation Zone, Mendocino County Russian River Flood Control and Water Conservation Improvement District, Occidental County Sanitation District, Redwood Valley County Water District, Russian River County Sanitation District, private well owners within the Russian River watershed, Sea Ranch Sanitation Zone and Sweetwater Springs Water District. SMIDR has the potential to increase regional water use efficiency and drought resilience in the region for years to come and is a response to the Governor's emergency drought declaration that set a 20 percent water demand reduction goal. SMIDR will reduce demands for water from Lake Mendocino and local groundwater supplies.

The participating agencies in SMIDR have the option of offering one or both of the following water-saving programs to their customers:

1. High-Efficiency Fixture Direct-Install Program, which will retrofit up to two inefficient toilets per customer with new high-efficiency toilets. During the installation appointment, the Water Agency-hired plumber will also replace inefficient showerheads and aerators with free, water-efficient models and perform a leak check at the water meter. For commercial properties, in addition to toilets, inefficient urinals will be retrofitted with 0.125 gpf high-efficiency urinals; and
2. Cash for Grass Turf Rebate Program, which will offer a \$0.50/sq. ft. rebate for converting high-water-use turf to low-water-use plant material (up to max of 500 sq. ft or \$250 per customer).

The Water Agency has managed a Direct Install program in its service area for five years. The Water Agency has already established the needed program elements (agreements with local plumbers, billings procedures, etc.) that will be utilized for SMIDR.

Through SMIDR, participating agencies will be set up to transition into self-managed ongoing conservation programs. The High-Efficiency Fixture Direct-Install Program reduces base demands addressing approximately 75% of the total indoor residential water use (showers: 20%, faucets: 18%, toilets: 20%, leaks: 18%) by improving fixture efficiency and identifying leaks. The Cash for Grass program addresses 50% of the total water use by homes and directly reduces peak water demands.

On June 2, 2014, the California Department of Water Resources (DWR) released an expedited 2014 Integrated Regional Water Management Drought Grant Solicitation seeking projects that would provide immediate, measurable water savings. The Water Agency submitted a grant proposal for SMIDR, which was selected as one of eleven projects by the North Coast Resource Partnership, which submitted the Water Agency's proposal on July 21, 2014 to DWR with a recommended funding of \$1.05 million. The participating agencies in SMIDR and Water Agency have committed to provide \$630,000 in local matching funds, raising the possible total funding to \$1.68 million. The DWR anticipates approving grant awards for this program in October 2014. If the grant is not awarded, SMIDR will still continue at a scaled back level with local funding.

On-farm conservation programs are not applicable in the Water Agency and Water Retailers service area. Thus, on-farm irrigation scheduling, tailwater recovery systems, and irrigation system improvements are not included in our water use efficiency programs. The Water Agency does not operate an irrigation district system. Canal lining, canal structure improvements, and remote measurement, monitoring and control are not applicable to our system.

On July 15, 2014, the State Board adopted Resolution No. 2014-0038, which adopted emergency regulations for statewide urban water conservation. The new regulations require almost all of the Water Agency's primary water customers to implement water shortage contingency plans to the level of mandatory restrictions on outdoor irrigation and submit monthly monitoring reports comparing monthly water production with the corresponding calendar month production from 2013.

Each of the Water Retailers have taken local action to reduce water use and comply with the State Emergency Water Conservation Regulations effective July 29, 2014. Appendix of Resolutions contains copies of formal action taken by each Water Retailer's City Councils or Board of Directors for approval of implementing the State Board's emergency regulations for urban water conservation. The following is a summary of the actions taken by each of the Water Retailers included in the Plan.

4.1 City of Cotati

Activities in response to the drought to date:

- Phase 2 of the water shortage contingency plan was adopted on August 12, 2014.

- Voluntary 20% water use resolution, February 25, 2014.
- Mandatory outdoor water use restrictions resolution, instituting Stage 2 of water conservation shortage plan.
- Direct mail out to all dedicated irrigation accounts informing them of the mandatory reductions.
- WaterSmart mailers every 2 months to all residential customers, giving them actual water use comparisons with similar households or prior year usage, and recommending water conservation measures tailored to the customers usage profile, and past conservation actions.
- Farmer's Market water conservation information and fixture giveaways.
- Increased water conservation surveys, direct install toilets, turf rebates, and washer rebates.
- City of Cotati (Cotati) staff are looking for overwatering to notify residents of water waste.
- Cotati Staff are developing a new water conservation door hanger.

The Cotati City Council authorized a project to upgrade all older meters to more accurate ultrasonic meters, and add an AMI network to collect all reads which will begin this winter. The system will enable real-time notification of Cotati and customers of customer-side leaks, notify Cotati of leaks on the distribution system, and allow for a precise accounting of unmetered water to address any systemic issues.

4.2 Forestville Water District

On August 12, 2014 Forestville Water District (FWD) adopted a Resolution enacting Phase II- Mandatory conservation. The Resolution requires mandatory conservation including the following prohibitions:

- Irrigation of outdoor landscaping that results in excess runoff.
- Washing down of sidewalks, driveways or other hardscapes.
- Operation of decorative fountains or other features that do not recirculate the water.
- Washing of vehicles without an automatic shutoff device on the hose.
- Irrigation of outdoor landscaping more than 2 times per week.

FWD has been utilizing social media to educate its customers on the conservation requirements.

4.3 City of Healdsburg

City of Healdsburg (Healdsburg) began taking actions to address the drought in June 2013 through the implementation of Stage 1 Voluntary Water Conservation Measures requesting a 10% reduction in water use. These measures were in place until January 2014 when Healdsburg moved to more aggressive Stage 2 Mandatory Water Conservation Measures, requiring 20% reduction in water use.

Outreach and education is a key component to meeting the mandatory restrictions. To ensure customers had the tools to reduce water use Healdsburg launched the Water Conservation Rebate Program in March 2014. A Graywater Conversion 101 course was offered on July 17, 2014 for residents to learn how to safely use graywater for irrigation. Outreach continues through bill insert notifications, and education has been increased through enforcement actions, such as code enforcement letters sent to customers violating stage 2 requirements. Healdsburg has launched of the Direct-Install Toilet Replacement Program and the Turf Rebate Program through SMIDR.

In April 2014, Healdsburg received approval to utilize recycled water for construction purposes and on May 5, 2014 Healdsburg was able to begin using recycled water for agricultural irrigation.

Below are the conservation measures that are currently in place within Healdsburg service area.

- Apply outdoor irrigation water only during the evening and early morning hours to reduce evaporation losses (8:00 pm to 7:00 am).
- For property with an even numbered address, irrigate outdoors only on even days of the month.
- For property with an odd numbered address, irrigate outdoors only on odd days of the month.
- Stop the washing of sidewalks, walkways, driveways, parking lots and other hard-surfaced areas by direct hosing, except as may be necessary to prevent or eliminate materials that present a danger to public health and safety.
- Correct and repair the escape of water through breaks or leaks within the customer's plumbing or private distribution system. It shall be presumed that a period of seventy-two (72) hours after the customer discovers such a break or leak, or receives notice from Healdsburg, is a reasonable time within which to correct such break or leak or, at a minimum, to stop the flow of water from such break or leak.
- For irrigation valves controlling water applied to lawns, vary the minutes of run-time consistent with fluctuations in weather. Reduce minutes of run-time for each irrigation cycle if water begins to run-off to gutters and ditches before the irrigation cycle is completed.
- Utilize water conservation incentives, as available, to replace inefficient plumbing fixtures and appliances with water efficient models.
- Utilize City information regarding using water efficiently, reading water meters, repairing ordinary leaks, and water efficient landscapes.
- Stop noncommercial washing of privately owned motor vehicles, trailers and/or boats except when utilizing a bucket and a hose equipped with an automatic shut-off.
- Prohibited: Any use of water from a fire hydrant, except for fighting fires, line flushing required by regulatory agencies or essential construction needs.
- Healdsburg will not accept or approve building permits for new swimming pools unless the owner agrees to obtain pool water from a source other than Healdsburg's potable water system.
- Prohibited: Use of potable water for dust control, compaction, and other construction purposes, except recycled water as allowed by the Regional Water Quality Control Board, for dust control and compaction at construction sites.
- Water use by a vehicle washing facility is limited to 80% of the water used by the facility from the corresponding billing period in the prior year, unless such washing facility treats and recycles wash water in which case this provision shall not apply.
- Water use for any non-residential use is limited to 80% of the water used by the customer during the corresponding billing period in the prior year.

4.4 California-American Water - Larkfield

California-American Water (Cal-Am) implemented its Rule 14.1 voluntary water conservation plan in March 2014. Cal-Am has focused on education over enforcement, visiting customers engaged in water

wasting activities and helping them prevent wasteful use. Cal-Am has also continued to promote conservation with four direct mail pieces, bill text messages and customer outreach at five local events and meetings in and near the service area this year.

California-American Water offers Water Use Surveys, free devices including showerheads and hose nozzles, and rebates for toilets, clothes washers, turf removal, irrigation equipment and more.

4.5 Marin Municipal Water District

Marin Municipal Water District (MMWD) serves a population of approximately 185,000 located within the unincorporated areas of Marin County and the cities of San Rafael, Mill Valley, Fairfax, San Anselmo, Ross, Larkspur, Corte Madera, Tiburon, Belvedere and Sausalito. MMWD's water supply sources are comprised of a reservoir system, imported water from the Sonoma County Water Agency and recycled water.

In November 2013, MMWD began making preparations should the dry conditions extend into a third consecutive year. The following timeline describes actions taken by MMWD:

- December 17, 2013: MMWD Board of Directors adopted Resolution No. 8244 directing the General Manager to take specific actions in response to the dry weather conditions, including jump starting our conservation rebate program, which had been temporarily suspended during the economic challenges of the prior years (all of MMWD's other water conservation programs continued unabated). The Board also formed a Drought Resiliency Task Force.
- January 11, 2014: Calendar year 2013 rainfall totaled 11 inches, which was the lowest calendar year rainfall in MMWD's recorded history. As the dry conditions persisted into January 2014, MMWD began utilizing Phoenix Lake, one of our reserve reservoirs, which is only used during periods of very dry weather. MMWD also suspended its water quality flushing program to conserve water, and boosted resources dedicated to our leak repair program. On January 11th, MMWD published an opinion/editorial in the Marin IJ about the drought and urged our customers to save water.
- January 15, 2014: Issued news release regarding District's decision to begin pumping water from Phoenix Lake.
- January 21, 2014: MMWD's Board of Directors adopted Resolution No. 8251, which called for our customers to voluntarily reduce water usage by 25 percent and activated Phase 1 of MMWD's water shortage contingency plan.
- January 22, 2014: issued news release regarding Board's call for 25 percent voluntary reduction in water use.
- January 26, 2014: MMWD began running weekly ads in the Marin IJ updating our customers on reservoir levels and the drought.
- January 28, 2014: MMWD's General Manager led a presentation to the Marin County Board of Supervisors on the drought and water supply in Marin County.

MMWD's water shortage contingency plan calls for a 25 percent mandatory reduction in water usage if reservoir storage is projected to be below 40,000 acre-feet on April 1st. District modeling indicated this level could be reached by mid-March if the lack of rainfall continued. MMWD immediately began preparing to implement a 25 percent mandatory rationing program. Other actions conducted by MMWD at this time included:

- February 5, 2014: drought presentation to Fairfax City Council.
- February 7, 2014: drought meeting with Congressman Jared Huffman.
- February 10, 2014: drought presentation to San Geronimo Valley Planning Group.
- February 11, 2014: drought presentation to San Anselmo Town Council.
- February 12, 2014: mailed 90,000+ copies of Drought Watch newsletter to District customers and property owners.
- February 13, 2014: drought meeting with Assembly member Marc Levine.
- February 13, 2014: drought presentation to Ross Town Council.
- February 14, 2014: participated in ACWA's statewide Drought Action Group meeting.
- February, 2014: started up recycled water system (system usually doesn't start-up until April 1 each year).
- February, 2014: began making preparations to utilize Soulajule Reservoir, another of MMWD's reserve reservoirs, which is only used during extremely dry conditions.

A five day storm in early February brought nearly 15-inches of rain to MMWD's Lagunitas Creek watershed. Total storage on February 17th was over 53,000 acre-feet. MMWD was no longer in danger of being below 40,000 acre-feet of total storage on April 1, which would have triggered a mandatory 25 percent reduction in water usage by customers.

Even though the February storms substantially improved MMWD's water storage conditions, MMWD storage levels were still below normal. Therefore MMWD continued to urge customers to reduce water usage through newsletters, media ads, MMWD's web page and at community meetings.

- February 21, 2014: conducted meeting of MMWD's Drought Resiliency Task Force.
- March 7, 2014: drought presentation to Lagunitas Creek Watershed Technical Advisory Committee.
- March 13, 2014: drought presentation at Impact Marin Conference on Water Supply and the Drought.
- March 13, 2014: drought presentation to San Francisco Planning and Urban Renewal Association (SPUR).
- March 19, 2014: drought presentation to Larkspur City Council.
- March 22, 2014: published opinion/editorial on the drought in the Marin IJ.
- March 26, 2014: issued news release regarding MMWD providing "Drinking Water Upon Request" table tents for restaurants.
- April 3, 2014: drought presentation to Oak Manor Homeowner's Association.
- April 10, 2014: conducted meeting of MMWD's Drought Resiliency Task Force.
- April 16, 2014: drought presentation to Tiburon Town Council.
- May 2, 2014: drought presentation at Marin Economic Forum.
- May 22, 2014: District launched "Water Saving Heroes" conservation recognition program.

- July 9, 2014: District launched a new conservation pilot program in partnership with WaterSmart Software involving 5,000 District customers.

In addition to these actions, MMWD has been issuing drought updates on a monthly basis through e-newsletter and bill inserts, providing water saving tips through blog posts, and placing ads through social media such as Facebook and Twitter. MMWD has also been actively participating in the regional Sonoma-Marin Saving Water Partnership.

4.6 North Marin Water District

On April 1, 2014, North Marin Water District (NMWD) declared a water shortage emergency, enacted Stage 1 of the Novato Water Shortage Contingency Plan and adopted Emergency Water Conservation Ordinance No. 28 which prohibits waste and non-essential use of water and establishes a community wide 20% reduction target for water use compared to the corresponding billing period in 2013. On August 5, 2014, NMWD adopted Resolution 14-18 in response to the State Board's Emergency Water Conservation Regulations to enact mandatory restrictions on outdoor irrigation pursuant to Stage 2 of the Novato Water Shortage Contingency Plan. Effective August 6th, Resolution 14-18 prohibits outdoor spray irrigation (for both residential and non-residential customers) except if the customer maintains a 20% reduction when compared to the corresponding billing period in 2013, and mandates night-time watering (7pm to 9am).

4.7 City of Petaluma

On September 8, 2014 the City of Petaluma (Petaluma) adopted a resolution that contains the following mandatory restrictions to outdoor irrigation and potable water use:

1. No irrigation of ornamental landscapes or turf with potable water between the hours of 8:00 a.m. and 7:00 p.m.
2. Hose-end shut off nozzles required on all garden and utility hoses to include washing cars, boats, and trailers.
3. No application of potable water for washing down pavement by direct hosing without a shutoff nozzle, except for health and safety including sanitation. Use of low flow pressure washers is encouraged.
4. No runoff or overspray caused by outdoor irrigation.
5. No water used for non-recycling water features such as fountains.
6. Irrigation accounts cannot exceed allocated water budgets by more than 20%.

To remain consistent with the action taken by the SWRCB, the proposed resolution to re-implement Stage 1 of Petaluma's Water Shortage Contingency Plan would end (i.e. "sunset") on April 25, 2015 unless Emergency Regulations are extended or ended earlier by the SWRCB.

Petaluma staff has conducted the following outreach:

1. Direct Mailings: three post cards sent to all customers beginning March 2014. Additional post cards will be sent regularly throughout the drought period.
2. Message at this year's Sonoma-Marin fair display focused on the drought.
3. Monthly Argus Courier newspaper ads began running in March 2014 and have continued.
4. Argus Courier newspaper ads increased to weekly as of September 2014.

5. "Before the Movie" ads began running March 2014 and will continue.
6. Four public workshops have been conducted since March 2014 – each workshop attendee was provided drought information and given ways to conserve water – approximately 230 attendees attended the workshops.
7. Social media posts have included drought related messages – this effort will increase to every Thursday effective immediately.
8. Signs at Petaluma parks being installed say "Please Tolerate our Thirsty Lawns During This Period of Drought".
9. A drought banner will be displayed at D St., Kentucky St. and McDowell Shopping Center when space is available.

Petaluma staff will exercise progressive enforcement of the mandatory irrigation restriction in accordance with the 2008 resolution addressing administrative citation for violation of the PMC; and PMC 15.16.100, Enforcement and Fees, as follows:

1. Personal contact: Education and technical support provided. If no one is home, a door hanger indicating the nature of the violation is provided. Customer is given 72 hours or less as appropriate to mitigate violation.
2. If personal contact is not successful: Provide written notice of the violation including date when correction must be complete. Copy of notice is sent by certified mail.
3. First violation under administrative penalty resolution: If correction not made in accordance with written notice, apply fine of \$100.
4. Second violation within 36 months under administrative penalty resolution: If correction not made or recurrence of violation a fine of \$500.
5. Third violation within 36 months under administrative penalty resolution: Fine of \$1,000.
6. In addition to issuing a notice of violations, if appropriate: Shut off water service until verification of correction is made. Cost of shut off and turn on is an additional \$60.

4.8 City of Rohnert Park

On February 11, 2014, the City of Rohnert Park (Rohnert Park) adopted a resolution calling for voluntary 20% reduction in water use. On August 26, 2014, Rohnert Park adopted an interim urgency ordinance that:

1. Imposed prohibitions against washing hardscapes; washing cars without a shutoff nozzle; irrigation runoff; and non-recycling decorative water features.
2. Implemented the provisions of Stage 2 of our Water Shortage Emergency Plan that make outdoor irrigation restrictions mandatory including:
 - i. Restricting residential irrigation use to between the hours of 6 p.m. and 8 a.m.
 - ii. Restricting potable water use through a dedicated irrigation meter to the hours of 6 p.m. and 8 a.m. and to an amount no greater than eighty percent (80%) of historical net evapotranspiration-based demand for the square footage of the irrigated area.
 - iii. Requiring customer inspections of all irrigation systems, repairing of leaks, and adjustment of spray heads to provide optimum coverage and eliminate avoidable over-spray.

- iv. Requiring that when irrigation control valves are used, sprinkler system run times vary consistent with fluctuations in weather.
 - v. Requiring reduced run-time for each irrigation cycle if water begins to run-off to gutters and ditches before the irrigation cycle is completed.
3. Encouraged ongoing voluntary efforts to Rohnert Park's conservation incentive, rebate and giveaway programs and Rohnert Park's information regarding water efficient landscapes.

To help with implementing the ordinance Rohnert Park also undertook some work on our website to make conservation information more easily accessible and the Partnership's "There's A Drought On. Turn Your Water Off." signs were placed around town. At the direction of the Rohnert Park Water Issues Subcommittee, staff is currently working on a proposal for a cash-for-grass program for consideration by City Council.

4.9 City of Santa Rosa

In February 2014, the City of Santa Rosa (Santa Rosa) adopted a resolution asking for a voluntary 20% community-wide reduction in water use by focusing on eliminating water waste and improving water use efficiency. To inform water utility customers, Santa Rosa sent a letter to each of our approximately 52,000 accounts regarding the resolution and providing information on the requirements should Santa Rosa need to adopt a stage of the Urban Water Shortage Contingency Plan (Shortage Plan) in future months. Santa Rosa participated in the regional "There's A Drought On. Turn Your Water Off." media campaign, sent out utility bill inserts, provided information through its website and social media, provided weekly drought updates to local officials and to the public at City Council meetings, and provided education to all City employees. In addition, Santa Rosa provided information and giveaways at community events, including Earth Day, downtown markets, the Drought Drive-Up and held a Drought Town Hall meeting. As a result of the voluntary conservation efforts, water demand during the months of March - July was reduced by 16% compared to same time last year.

On August 5, 2014, in response to State Emergency Drought Regulations, Santa Rosa of Santa Rosa adopted Stage 1 – Mandatory of the Shortage Plan. Stage 1 – Mandatory requires the following:

- 20% community-wide reduction in water use;
- Compliance with Santa Rosa's water waste ordinance which prohibits runoff from irrigated areas and prohibits property side breaks and leaks;
- Irrigation can only occur between the hours of 8 PM through 6 AM;
- Prohibits washing down hardscapes unless required for public health and safety;
- Prohibits using potable water for street washing;
- Requires shut-off hose nozzles for all garden and utility hoses; and
- Requires "Water-on-request" at all restaurants.

Santa Rosa has implemented weekly water watch patrols and also provides options for the community to report water waste and Stage 1 – Mandatory violations through its website, hotline and MySantaRosa app. Santa Rosa has hired additional staff to assist with implementing the water waste program. Water Use Efficiency staff and City field crews have been trained and can door tag any home or business for a violation. Santa Rosa has a progressive enforcement program that starts with information and education and can ultimately lead to turning off the customer's water service.

Santa Rosa is providing information to the community through utility bill inserts, utility bill face messages, utility bill envelopes, social media, dedicated website, video on local cable channels, radio and newspaper ads. Weekly drought updates to our local officials and to the public at City Council meetings and employee education is on-going. Santa Rosa provided information and giveaways at the Sonoma County Fair and held a DIY Outdoor Drought Solutions event providing information and hands-on learning opportunities for reducing outdoor water use.

In addition to the numerous water use efficiency rebate and incentive programs, Santa Rosa is launching a new Water Smart Campaign, focusing on reducing outdoor water use. The Water Smart Campaign includes yard signs and weekly watering recommendations. Santa Rosa has updated its rebate amount for turf removal from \$0.50 per square foot to \$1.00 per square foot, is introducing a new recirculating hot water pump rebate and launching a new high efficiency fixture direct install program. City staff anticipates that the renewed outreach and additional programs will achieve a 20% reduction in water use compared to same time last year. Water demand during August 2014 was reduced by 17% compared to August 2013.

4.10 City of Sonoma

The City of Sonoma (Sonoma) has taken the following in addition to the Partnership activities listed above:

1. Implemented Stage 2 Mandatory Conservation on 8/18/14, limiting outdoor turf irrigation to 2 days per week, and complying with all other State Emergency Conservation Regulations.
2. Suspended the use of hydrant meters on 2/3/14 to draw water from Sonoma fire hydrants, except for fire emergency use.
3. Deferred hydrant flushing maintenance and requests for hydrant flow testing.
4. Doubled efforts and expenditures on leak detection, including capital projects to replace old polybutylene water service lines.
5. Implemented Sonoma-specific "Before the Movie" advertising to promote water conservation rebates.
6. Switched to monthly water billing to keep Sonoma customers better apprised of water usage and potential private plumbing leaks.
7. Distributed "ask for water" placards in some restaurants.
8. Mailed letters to all Landscape Contractors working in Sonoma, advising them of Stage 2 water restrictions.
9. Provided a 1-page insert into the local Index-Tribune newspaper listing Stage 2 water restrictions.

4.11 Town of Windsor Public Works

On February 19, 2014 the Windsor Town Council declared a Stage 1 Water Shortage Emergency, asking for a voluntary 20% reduction in 2014 water use as compared to 2013. Subsequently, on August 6, 2014, Council declared a Stage 2 Water Shortage Emergency, making the 20% reduction mandatory. Below is a list of the measures and prohibitions being implemented to meet the reduction goal:

Measures:

1. Inspect all irrigation systems, repair leaks, and adjust spray heads to provide optimum coverage and eliminate avoidable over-spray.
2. For irrigation valves controlling water applied to turf grass, vary the minutes of run-time consistent with fluctuations in weather.
3. Reduce minutes of run-time for each irrigation cycle if water begins to run-off to gutters and ditches before the irrigation cycle is completed.
4. Become informed about and strictly adhere to the Town's Water Waste Prohibitions listed in Section 12-3-825 of the Windsor Municipal Code.
5. Utilize water conservation incentive, rebate and giveaway programs to replace water guzzling plumbing fixtures and appliances with water efficient models.
6. Take advantage of the free information available from the Town on how to use water efficiently, read a water meter, repair ordinary leaks, and how to apply water efficiently to the landscape.

Prohibitions:

1. Washing of sidewalks, walkways, driveways, parking lots and other hard-surfaced areas by direct hosing.
2. Escape of water through breaks or leaks within the customer's plumbing or private distribution system for any substantial period of time within which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of seventy two (72) hours after the customer discovers such a break or leak or receives notice from the Town, is a reasonable time within which to correct such break or leak or, as a minimum, to stop the flow of water from such break or leak.
3. Irrigation in a manner or to an extent which allows excessive runoff of water or unreasonable over-spray of the areas being watered. Every customer is deemed to have his or her water system under control at all times, to know the manner and extent of his or her water use and any run off, and to employ available alternatives to apply irrigation water in a reasonably efficient manner.
4. Water for non-recycling decorative water fountains.
5. Water for single pass evaporative cooling systems for air conditioning in all connections installed after July 18, 2007 unless required for health or safety reasons.
6. Water for new non-recirculating conveyor car wash systems.
7. Water for new non-recirculating industrial clothes wash systems.
8. Initial filling of any swimming pool for which approval of a construction permit issued by the Town was made after the date on which the water shortage emergency condition was declared to exist, and refilling a swimming pool that was drained after the emergency condition has been declared.
9. Non-commercial washing of motor vehicles, trailers and boats except from a bucket with use of a hose equipped with a shutoff nozzle for a quick rinse.
10. Watering of new turf grass or replacement turf grass.

11. Service of drinking water at any restaurant, cafe, cafeteria or other public place where food is sold, served or offered for sale, unless expressly requested by a patron.

Use of Sprinklers is Conditional:

1. Automated sprinkler irrigation must be properly controlled and performed in a non-wasteful and efficient manner between the nighttime hours of 7:00 p.m. and 9:00 a.m. of the next day.
2. The amount of water normally required to maintain a healthy landscape shall be reduced by 20 percent, based on landscape size, plant water requirement, and current weather as specified in section 12-3-835 of the Windsor Municipal Code.

4.12 Valley of the Moon Water District

Valley of the Moon Water District has a long standing commitment to conservation and is evidenced by the fact that in 2013 VOMWD was already meeting its 20% by 2020 goal (SBx7-7). However, as the third year of the drought gripped the State and its water resources VOMWD saw the need to redouble its efforts. On March 4, 2014 VOMWD adopted a Resolution supporting the Governor's voluntary call for 20% conservation statewide. At that time VOMWD took the following actions:

- Created a Facebook page for drought updates for our customers.
- Ran bill face messages regarding drought and water supply conditions.
- Participated in a Sonoma Valley water forum.
- Created speaking engagements with Kiwanis club and a monthly spot on a Sonoma radio station.
- Developed and prop 218 noticed drought water shortage charges.
- Updated Water Shortage Contingency Plan stages and allocations.
- Developed list of possible local emergency supply options.
- Field crews increased hanging water waste tags.
- Deferred full distribution system flushing, only flushing critical areas or as needed.
- Office staff calls all customers that have high bills.
- Created a SMART Controller rebate program.
- Initiated AMI meter project to allow customers to have access to daily water use records.
- Performed ultra-sonic leak detection on entire distribution system.

Additionally on August 5, 2014, in response to the State Water Resources Control Board's Emergency Conservation Regulations, VOMWD adopted a Resolution declaring Stage 2 Mandatory Conservation at a 20% level. This Resolution resulted in the following:

- a) Water on request at restaurants.
- b) No washing of hardscapes.
- c) No runoff.

- d) Known leaks must be fixed.
- e) Hose-end nozzle required.
- f) Recycled water must be used for construction dust control.
- g) Irrigation is limited to the hours of 8pm to 6am.

To further support the 20% goal VOMWD has performed the following since the August Resolution declaring a Stage 2 shortage:

- Delivered "water on request" cards to all restaurants.
- Initiated Water Shortage Charges (+10% on tier 2, +25% on tier 3).
- Trained staff on indoor and outdoor water conservation.

5 Additional Actions (Plan Component #3)

Each month the State Board will receive a status update detailing the amount of water demand reduction relative to baseline water demand that has been achieved by the Water Retailers. The Water Agency and the Water Retailers will continue to actively monitor the water demand reductions to determine what, if any, additional actions are needed. Below are the potential actions that will be considered by the Water Retailers if it is deemed that additional actions are necessary.

5.1 City of Cotati

If Cotati doesn't achieve 20% conservation, Cotati can implement specific measures, including the advanced metering project, increase public information outreach, and ultimately implement Stage 3 of the water conservation contingency plan.

5.2 Forestville County Water District

The FWD currently has an ordinance that covers water shortage emergencies. The Resolution that was adopted at last month's Board meeting modified phase II of that ordinance to align with the State's recommendations. If the drought continues, there are several other prohibitions that can be implemented both from phase II and phase III of this ordinance. The following is a partial list of the remaining prohibitions: Phase II: Hydrant use restricted to firefighting purposes only, no potable water irrigation for public or private areas, no washing of cars, trucks, airplanes or other vehicles, no filling or refilling of pools. Phase III: Daily usage allotment of 50 gallons per day per person, Non-residential users restricted to 50% of usage of historical averages, no irrigation of any kind (includes hand watering), no new service connections.

5.3 City of Healdsburg

If additional measure were required Healdsburg would consider Stage 3 Mandatory Water Conservation Measures (40% reduction). Stage 3 would include the following prohibitions, in addition to the currently adopted Stage 1 and Stage 2 restrictions:

1. Prohibited: Irrigation of any lawn (residential, commercial, or industrial) with water at any time of the day or night.
2. Prohibited: Planting of new landscaping except for designated drought resistant landscaping prescribed by the City Manager or designated representative.

3. Prohibited: All day and night-time irrigation sprinkling unless only a hand held nozzle is used. This prohibition shall not apply to drip irrigation systems established for perennial plants and trees using manual or automatic time-controlled water application.
4. Prohibited: Planting of new annual plants, vegetables, flowers, or vines.

5.4 California-American Water - Larkfield

California-American Water is implementing its schedule 14.1 stage 1 mandatory rationing requiring a 20 percent reduction in water use and hiring additional conservation staff. Additional stages of mandatory rationing may be implemented with CPUC approval, if necessary.

5.5 Marin Municipal Water District

MMWD staff will continue to monitor water use and may take further action if the goal is not met.

5.6 North Marin Water District

If the goal is not met, NMWD may enact further mandatory requirements as specified in the Water Shortage Contingency Plan.

5.7 City of Petaluma

If the goal is not met, Petaluma may enact further mandatory requirements as specified in the Water Shortage Contingency Plan.

5.8 City of Rohnert Park

If additional conservation is needed the City will consider:

1. Implementation of Stage 2 of the Water Shortage Emergency Plan which goes beyond outdoor irrigation restrictions.
2. Implement Stages 3 and 4 of the Water Shortage Emergency Plan.

5.9 City of Santa Rosa

Santa Rosa staff will continue to monitor water use and will increase outreach and water watch patrols as needed should the 20% reduction in water use not be attained.

5.10 City of Sonoma

If additional conservation is needed Sonoma will consider:

1. Implementing daily water patrols to stringently enforce outdoor irrigation restrictions and identify leaks.
2. Dedicating staff time to investigate high use water accounts.
3. Imposing administrative fines and flow restriction devices on customers with repeat violations.
4. Imposing conservation rate tiers for commercial and multi-family water accounts.
5. Steepening the conservation rate tiers for single family residential water accounts.

5.11 Town of Windsor Public Works

Windsor staff will continue to monitor water use carefully. In the event further action is necessary, additional irrigation restrictions or other water conservation measures, including those contained in

Windsor's adopted Water Shortage Contingency Plan, may be implemented by resolution of Town Council.

5.12 Valley of the Moon Water District

Should water supply conditions change then VOMWD would rely on the adopted Water Shortage Contingency Plan.

6 Water Agency Authority (Plan Components #4 & #5)

The Water Agency's water supply agreements provide a limited authority to impose water demand reduction actions. The Water Agency's water supply agreements require that any water conservation terms imposed on the Water Agency to be passed through to the water retailers, but the Water Agency does not have the ability to impose conservation measures directly on end-use customers. The following Water Retailers have water supply agreements with the Water Agency and are subject to any regulations imposed on the Water Agency by the State Board under the Water Agency's water right permits:

1. City of Cotati
2. Forestville Water District
3. City of Healdsburg
4. California-American Water - Larkfield
5. North Marin Water District
6. City of Petaluma
7. City of Rohnert Park
8. City of Santa Rosa
9. City of Sonoma
10. Town of Windsor Public Works
11. Valley of the Moon Water District

MMWD is not contractually required to automatically implement conservation measures imposed on the Water Agency by the State Board. However, MMWD is required to follow all State laws relating to conservation, and is subject to curtailment provisions in its water supply agreement with the Water Agency during times of shortage.

7 Schedule (Plan Component #6)

Sonoma-Mendocino Immediate Drought Relief Project Schedule

<i>Turf Rebate</i>	Date Complete
Develop program criteria	7/3/14
Develop training for project proponents 7/3	7/3/14
Develop tracking/monitoring database	7/10/14
Train project proponents for project implementation	7/23/14
Project proponents to begin outreach to residential/commercial customers	7/24/14
Develop outreach materials	8/1/14
Project Start: Notify secondary project proponents of project start date	8/1/14

<i>High Efficiency Fixture Direct Installation</i>	Date Complete
Develop program criteria	7/10/14
Solicit and contract plumbers to conduct installation	7/17/14 (ongoing)
Develop tracking/monitoring database	7/24/14
Develop website for eligibility verification and participant registration	8/29/14
Project proponents to begin outreach to residential/commercial customers	9/2/14
Online registration opens	9/2/14
Train plumbers on program implementation and invoicing	9/30/14 (ongoing)
Installations begin	10/15/14
Project end date	7/31/16

Attachment A: August Status Update

1 Introduction

Provision 17 of the Order directs the Water Agency as follows:

“SCWA shall submit to the Deputy Director for Water Rights a written report within 15 days of the end of each month (monthly status update) that provides a summary of compliance with this term. The monthly status update shall, at a minimum, include a description of SCWA's actions to date to comply with the requirements of this term and the results of such actions, including but not limited to the amount of water demand reduction relative to baseline water demand. The data submitted for the amount of water demand reduction shall include both monthly and aggregate annual to date information and shall be compared to baseline water demand. When the monthly status update reflects that SCWA is not achieving the minimum water demand reduction of this term, SCWA shall also include additional actions SCWA has adopted and/or implemented to meet the demand reduction and identify the date when such additional actions will be fully implemented as part of the monthly status update.”

2 Water Demand Reduction

Overall water demand of the Water Retailers is down for the month of August compared to the baseline. The table below provides a comparison of the August baseline and the August 2014 production.

Water Retailer	GPCD Aug	GPCD Benchmark	GPCD Relative to Benchmark
Cotati	112	224	-50%
Marin Municipal	144	197	-27%
North Marin	158	259	-39%
Petaluma	151	259	-42%
Rohnert Park	111	201	-45%
Santa Rosa	110	205	-46%
Sonoma	177	305	-42%
Valley of the Moon	129	206	-38%
Windsor	139	244	-43%
Forestville	166	292	-43%
Healdsburg	192	300	-36%
Cal-Am Larkfield	145	281	-48%
Regional Average	145	248	-42%

3 Actions

The Water Agency and the Water Retailers are committed to ensuring that current water supply conditions are a top priority in the community. At a minimum, the Water Retailers provide a Water Supply Condition Update monthly at the respective governing board meetings. Below are some of the actions taken locally in August 2014.

3.1 Water Agency

Each month the Water Agency contractors meet as a Technical Advisory Committee to discuss water supply issues and provide project updates. On August 4 the TAC met and discussed the following item “Report on SWRCB Emergency Regulation for Statewide Urban Water Conservation/Sonoma Marin Saving Water Partnership/Water Contractor Water Conservation Activity.”

On August 18, the Water Agency hosted a meeting in Cloverdale, California with upper

Russian River municipal water managers to discuss Lake Mendocino water supply, implementation of water conservation programs and ongoing coordination. Attendees included representatives from Cloverdale, Healdsburg and various other upper river water managers.

The Water Agency Board of Directors approved the Sonoma-Mendocino Immediate Drought Relief Project on August 19, 2014.

The Partnership’s “There’s a Drought On. Turn the Water Off.” campaign continued to have a significant presence in the community. Below is a summary of the outreach conducted for the month of August, Appendix A-1 contains the entire list.

- 29 English print ads in 18 local publications
- 3 Spanish print ads in 3 local publications
- (63) 60 second commercials played on 5 local English radio stations
- (47) 60 second commercials played on 3 local Spanish radio stations
- 3 radio English billboards
- 48 English radio web ads
- 3 radio Spanish billboards
- (5) 22”x 28” DIY Outdoor Drought Solutions event signs
- DIY Outdoor Drought Solutions event space

3.2 City of Cotati

On August 12, 2014, Cotati adopted Phase 2 of the water shortage contingency plan.

3.3 Forestville Water District

On August 12, 2014 FWD adopted a Resolution enacting Phase II- Mandatory conservation.

3.4 Marin Municipal Water District

August 19, 2014: MMWD Board of Directors adopted Ordinance No. 427 amending MMWD’s water waste prohibition code pursuant to State Water Code Section 375. This action added further mandatory restrictions to MMWD’s water waste prohibition code, including prohibiting the following actions: landscape irrigation between 9:00 am and 7:00 pm and the use of a garden hose without a shutoff

nozzle. The other requirements included in the State's action were already included in MMWD's water waste prohibition code.

3.5 North Marin Water District

Effective August 6, 2014, NMWD prohibited outdoor spray irrigation (for both residential and non-residential customers) except if the customer maintains a 20% reduction when compared to the corresponding billing period in 2013, and mandates night-time watering (7pm to 9am).

3.6 City of Rohnert Park

On August 26, 2014, Rohnert Park adopted an interim urgency ordinance that: 1) Imposed prohibitions against washing hardscapes; washing cars without a shutoff nozzle; irrigation runoff; and non-recycling decorative water features and 2) Implemented the provisions of Stage 2 of Rohnert Park's Water Shortage Emergency Plan that makes outdoor irrigation restrictions mandatory.

3.7 City of Santa Rosa

On August 5, 2014, in response to State Emergency Drought Regulations, Santa Rosa adopted Stage 1 – Mandatory of its Shortage Plan. On August 23, 2014 Santa Rosa, along with the Water Agency and the Partnership, hosted a free DIY Outdoor Drought Solutions event. The goal of the event was to give residents a range of interactive, hands-on activities that demonstrate the skills and build confidence to implement drought-busting solutions to help gardens not just survive the dry months, but actually thrive. The event was attended by over 800 residents who engaged in activities including: sheet mulching, programming smart controllers, converting spray to drip irrigation, choosing drought-tolerant and native plants, installing a graywater system, harvesting rainwater, and planting a water-wise garden.

3.8 City of Sonoma

Sonoma implemented Stage 2 Mandatory Conservation on August 18, 2014, limiting outdoor turf irrigation to 2 days per week along with all the other requirements as described in the state Emergency regulations.

3.9 Town of Windsor Public Works

On August 6, 2014, Windsor's Town Council declared a Stage 2 Water Shortage Emergency, making the 20 percent reduction mandatory. Windsor's declaration and Resolution also contains all the requirements, as described in the state Emergency regulations, with respect to prohibiting outdoor water waste.

3.10 Valley of the Moon Water District

On August 5, 2014, VOMWD adopted a Resolution declaring Stage 2 Mandatory Conservation at a 20% level. This Resolution resulted in specific actions to ensure water is used efficiently. To further support the 20% goal VOMWD has performed the following since the August Resolution declaring a Stage 2 shortage:

- Delivered water on request cards to all restaurants.
- Initiated Water Shortage Charges (+10% on tier 2, +25% on tier 3).
- Trained staff on indoor and outdoor water conservation.

Appendix A-1

English Print

Press Democrat – (6) print ads and 200,000 impressions on pressdemocrat.com

Sonoma IT – 2 ads

Argus – 2 ads

Farm Bureau News

Marin IJ

Novato Advance

San Rafael News Pointer

Ross Valley Reporter

Twin Cities Times

Mill Valley Herald

Sausalito Marin Scope

Healdsburg Tribune – 2 ads

Sonoma West - 2 ads

The Windsor Times - 2 ads

Ukiah Daily Journal - 2 ads

Sonoma County Gazette

Sonoma Sun

Russian River Times

Spanish Print

Al Punto - Ukiah

El Superior – Sonoma County

Impulso – Sonoma County

English Radio

KZST – 1 week of (17) 60 second commercials

Krush – 2 week of (10) 60 second commercials and 3 billboards

Mix – 1 week of (12) 60 second ads and (16) web ads

KSRO – 1 week of (12) 60 second ads and (16) web ads

HOT – 1 week of (12) 60 second ads and (16) web ads

Spanish Radio

La Mejor – 2 weeks Of (14) 60 second commercials

Radio Lazer – 1 week of (23) 60 second commercials

Exitos – 2 weeks of (10) 60 second commercials and 3 billboards

Events

DIY event space and (5) 22x28" signs

Appendix of Resolutions

RESOLUTION NO. 2014-062

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI
INSTITUTING STAGE TWO OF THE COTATI WATER SHORTAGE
CONTINGENCY PLAN AND OUTDOOR IRRIGATION RESTRICTIONS IN
COMPLIANCE WITH THE STATE OF CALIFORNIA'S EMERGENCY DROUGHT
REGULATIONS**

WHEREAS, the Restructured Agreement for Water Supply (RA), executed on June 23, 2006, by and between the Sonoma County Water Agency (SCWA), the Cities of Cotati, Petaluma, Rohnert Park, Santa Rosa, Sonoma and Forestville, the North Marin and Valley of the Moon Water Districts and the Town of Windsor, collectively known as the Water Contractors, creates the Water Advisory Committee (WAC) and Technical Advisory Committee (TAC); and

WHEREAS, the City of Cotati along with SCWA, Marin Municipal Water District, and the other Water Contractors are members of the Sonoma-Marin Saving Water Partnership (Partnership), which have joined together to provide a regional approach to water use efficiency; and

WHEREAS, the Partnership members have embarked on a regional water use efficiency media campaign titled: "There's a Drought on. Turn the Water Off" designed to increase awareness and reduce water use; and

WHEREAS, the City of Cotati provides a comprehensive water efficiency program to assist its customers in reducing their water use and water bills; and

WHEREAS, the historical dry conditions have resulted in historically low levels in Lake Sonoma and the second lowest level on record for Lake Mendocino; and

WHEREAS, on February 25, 2014 the City adopted a call for 20% voluntary water conservation in response to the Governor's drought declaration; and

WHEREAS, on July 15, 2014, the State adopted emergency regulations requiring mandatory reductions in water use statewide.

WHEREAS, the City has a Water Shortage Contingency Plan, codified in section 13.30.070 of the Cotati Municipal Code.

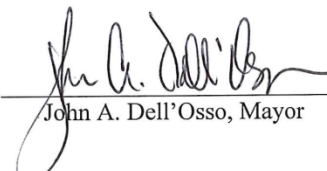
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Cotati hereby:

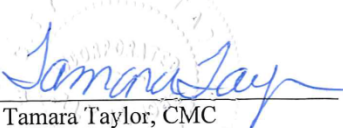
1. Institutes mandatory Stage 2 Water Shortage Contingency Plan as modified herein, to focus on reducing outdoor water usage, including:
 - a. Apply irrigation water only between 7 pm and 7 am to reduce evaporation losses; and
 - b. Inspect all irrigation systems, repair leaks, and adjust spray heads to provide optimum coverage and eliminate avoidable over-spray; and
 - c. Vary the minutes of run-time consistent with fluctuations in weather and landscape requirements; and

- d. Adjust each irrigation cycle length so that water does not run off to gutters and ditches before the irrigation cycle is completed; and
- e. Any lawn, garden, landscaped area, tree, shrub or other plant must be irrigated with a handheld hose with an automatic shut-off nozzle, water container or drip irrigation system; and
- f. Overhead (spray) irrigation can only be used if water use is reduced by 20%, on an overall average, from the same billing period in 2013; and
- g. Eliminate non-essential uses of water, including the following:
 - i. Refilling or initial filling of a swimming pool, and
 - ii. Noncommercial washing of privately owned motor vehicles, trailers and boats except from a bucket and a hose equipped with a shutoff nozzle may be used to rinse the vehicle, and
 - iii. Any use of water from a fire hydrant except for fighting fires or essential construction needs, and
 - iv. Use of potable water for dust control at construction sites;
- 2. Encourages customers to participate in free home water surveys to assist with proper set up and timing of irrigation systems.
- 3. Determines that at this time, the preferred approach is to educate customers and use existing outreach mechanisms and ordinances to reduce water demand, rather than using the fining authority promulgated under the State Emergency Regulations.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Cotati held on the 12th day of August, 2014 by the following vote, to wit:

DELL'OSSO	<u>Yes</u>
SKILLMAN	<u>Yes</u>
HARVEY	<u>Yes</u>
LANDMAN	<u>Yes</u>
MOORE	<u>Yes</u>

Approved: 
 John A. Dell'Osso, Mayor

Attest: 
 Tamara Taylor, CMC
 Deputy City Clerk

Approved as to form:


 Robin Donoghue, City Attorney



P.O. Box 261
Forestville, California 95436-0261
Phone (707) 887-1551 Fax (707) 887-1552
fwd@sonic.net

RESOLUTION NO. 357

Adopted by the Forestville Water District Board of Directors

August 12, 2014

**FINDING THE EXISTENCE OF A DROUGHT EMERGENCY AND ENACTING OF
MANDATORY WATER RESTRICTIONS**

WHEREAS, California Water Code section 71642 authorizes the governing body of a ~~municipal~~ Water District to find the existence or threat of a drought emergency or other threatened or existing water shortage, and that finding is prima facie evidence of the fact or matter so found, and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding is made by the board by resolution or ordinance; and

WHEREAS, pursuant to Water Code section 71640, the District may restrict the use of district water during the drought emergency or other water shortage condition and may prohibit the wastage of district water or the use of district water during such periods for any purpose other than household uses or other restricted uses as the District determines to be necessary; and

WHEREAS, on January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to drought conditions in the state; and

WHEREAS, the Governor's proclamation acknowledged the State of California is experiencing extremely dry conditions that have persisted since 2012; and

WHEREAS, the Governor's proclamation also noted the snowpack in California's mountains is approximately 20 percent of the normal average for this date; and

WHEREAS, the Governor's proclamation called upon local urban water suppliers and municipalities, voluntarily, to implement any local water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and

WHEREAS, on January 17, 2014, the California State Water Resources Control Board notified all water rights holders in California that, in the coming months, if dry weather conditions persist, the State Water Board will notify water rights holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based upon the priority of their right; and

WHEREAS, On July 28, 2014, The California State Water Resources Control Board approved an emergency regulation to ensure water agencies, their customers and state residents increase water conservation in urban settings or face possible fines or other enforcement.

WHEREAS, pursuant to the previously adopted Ordinance #16 of the Forestville Water District, and amended by Ordinance #18 the Board is enacting Phase II-Mandatory Conservation.

Page 2 of 2

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

1. Pursuant to Water Code section 71642, and for the reasons set forth herein, the Board finds the existence of a drought emergency or other water shortage condition; and
2. The Board hereby requires mandatory water conservation including: Irrigation of outdoor landscaping that results in excess runoff; washing down of sidewalks, driveways or other hardscapes; operation of a decorative fountain or other water feature that does not recirculate water, washing of vehicles without a shutoff device on the hose; and that no outdoor landscaping that uses potable water be irrigated more than two (2) times per week; and
3. Violation of the requirements of this resolution shall constitute a misdemeanor, subject to the following penalties:
 - a. Each violation of this resolution may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding \$600, or by both as provided in Water Code section 71644.
 - b. Each day that a violation occurs is a separate offense.
 - c. Administrative penalties may be levied for each violation of a provision of this resolution in accordance with Water Code section 71590.
4. This emergency water shortage condition shall be presumed to continue unchanged unless and until a contrary finding is made by the Board by resolution or ordinance; and
5. The District requests that federal and state agencies provide financial and other assistance to residents, water suppliers, water rights holders, ranchers, farmers, business owners and any local governments who are harmed by the drought emergency in its territorial limits to help them mitigate the effects of the persistent drought conditions.

Passed and adopted this 12th day of August 2014, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 1


(Directors: Bandettini, Benyo, Harris, Reha and Jones)

FORESTVILLE WATER DISTRICT:



By: Vice-Chair of the Board (Steve Bandettini)

ATTEST:



Clerk, Judy D. Evans

M/MF/jc: File Name = Resolution #357 (adopted 8-12-14)

CITY OF HEALDSBURG

RESOLUTION NO. 8- 2014

A RESOLUTION OF THE CITY COUNCIL DECLARING A WATER SHORTAGE EMERGENCY AND AUTHORIZING AND DIRECTING STAFF TO TAKE THE NECESSARY ACTION TO IMPLEMENT STAGE 2 MANDATORY WATER CONSERVATION MEASURES AS CONTAINED IN THE HEALDSBURG MUNICIPAL CODE

WHEREAS, on May 1, 2013 the State Water Resources Control Board (SWRCB) adopted an urgency order approving temporary urgency changes to minimum in-stream flows in the Russian River at the request of the Sonoma County Water Agency; and

WHEREAS on December 31, 2013 the SWRCB further restricted the flows of the Russian River to preserve storage levels of Lake Mendocino; and

WHEREAS, the reduction in minimum in-stream flows authorized by the SWRCB will affect the City's ability to provide water to its residents and businesses; and

WHEREAS, it is in the best interest of all parties that rely on the Russian River for their water supply to work together for water conservation during declared water shortage years; and

WHEREAS, based on the orders of the SWRCB and water supply and delivery projections, staff has determined an overall system-wide reduction of 20 percent is necessary and therefore it is appropriate for the City Council of the City of Healdsburg to consider formal measure for water conservation within the corporate limits of Healdsburg; and

WHEREAS, on January 21, 2014 the City Council of the City of Healdsburg received the report from the Public Works Department recommending that Stage 2 water conservation measures should be implemented.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Healdsburg hereby declares that there is a water shortage due to lack of annual rainfall within the Russian River watershed and it is necessary to implement water conservation measures; and

BE IT FURTHER RESOLVED that staff is authorized and directed to take the necessary steps to implement Stage 2 mandatory water conservation measures as contained in the Healdsburg Municipal Code to achieve a twenty percent reduction in water consumption over last year and appoints the City Manager or designee to work with the Sonoma County Water Agency on the preparation of any reports required under the urgency order adopted by the SWRCB.

PASSED, APPROVED AND ADOPTED this 21st day of January 2014 by the following vote:

AYES: Councilmembers: (5) Chambers, Jones, McCaffery, Plass and Mayor Wood

NOES: Councilmembers: (0) None

ABSENT: Councilmembers: (0) None

ABSTAINING: Councilmembers: (0) None

SO ORDERED:

ATTEST:

James D. Wood, Mayor

Maria Curiel, City Clerk

MARIN MUNICIPAL WATER DISTRICT

ORDINANCE NO. 427

**AN ORDINANCE AMENDING TITLE 13 OF THE MARIN MUNICIPAL
WATER DISTRICT CODE ADDING ANOTHER ELEMENT OF THE DISTRICT'S
WATER CONSERVATION PROGRAM PURSUANT TO WATER CODE
SECTION 375 BY ADDING SECTIONS 13.02.02(1) (G) & (F) AND (4) TO TITLE 13, CHAPTER 13.02
SECTION 13.02.020 ENTITLED "WATER WASTE PROHIBITIONS," OF THE DISTRICT CODE**

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT AS FOLLOWS:

SECTION 1. Purpose: The purpose of this ordinance is to adopt another element of the District's water conservation program pursuant to Water Code Section 375. This element addresses outdoor water use. Conservation within the District's service area continues to be necessary, as on April 25, 2014 Governor Brown issued an executive order (Governor's Proclamation No. 1-17-2014) to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water and reduce their consumption by 20 percent. On July 15, 2014 the California State Water Resources Control Board via Resolution No. 2014-0038 adopted California Code of Regulations Title 23 Sections 863, 864 and 865 which impose certain obligations on urban water suppliers. The Board of Directors views this conservation program as a fundamental and necessary step in its on-going efforts to reduce overall water use District-wide and comply with those state regulations.

SECTION 2. Amendments: Section 13.02.020 (1) (F) and 1(G) and Section 13.02.020 (4) are added to Section 13.02.020 entitled "Water Waste Prohibitions" to read as follows:

13.020.02 Water waste prohibitions.

- (1) Prohibited Nonessential uses Applicable to All Consumers. It is unlawful for any person, firm, partnership, association, corporation or political entity to use water from the district for the following nonessential uses:
 - (F) Using a garden hose without a shut-off nozzle.
 - (G) Landscape irrigation between the hours of 9:00 a.m. and 7:00 p.m.
- (4) Exemption from daytime water prohibition: Notwithstanding anything contained in this Title 13, testing and repairing irrigation systems for the purpose of eliminating water waste is permitted during the hours of 9:00am and 7:00pm.

SECTION 3. Findings of Necessity: The Board of Directors, after considering all of the information and testimony presented at its August 19, 2014 meeting finds as follows:

- A. Water is a finite and precious resource.

Ordinance No. 427

- B. On January 17, 2014 Governor Jerry Brown proclaimed a state of emergency to exist in the State of California due to current drought conditions and asked all Californians to reduce their water usage by 20 percent.
- C. The Governor's Proclamation of a State of Emergency highlighted the fact that "...extremely dry conditions have persisted since 2012 and may continue beyond this year and more regularly into the future, based on scientific projections regarding the impact of climate change on California's snowpack."
- D. On April 25, 2014 Governor Brown issued an executive order (Governor's Proclamation No. 1-17-2014) to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water.
- E. That executive order recognized that the magnitude of the severe drought conditions continues to present threats beyond the control of the services, personnel, equipment and facilities of any single local government and requires the combined forces of a mutual aid region or regions to combat and found that under Government Code Section 8558(b) conditions of extreme peril to the safety of persons and property continue to exist in California due to water shortage and drought conditions with which local authority is unable to cope.
- F. On July 15, 2014 the State Water Resources Control Board adopted California Code of Regulations Title 23, Section 863, 864 and 865 which require urban water suppliers to implement certain drought emergency water conservation measures.
- G. Section 864 of the emergency regulations prohibits several outdoor activities in promotion of water conservation. The District's existing normal year water conservation/landscape ordinance, District Code Title 13 Sections 13.02.020 and 13.02.021, includes three of the four prohibited activities contained in emergency regulation Section 864.
- H. The amendments to District Code Section 13.02.020 contained herein are intended to bring the District's normal year water conservation/landscape ordinance into compliance with the emergency drought regulations and limit outdoor watering during certain times of the day to preserve the water supply.

SECTION 4. Environmental Determination: This project has been reviewed for compliance with the California Environmental Quality Act and qualifies for an exemption under the General Rule section 15061(b) (3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 5. Severability: If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections subsections, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 6. Effective Date: This ordinance shall be effective on the day of its adoption.

Ordinance No. 427

PASSED AND ADOPTED this 19th day of August, 2014, by the following vote of the Board:

AYES: Directors Crosse, Gibson, Koehler, Quintero and Russell

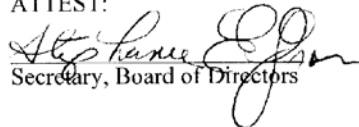
NOES: None

ABSENT: None



President, Board of Directors

ATTEST:


Secretary, Board of Directors

RESOLUTION 14-18

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE NORTH MARIN WATER DISTRICT
IMPLEMENTING THE STATE WATER RESOURCES CONTROL BOARD'S MANDATE ON
URBAN WATER SUPPLIERS TO ACTIVATE THOSE PORTIONS OF THEIR WATER
SHORTAGE CONTINGENCY PLANS RELATED TO MANDATORY RESTRICTIONS ON
OUTDOOR WATER USE.**

WHEREAS, pursuant to California Water Code Section 102, all water in the state is the property of the people of the state; and

WHEREAS, the State Resources Control Board (State Board) is the agency tasked with issuing and monitoring permits to urban water suppliers and others to appropriate water statewide and determining the amount, purpose, place and beneficial use of that water. The North Marin Water District (District) is the beneficiary of multiple State Board permits which authorize the appropriation of waters of the state; and

WHEREAS, Water Code Section 10617 defines "urban water supplier" as a supplier for municipal purposes that serves 3,000 customers or more than 3,000 acre feet annually. Pursuant to Section 10617, the District is an urban water supplier; and

WHEREAS, on July 15, 2014, the State Board adopted Article 22.5 entitled "Drought Emergency Water Conservation Regulations" (California Code of Regulations, Title 23, sections 863, 864, and 865) which makes drought related findings and imposes mandatory requirements on urban water suppliers state-wide; and

WHEREAS, Section 863 of Article 22.5 made the following factual findings related to the current state of drought in California and the Governor's proclamations of emergency related thereto:

1. On January 17, 2014, the Governor proclaimed a state of emergency under the California Emergency Services Act (Act) based on drought conditions;
2. On April 25, 2014, the Governor issued a proclamation of continued state of emergency under the Act based on continued drought conditions existing statewide;
3. The drought conditions forming the base of the Governor's proclamations still exist;
4. The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and
5. The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

WHEREAS, Section 864 of Article 22.5 promotes conservation by prohibiting the following outdoor activities, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency;

1. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
2. The use of a hose that dispensed potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
3. The application of potable water to driveways and sidewalks;
4. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculation system.

WHEREAS, Section 865 of Article 22.5 requires urban water suppliers state-wide to:

1. 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;
2. Prepare and submit to the State Board by the 15th of each month a monitoring report that includes the amount of potable water produced, including potable water provided by a wholesaler, in the preceding calendar month compared to the amount produced in the same calendar month in 2013 and estimate the gallons of water per person per day used by the residential customers it serves.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES AS FOLLOWS:

1. The District's existing Regulation 15, section b. (Water Conservation) and Emergency Water Conservation Ordinance No. 28, enacted on April 1, 2014, contain prohibitions on those uses contained in Section 864 of Article 22.5, and remains in effect.
2. The following use (s) is declared to be non-essential and is prohibited:
 - a. Watering of any lawn, garden landscaped area, tree, shrub or other plant except from a handheld hose equipped with an automatic shut-off nozzle, container or drip irrigation system. Overhead sprinkler irrigation can be used if customer maintains an overall 20% reduction in water use compared to the corresponding billing period in 2013 (Customers using less than 300 gallons per day are permitted to water their landscapes without the required 20% reduction), and properly operates the irrigation system in a non-wasteful manner between the hours of 7:00 p.m. and 9:00 a.m. the next day. If overhead sprinkler water is used in a wasteful manner, the General Manager may prohibit sprinkling by that customer.
3. In response to the mandate in Section 865 in Article 22.5, the Board directs staff to implement those water conservation measures governing restrictions on outdoor water use described above. In addition, the Board leaves in full force and effect


Regulation 15 Section b., and Emergency Water Conservation Ordinance No. 28. These will ensure continued water conservation on compliance with the mandate contained in Article 22.5. Enforcement will be in accordance with existing provisions of Regulation 15, Section b., and Emergency Water Conservation Ordinance No. 28.

4. The Board directs staff to comply with the reporting requirements noted in Section 865 or Article 22.5.
5. The provisions of this Resolution shall remain in effect as long as Article 22.5 remains in effect.

* * * * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the fifth of August 2014, by the following vote:

AYES:	Director Baker, Fraites, Petterle, Rodoni, Schoonover
NOES:	None
ABSENT:	None
ABSTAINED:	None



Katie Young, District Secretary
North Marin Water District

(SEAL)

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Agenda Item #5.A



DATE: **September 8, 2014**

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Dan St. John, F.ASCE – Director, Public Works and Utilities
Leah Walker – Environmental Services Manager

SUBJECT: Resolution Authorizing the City Manager to Implement the City’s Water Shortage Contingency Plan, Stage 1 as Amended, as Mandated by the State Water Resources Control Board within the Area Served by the City of Petaluma Public Water System and Repeal and Replace Resolution No. 2014-045

RECOMMENDATION

It is recommended that the City Council Approve a Resolution to Implement of the City’s Water Shortage Contingency Plan, Stage 1 as Amended herein, as Mandated by the State Water Resources Control Board (SWRCB) within the Area served by the City of Petaluma Public Water System and Repeal and Replace Resolution No. 2014-045.

BACKGROUND

On January 17, 2014, Governor Brown declared a drought state of emergency. On February 3, 2014 the Water Advisory Committee (WAC) of the Sonoma County Water Agency (SCWA) adopted a resolution supporting Governor Brown’s drought proclamation. The City of Petaluma, on March 3, 2014, adopted Resolution No 2014-045 “Declaring a Water Shortage Emergency and Implementation of Stage 1 of the City’s Water Shortage Contingency Plan”. Stage 1 customer mandates include: hose-end shut-off nozzles required on all garden and utility hoses; water served in restaurants on request only; and pavement wash down only allowed for health and safety purposes. These mandates were in addition to municipal code requirements. Chapter 15.17 prohibits use of potable water for washing hard surfaces by direct hosing without a shut-off nozzle, except for health and safety reasons, for irrigation that results in runoff or over-spray, for washing cars without a shutoff nozzle and for use in water features without recirculation.

On April 25, 2014 the Governor signed an Executive Order calling on the State to redouble drought actions. Among other things, the Executive Order provides that: “The Water Board shall direct urban water suppliers that are not already implementing drought response plans to limit outdoor irrigation and other wasteful water practices such as those identified in this Executive

Agenda Review:

City Attorney _____ Finance Director _____ City Manager  1

Order. The Water Board was directed to adopt emergency regulations as it deems necessary, pursuant to Water Code section 1058.5, to implement the Governor's directive."

Water Code section 1058.5 grants the 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, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports."

On May 23, 2014 the SWRCB surveyed more than 400 urban water suppliers to ascertain the degree and effectiveness of their urban water conservation actions. The State Water Board held a board meeting on June 17, 2014, which was attended by the City Water Conservation Coordinator, to receive an update on the survey results and descriptions of urban water conservation efforts being carried out by urban water suppliers. The survey indicated that water conservation efforts state-wide had not produced the reductions targeted in the Governor's January declaration.

On July 15, 2014, the SWRCB adopted a resolution enacting emergency regulations adding Article 22.5, Section 863, 864 and 865, to Title 23 of the California Code of Regulations. Key provisions of the proposed emergency regulations prohibit certain outdoor water use practices and require urban water suppliers to implement "the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water." In addition, water suppliers with 3,000 or more service connections must provide monthly data on water production.

The regulations specifically prohibit the following activities except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
- The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- The application of potable water to driveways and sidewalks; and
- The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

The regulations also specify that the taking of any action prohibited in the regulations, in addition to any other applicable civil or criminal penalties, is an infraction punishable by the State, by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs by the State. While the City is not required by the SWRCB action to adopt a similar fine structure, on November 17, 2008, Council adopted a resolution updating the schedule of penalties for administrative citations for violation of the Petaluma Municipal Code (PMC) that sets penalties for first, second and third violations at \$100, \$500, and \$1000, respectively.

The City Council adopted the Water Shortage Contingency Plan (WSCP) in 2011 with the Urban Water Management Plan. The WSCP outlines four progressive stages to achieve water demand reductions during a water supply shortage. Stage 1 was previously adopted by City Council Resolution on March 3, 2014 calling for a community-wide effort to achieve 20% reduction in water use.

DISCUSSION

The purpose of the recommended Council action is to assure compliance with the SWRCB’s recent Emergency Regulations. While staff believes that the Council’s action in March with the initial adoption of Stage 1 complies with the “letter of the law”, the proposed action adds important tools, time of day water restrictions, to the water conservation effort; and also sets an end date to coincide with the SWRCB action.

The City and our “principle contractor” partners with the SCWA have achieved better conservation results than seen elsewhere in California. Since adoption of Stage 1 in March in response to the Governor’s emergency declaration in January the City has recorded a year over year reduction of 14.6% with monthly results of total rates purchased from SCWA plus pumped from City wells as follows:

March 2014	April 2014	May 2014	June 2014	July 2014
-13%	-20%	-19%	-6%	-15%

While these results fall short of our 20% goal, they represent a significant effort by our community to meet the drought challenge especially considering that many of our citizens had already taken critical steps to reduce water usage through the first two years of the current three year drought. Petaluma and its SCWA partners are facing “demand hardening” where the next increment of conservation becomes increasingly difficult.

On July 15, 2014, the San Jose Mercury News reported the results of the SWRCB survey of water purveyors’ that compared the three year average of May water demands from 2011 thru 2013 to May 2014 demands. The statewide average reduction was in fact a 1% increase while the Bay Area and North Coast regions reported decreases of 5% and 12%, respectively. In contrast, the City’s May 2011 to 2013 average compared to May 2014 decreased 7%.

Nevertheless, given the severity of the drought, the City should increase its efforts, such as implementing time of day irrigation restrictions and encouraging higher vigilance by staff and citizens to achieve further reductions in water demand. In addition, staff has established maximum limits to water haulers that fill trucks and trailers with potable water for use on construction sites and other purposes to incentivize conservation. These limits are based on historic needs and are intended to prevent the increase in usage by certain commercial haulers. With adoption of the proposed resolution, the following mandatory restrictions to outdoor irrigation and potable water use will be in place:

1. No irrigation of ornamental landscapes or turf with potable water between the hours of 8:00 a.m. and 7:00 p.m.
2. Hose-end shut off nozzles required on all garden and utility hoses to include washing cars, boats, and trailers.
3. No application of potable water for washing down pavement by direct hosing without a shutoff nozzle, except for health and safety including sanitation. Use of low flow pressure washers is encouraged.
4. No runoff or overspray caused by outdoor irrigation.
5. No water used for non-recycling water features such as fountains.
6. Irrigation accounts cannot exceed allocated water budgets by more than twenty percent.
7. To remain consistent with the action taken by the SWRCB, the proposed resolution to re-implement Stage 1 of the City's Water Shortage Contingency Plan would end (i.e. "sunset") on April 25, 2015 unless Emergency Regulations are extended or ended earlier by the SWRCB.

Items 2, 3, 4 and 5 are substantially the same requirements adopted by the State in the Emergency Regulations. Item 1 sets further limits on outdoor irrigation as promoted by the SWRCB. The City is proposing to go further than mandated by the State to set additional requirements and increase awareness of the severity of the drought. This will increase the likelihood that the City will achieve a 20% reduction in water demands.

Staff is stepping up a public information campaign in the following areas:

1. Circulating educational materials as bill inserts.
2. Providing technical support to customers.
3. Staffing information booths at fairs and other public venues.
4. Increased use of media with news releases.
5. Seek voluntary reporting of potential water wasting from the public.
6. Enlist all City departments to report observed potential water wasting to the Water Conservation Hotline and email portals.
7. Expand water conservation staff: a full-time Environmental Services Technician was upgraded from part-time technician on July 1 to allow greater focus on water conservation.
8. Initiate early morning monitoring to identify properties with irrigation water runoff.
9. Set specific water conservation goals for City's LAD landscape contractors and irrigation accounts.
10. Continued participation with the Sonoma Marin Water Saving Partnership including: "There's a Drought On, Turn the Tap Off" campaign featuring print, radio, movie ads; public events at fair, workshops, and Town Hall meetings; and drought drive up events.

Specifically, staff has conducted the following outreach:

1. Direct Mailings: 3 post cards sent to all customers beginning March 2014. Additional post cards will be sent regularly throughout the drought period.
2. Message at this year's Sonoma-Marin fair display focused on the drought.
3. Monthly Argus ads began running in March 2014 and have continued.
4. Argus ads will increase to weekly beginning Sept 2014.
5. "Before the Movie" ads began running March 2014 and will continue.

6. Four public workshops have been conducted since March 2014 – each workshop attendee was provided drought information and given ways to conserve water – approximately 230 attendees attended at the workshops.
7. Social media posts have included drought related messages – this effort will increase to every Thursday effective immediately.
8. Signs at City parks being installed say “Please Tolerate our Thirsty Lawns During This Period of Drought”.
9. A drought banner will be displayed at D St., Kentucky St. and McDowell Shopping Center when space is available.

Staff will exercise progressive enforcement of the mandatory irrigation restriction in accordance with the 2008 resolution addressing administrative citation for violation of the PMC; and PMC 15.16.100, Enforcement and Fees, as follows:

1. Personal contact: Education and technical support provided. If no one is home, a door hanger indicating the nature of the violation is provided. Customer is given 72 hours or less as appropriate to mitigate violation.
2. If personal contact is not successful: Provide written notice of the violation including date when correction must be complete. Copy of notice is sent by certified mail.
3. First violation under administrative penalty resolution: If correction not made in accordance with written notice, apply fine of \$100.
4. Second violation within 36 months under administrative penalty resolution: If correction not made or recurrence of violation a fine of \$500.
5. Third violation within 36 months under administrative penalty resolution: Fine of \$1,000.
6. In addition to issuing a notice of violations, if appropriate: Shut off water service until verification of correction is made. Cost of shut off and turn on is an additional \$60.

Note that the City’s administrative fines are more onerous than those adopted by the SWRCB in the Emergency Regulations.

The proposed action will meet Council Goal: “Plan for the future”.

FINANCIAL IMPACTS

The financial impacts of implementing the Stage 1 plan, as amended include:

1. Reduction of revenue from commodity charges: For the four month period ending July 31, 2014, revenue was down 7.4 percent, a reduction of \$328,440 over same period last year. As a partial offset, the cost of purchasing water from SCWA decreased about \$285,000 during the same period. The net effect is approximately \$10,600 per month net of income to the Water Enterprise.
2. Increase resources: Implementation of Stage 1 as amended will require additional administrative and environmental service technician time to deal with increased vigilance related to higher demand for house calls, more water waste monitoring, additional mailers to irrigation customers, and enforcement. While plans are still developing, staff expects

to spend an additional \$40,000 for temporary labor, advertising, and consulting services through the end of Stage 1, as amended, declaration.

The net fiscal impact of the proposed action is being calculated and appears to be within the budget for the water conservation cost center of the water enterprise fund.

ATTACHMENTS

1. Resolution
2. State Water Resources Control Board (SWRCB) July 15, 2014 Resolution and Emergency Regulations

Attachment 1

RESOLUTION AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE CITY'S WATER SHORTAGE CONTINGENCY PLAN, STAGE 1 AS AMENDED, AS MANDATED BY THE STATE WATER RESOURCES CONTROL BOARD WITHIN THE AREA SERVED BY THE CITY OF PETALUMA PUBLIC WATER SYSTEM AND REPEAL AND REPLACE RESOLUTION NO. 2014-045

WHEREAS, the City of Petaluma is a City empowered to provide water service within certain boundaries; and

WHEREAS, calendar year 2013 was the lowest rainfall year on record in 120 years; and

WHEREAS, due to this water supply shortage, a water shortage emergency exists and a reduction in demand is required to ensure adequate supply in 2014 and beyond; and

WHEREAS, on January 17, 2014 Gov. Edmund G. Brown, Jr. declared a drought state of emergency and directed state and local officials to take all necessary actions to conserve water; and

WHEREAS, the Restructured Agreement for Water Supply, executed on June 23, 2006, by and between the Sonoma County Water Agency (SCWA), the Cities of Cotati, Petaluma, Rohnert Park, Santa Rosa, and Sonoma, the North Marin and Valley of the Moon Water Districts and the Town of Windsor, collectively known as the Water Contractors, created the Water Advisory Committee and Technical Advisory Committee; and

WHEREAS, the Water Contractors, along with SCWA and Marin Municipal Water District, are members of the Sonoma-Marin Saving Water Partnership, through which these members have joined together to provide a regional approach to water use efficiency; and

WHEREAS, on February 3, 2014, the Water Advisory Committee of the SCWA approved a Resolution supporting the Sonoma Marin Saving Water Partnership Efforts and Governor Jerry Brown's Emergency Drought Declaration that includes seeking 20% voluntary conservation and recommended that all principal SCWA contractors follow suit with their respective governing boards; and

WHEREAS, on March 3, 2014, the City Council adopted Resolution No 2014-045 "Declaring a Water Shortage Emergency and Implementation of Stage 1 of the City's Water Shortage Contingency Plan"; and

WHEREAS, on April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. The executive order finds that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was reported to be under "extreme" drought conditions at the end of June; and

WHEREAS, On July 15, 2014 the State Water Resources Control Board (SWRCB) adopted Resolution No. 2014-0038 enacting Article 22.5, Sections 863, 864 and 865 to Title 23 of the California Code of Regulations, emergency regulations for mandatory statewide urban water conservation that sets certain requirements for urban water suppliers to meet; and

WHEREAS, the City of Petaluma has satisfied the mandates of SWRCB Resolution No. 2014-0038 through its Water Conservation Ordinance that prohibits water waste for all water use classifications and implementation of Stage 1 of the City's Water Shortage Contingency Plan, which establishes a 20% reduction target in water use by all customers served by the City's potable water distribution system; and

WHEREAS, the City of Petaluma has adopted a resolution updating the schedule of penalties for administrative citations for violations of the Petaluma Municipal Code including violation of the Water Conservation Ordinance; and

WHEREAS, the City of Petaluma has the authority and responsibility to adopt water demand reduction measures within its area of service; and

NOW, THEREFORE, BE IT RESOLVED that the City Council declares that under the current water shortage conditions, a water shortage emergency continues to exist and in order to satisfy the water conservation goal of SWRCB Resolution No. 2014-0038 and Sections 863, 864 and 865 to Title 23 of the California Code of Regulations, all requirements and actions of Stage 1 of the City's Water Shortage Contingency Plan will be immediately re-implemented as amended as follows:

1. Resolution No. 2014-045 is hereby repealed and replaced with this Resolution.
2. Under the current water shortage conditions, a water shortage emergency exists and Stage 1 of the City's Water Shortage Contingency Plan shall be implemented immediately, with the following amendments:
 - a. Stage 1 shall establish a water demand reduction goal of 20 percent; and
 - b. Stage 1 shall include a mandate to limit irrigation to the hours of 7:00 p.m. to 8:00 a.m. for all customers.
 - c. Stage 1, as amended, shall remain in effect until the SWRCB determines that the Emergency Regulations are no longer necessary due to changed conditions or unless it renews the regulations due to continued drought. In the absence of this, the Stage 1, as amended, declaration ends on April 25, 2015.

Attachment 2

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0038

TO ADOPT AN EMERGENCY REGULATION
FOR STATEWIDE URBAN WATER CONSERVATION

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. The executive order finds that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity if drought conditions continue into 2015. The National Integrated Drought Information System reported that nearly 80% of the state was reported to be under "extreme" drought conditions at the end of June;
2. The executive order refers to the Governor's Proclamation No. 1-17-2014, issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State's dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California's rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on;
4. Water Code section 1058.5 grants the State Water 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, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";
5. Over 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water, and fish and wildlife will suffer.

9

6. Many Californians have taken bold steps over the years and in this year to reduce water use; nevertheless, the dire nature of the current drought requires additional conservation actions from residents and businesses. Some severely affected communities have implemented water rationing, limiting water use in some cases to only 50 gallons per person per day, foregoing showers, laundry, toilet flushing, and all outdoor watering.
7. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required ;
8. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water;
9. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
11. The emergency regulations set a minimum standard requiring only modest lifestyle changes across the state. Many communities are already doing more and have been for years. They should be commended, but can and should do more. Others are not yet doing so and should at least do this, but should do much more given the severity of the drought;
12. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
13. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation;
14. As discussed above, the State Water Board is adopting the emergency regulation because of emergency drought conditions, the need for prompt action, and current limitations in the existing enforcement process;

15. Disadvantaged communities may require assistance in increasing water conservation and state agencies should look for opportunities to provide assistance in promoting water conservation;
16. Nothing in the regulations or in the enforcement provisions of the regulations, preclude a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulations adopted by this resolution and local agencies retain their enforcement discretion in enforcing the regulations, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, sections 863, 864, and 865, as appended to this resolution as an emergency regulation;
2. The State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes;
4. These regulations shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulations and their effect;
6. Directs State Water Board staff to condition funding upon compliance with the emergency regulations, to the extent feasible;
7. Directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations; and
8. Directs State Water Board staff in developing an electronic reporting portal to include data fields so that local agencies may provide monthly reporting data on (i) conservation-related implementation measures or enforcement actions taken by the local agency and (ii) substitution during the drought of potable water with recycled water to extend water supplies.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board commends water suppliers that have increased conservation messaging and adopted innovative strategies to enhance customer awareness of water use, such as applications that let customers compare their water use to water use by others; reduce system losses, such as fixing system leaks which can deplete supplies by 10 percent or more; and establish incentives to reduce demand, such as tiered or drought rate structures. The State Water Board also commends all Californians that have already been working to maximize their conservation efforts, both at home and at work;
10. The State Water Board calls upon water suppliers to take the following actions:

Educate customers and employees

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in their customer communications;
- All water suppliers should train personnel on the regulations;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should redouble their efforts to disseminate information regarding opportunities and incentives to upgrade indoor fixtures and appliances;
- All water suppliers should use education and the tools available through the Save Our Water website (<http://saveourwater.com>); and
- All water suppliers should educate and prepare their boards and councils on the drought response actions contained in the emergency regulations and in this resolution, and to make sure that drought response items are placed on agendas as early as possible;

Increasing local supplies

- All water suppliers should accelerate the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water, "greywater," and stormwater collection projects;
- All water suppliers should improve their leak reporting and response programs and request that police and fire departments and other local government personnel report leaks and water waste that they encounter during their routine duties/patrols;
- Smaller water suppliers – those with fewer than 3,000 service connections – should take proactive steps to secure their communities' water supplies and educate their customers about water conservation and the status of their supply reserves;
- All water suppliers should conduct water loss audits and make leak detection and repair a top priority for the duration of the drought; and
- All urban water suppliers should evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. Information and assistance on setting and implementing drought rates is available from the Alliance for Water Efficiency. (<http://www.allianceforwaterefficiency.org/>).

11. The State Water Board calls on all Californians to take the following additional actions:
 - Further reduce water demand, whether by using less water in daily routines indoors and out, retrofitting appliances and installing greywater and rainwater catchment systems; and
 - Check residential and business water bills to see if there are high charges that may indicate a leak and to fix the leak, if they are able, or contact their local water utility if they need assistance.
12. The State Water Board encourages its staff, the Department of Water Resources, the Public Utilities Commission, urban water suppliers, and other local agencies to look for opportunities to encourage and promote new technologies that reduce water usage, including through timely access to water usage information and behavioral response.
13. The State Water Board encourages all state and local agencies to look for additional opportunities to minimize potable water use in outdoor spaces.
14. The State Water Board encourages investor-owned utilities to expeditiously submit applications for implementation of the regulations to the California Public Utilities Commission.

CERTIFICATION

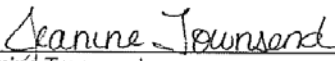
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 15, 2014.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: Board Member Tam M. Doduc

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

PROPOSED TEXT OF EMERGENCY REGULATIONS

Article 22.5. Drought Emergency Water Conservation

Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions:

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions:

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist:

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. 864 Prohibited Activities in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Sec. 865 Mandatory Actions by Water Suppliers

(a) The term "urban water supplier," when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall 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.

(2) As an alternative to subdivision (b)(1), an urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.

11. The State Water Board calls on all Californians to take the following additional actions:
 - Further reduce water demand, whether by using less water in daily routines indoors and out, retrofitting appliances and installing greywater and rainwater catchment systems; and
 - Check residential and business water bills to see if there are high charges that may indicate a leak and to fix the leak, if they are able, or contact their local water utility if they need assistance.
12. The State Water Board encourages its staff, the Department of Water Resources, the Public Utilities Commission, urban water suppliers, and other local agencies to look for opportunities to encourage and promote new technologies that reduce water usage, including through timely access to water usage information and behavioral response.
13. The State Water Board encourages all state and local agencies to look for additional opportunities to minimize potable water use in outdoor spaces.
14. The State Water Board encourages investor-owned utilities to expeditiously submit applications for implementation of the regulations to the California Public Utilities Commission.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 15, 2014.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: Board Member Tam M. Doduc

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

PROPOSED TEXT OF EMERGENCY REGULATIONS

Article 22.5. Drought Emergency Water Conservation

Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

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(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

PROPOSED TEXT OF EMERGENCY REGULATIONS

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(a) The term "urban water supplier," when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall 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.

(2) As an alternative to subdivision (b)(1), an urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.

ORDINANCE SUMMARY

SUMMARY OF ORDINANCE NO. 880 OF THE CITY OF ROHNERT PARK, CALIFORNIA, APPROVING AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA, AS AN URBAN WATER SUPPLIER, PROHIBITING CERTAIN ACTIVITIES THAT WASTE WATER AND IMPLEMENTING MANDATORY RESTRICTIONS ON OUTDOOR IRRIGATION TO PROMOTE WATER CONSERVATION AND TO BECOME EFFECTIVE IMMEDIATELY

Pursuant to Government Code Section 36933(c), the following constitutes a summary of Ordinance No. 880 scheduled for consideration and adoption by the Rohnert Park City Council on August 26, 2014, at its meeting to be held in the City Council Chambers, 130 Avram Avenue., Rohnert Park, California.

The purpose of Ordinance No. 880 is to comply with the State Water Resources Control Board's Emergency Regulation for Statewide Water Conservation. The Ordinance regulates water use by:

- Imposing the prohibitions included in the state's emergency regulation including:
 - washing hardscapes
 - washing cars without a shutoff nozzle
 - irrigation runoff
 - decorative water features
- Restricting outdoor water use in accordance with the state's emergency regulation by:
 - Restricting residential irrigation use to between the hours of six pm and eight am (6 pm and 8 am)
 - Restricting potable water use through a dedicated irrigation meter to the hours of six p.m. and eight a.m. (6 pm and 8 am) and to an amount no greater than eighty percent (80%) of historical net evapotranspiration-based demand for the square footage of the irrigated area
 - Requiring inspections of all irrigation systems, repairing of leaks, and adjustment of spray heads to provide optimum coverage and eliminate avoidable over-spray
 - Requiring that when irrigation control valves are used, sprinkler system run times vary consistent with fluctuations in weather
 - Requiring reduced run-time for each irrigation cycle if water begins to run-off to gutters and ditches before the irrigation cycle is completed
- Encouraging voluntary efforts to:
 - Limit irrigation use to no more than two days per week
 - Utilize water conservation incentive, rebate and giveaway programs to replace plumbing fixtures and appliances with more water efficient models
 - Utilize city information regarding water efficient landscapes

The Interim Urgency Ordinance will utilize the enforcement procedures outlined in Municipal Code Section 13.66 including: personal contact with the customer; written notice to the customer and options to install water restricting device or terminate service after notice and hearing. The

Interim Urgency Ordinance provides the City Council with the ability to set a water waste fee by resolution. No fee is proposed at this time.

A certified copy of the full text of the Ordinance is posted and available for review in the City Clerk's Office at 130 Avram Avenue, Rohnert Park, California.

This ordinance shall be in full force and effective immediately upon its adoption, and shall be published and posted as required by law.

Dated: August 13, 2014
Published: August 15, 2014

JoAnne M. Buergler
City Clerk



ITEM NO. 8

Mission Statement

"We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow."

**CITY OF ROHNERT PARK
CITY COUNCIL AGENDA REPORT**

Meeting Date: August 26, 2014
Department: Development Services
Submitted By: Marilyn Ponton, Interim Director of Development Services
Prepared By: Mary Grace Pawson PE, City Engineer
Agenda Title: Approve an Interim Urgency Ordinance of the City Council of the City of Rohnert Park, California, as an Urban Water Supplier, Prohibiting Certain Activities that Waste Water and Implementing Mandatory Restrictions on Outdoor Irrigation to Promote Water Conservation and to become Effective Immediately and Make CEQA Exemption Findings

RECOMMENDED ACTION: Approve an Interim Urgency Ordinance of the City Council of the City of Rohnert Park, California, as an Urban Water Supplier, Prohibiting Certain Activities that Waste Water and Implementing Mandatory Restrictions on Outdoor Irrigation to Promote Water Conservation and to become Effective Immediately

BACKGROUND:

California is experiencing a serious drought with rainfall for 2013 being recorded as the lowest on record in 120 years; consequently, a statewide drought emergency was declared by Governor Brown on January 17, 2014. On February 11, 2014, and in response to the Governor's declaration, the City Council approved Resolution 2014-12 encouraging its residents to reduce water use by twenty percent. To assist in meeting this goal, the City participates in the Sonoma Marin Water Saving Partnership (Partnership) which includes the cities of Cotati, Petaluma, Rohnert Park, Santa Rosa and Sonoma, the Town of Windsor and the Marin Municipal, North Marin and Valley of the Moon Water Districts. The members of the Partnership report regularly on per capita water use and the City is currently achieving the lowest per capita use of all the partners (see Exhibit A - Sonoma Marin Water Saving Partnership Per Capita Water Use Report).

On Tuesday, July 15, in response to the continuing severity of the drought, the State Water Resources Control Board (State Water Board) approved Resolution No. 2014-0032, which includes new California Code of Regulations Title 23, Sections 863, 864 and 865, an emergency regulation to ensure urban water suppliers, their customers and state residents increase water conservation in urban settings or face possible fines or other enforcement (see Exhibit B – State Water Board Emergency Regulation). The State Water Board Emergency Regulation became effective August 1, 2014, will be in effect for 270 days, unless extended, and is intended to reduce outdoor urban water use and mandates minimum actions to conserve water supplies both for this year and into 2015. Urban water suppliers, like the City, must comply with this requirement within 30 days of the Emergency Regulation's effective date of August 1, 2014.

ITEM NO. 8

The Emergency Regulation includes both prohibitions and restrictions on outdoor water use. The “prohibitions” (Section 864(a) (1)-(4)) include:

- washing down driveways and sidewalks;
- watering of outdoor landscapes that causes excess runoff;
- using a hose to wash a motor vehicle, unless the hose is fitted with a shut-off nozzle; and
- using potable water in a fountain or decorative water feature, unless the water is recirculated.

The Emergency Regulation makes an exception for health and safety circumstances.

The “restrictions” (Section 865(b) (1)) include a requirement that urban water suppliers, such as Rohnert Park, “implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation...”

The Emergency Regulation also provides a process that would allow local agencies to ask the courts to fine water users up to \$500 a day for failure to implement conservation requirements. This new authority is in addition to any existing authorities and processes that local agencies have already developed.

Finally, the Emergency Regulation requires water suppliers to report water use on a monthly basis to track progress towards reducing use by twenty percent from 2013 levels.

The State Water Board could initiate enforcement actions against water suppliers that do not comply with the new regulation. Failure to comply with a State Water Board enforcement order could result in penalties up to \$10,000 a day for the City.

ANALYSIS:

The City of Rohnert Park is an urban water supplier as defined in Water Code Section 10617 and is subject to the State Water Board’s emergency regulation. Because it is an urban water supplier, the City has adopted prohibitions against water waste (Municipal Code Section 13.62).

The City has also adopted a Water Shortage Emergency Plan (Municipal Code Section 13.66), which was submitted as the “water shortage contingency plan” in the City’s 2010 Urban Water Management Plan. The California Department of Water Resources has approved the City’s Water Shortage Emergency Plan as its “water shortage contingency plan”. The City has existing enforcement processes codified in both Section 13.62 and 13.66 of the Municipal Code. These enforcement processes are similar, but not identical, and generally emphasize customer education with options to impose a water waste fee, install a flow restricting device or terminate service. Both sections of the Municipal Code allow the City Council to establish a water waste fee by resolution, which has not been done.

The Municipal Code has evolved over time, in response to changes in state law. While the Water Shortage Emergency Plan (Municipal Code Section 13.66) has been approved by the Department of Water Resources as part of the City’s Urban Water Management Plan, the prohibitions and restrictions outlined in the Municipal Code do not align exactly with the state’s emergency regulation.

ITEM NO. 8

There is need for some flexibility in selecting the exact strategy to be used to respond to a particular water shortage situation. The action by the State Water Resources Board imposes requirements on the City to initiate measures, specifically, elements of its “water shortage contingency plan”, which normally would only be triggered after certain milestones have been met, such as a system-wide shortage of water (declared by the wholesaler) followed by a City Council declaration of local water shortage emergency. Here, while both the City and its wholesale supplier have actively encouraged voluntary conservation by customers, neither the City nor its wholesale supplier has declared a local water shortage emergency. To comply with the State Water Board’s emergency regulations and maintain the Council’s discretion to craft water measures that are responsive to local conditions, staff recommends that the Council to adopt an Interim Urgency Ordinance that augments our current Municipal Code with a set of prohibitions and restrictions that are tailored to comply with the specific requirements of the State Water Board’s Emergency Regulation and that are enforced uniformly. The ordinance is crafted as an urgency ordinance so that it will become effective immediately (as opposed to traditional ordinances which are effective 30 days after second reading) consistent with the Governor’s declaration of the state of emergency and the directive of the State Water Board. It is crafted as an interim ordinance because it is designed to be in place only for so long as the Emergency Regulations are in effect, which is currently 270 days, although that period may be extended by the State Water Board.

Specifically this Interim Urgency Ordinance will:

- Impose the prohibitions included in the state’s emergency regulation including:
 - washing hardscapes,
 - washing cars without a shutoff nozzle
 - irrigation runoff
 - decorative water features
- Restrict outdoor water use by implementing the provisions of Stage II of our Water Shortage Emergency Plan that make outdoor irrigation restrictions mandatory:
 - Restricting residential irrigation use to between the hours of six p.m. and eight a.m.
 - Restricting potable water use through a dedicated irrigation meter to the hours of six p.m. and eight a.m. and to an amount no greater than eighty percent (80%) of historical net evapotranspiration-based demand for the square footage of the irrigated area
 - Requiring customer inspections of all irrigation systems, repairing of leaks, and adjustment of spray heads to provide optimum coverage and eliminate avoidable over-spray
 - Requiring that when irrigation control valves are used, sprinkler system run times vary consistent with fluctuations in weather
 - Requiring reduced run-time for each irrigation cycle if water begins to run-off to gutters and ditches before the irrigation cycle is completed
- Encouraging voluntary efforts to:
 - Utilize water conservation incentive, rebate and giveaway programs to replace plumbing fixtures and appliances with more water efficient models
 - Utilize city information regarding water efficient landscapes

ITEM NO. 8

The Interim Urgency Ordinance will utilize the enforcement procedures outlined in Municipal Code Section 13.66 including:

- Personal contact
- Written notice
- Options to install water restricting device or terminate service after notice and hearing

The Interim Urgency Ordinance treats violations as infractions, under Section 1.24 of the Municipal Code, which can be subject to abatement under the same Section. Council will retain the ability to set a water waste fee by resolution. Staff is not proposing to set a fee at this time.

Staff has been coordinating with the members of the Sonoma Marin Water Saving Partnership both in order to leverage our existing regional partnership to encourage conservation and to understand how these agencies are implementing the emergency regulation. Of the eight members of the Partnership, two are proposing to declare a “stage” of their existing water shortage emergency plan and the others are proposing some form of resolution or ordinance to make their action consistent with the emergency regulation.

The Council’s Water Issues Subcommittee (the Subcommittee) met on August 6, 2014, and reviewed the State Water Board’s Emergency Regulation and the proposed staff recommendation. The Subcommittee also considered activities to enhance community education and enforcement of the prohibitions and restrictions included in the proposed interim emergency ordinance.

The recommended action will have a fiscal impact for two reasons. First, by adopting the proposed emergency ordinance, the City will be enforcing mechanisms of its Water Shortage Emergency Plan designed to reduce water use by twenty percent, which also reduces water sales revenue. This reduction in revenue is somewhat balanced by the fact that the City may experience lower costs associated with water purchases or groundwater pumping. Secondly, the City’s efforts associated with enforcing the mandatory restrictions and reporting to the state will increase costs. Using enhanced communication between existing staff, particularly field staff that have opportunity to see water waste in their day-to-day work, will help minimize these additional costs. The effect of these cost increases is expected to be relatively short-lived because the Emergency Regulations are only in place for 270 days, unless extended by the State Water Board. In anticipation of future drought emergencies, staff is currently working on a water rate study that will include, among other things, an analysis of “drought rates”. These special rates, which come into effect only when water use is restricted, could help the City manage the fiscal impacts of water shortage emergencies in the future.

This ordinance is not subject to the California Environmental Quality Act (CEQA) for two reasons. The statutory exemption set forth in Section 15269(c) (specific actions necessary to prevent or mitigate an emergency) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, applies because this ordinance is a direct response to the State’s Emergency Regulation. The categorical exemption set forth in Section 15307 (actions by regulatory agencies for protection of natural resources) also applies because the State Water Resources Control Board has mandated that Rohnert Park, as an urban water supplier, protect and conserve the natural resource of water during the severe drought.

ITEM NO. 8

OPTIONS CONSIDERED:

1. Adopt an interim urgency ordinance that clearly prohibits water waste and restricts outdoor water use, consistent with the State Water Board's Emergency Regulation (recommended action)
2. Adopt a resolution declaring Stage 2 of the City's Water Shortage Emergency Plan. This option is not recommended at this time as it does not reflect local conditions and would not be tailored to the requirements of the Emergency Regulation.

FISCAL IMPACT/FUNDING SOURCE:

The recommended action will be funded through the water fund. As noted above, the fiscal impact is expected by relatively short-lived because the Emergency Regulations are in force for 270 days.

Department Head Approval Date: 8/11/14

City Manager Approval Date: 8/13/14

City Attorney Approval Date: 8/11/14

Attachments (*list in packet assembly order*):

1. Interim Urgency Ordinance of the City Council of the City of Rohnert Park, California, as an Urban Water Supplier, Prohibiting Certain Activities that Waste Water and Implementing Mandatory Restrictions on Outdoor Irrigation to Promote Water Conservation and to become Effective Immediately
2. Exhibit A – Sonoma Marin Water Saving Partnership Per Capita Water Use Report
3. Exhibit B – State Water Board Emergency Regulation
4. Ordinance Summary

ORDINANCE NO. 880

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK, CALIFORNIA, AS AN URBAN WATER SUPPLIER, PROHIBITING CERTAIN ACTIVITIES THAT WASTE WATER AND IMPLEMENTING MANDATORY RESTRICTIONS ON OUTDOOR IRRIGATION TO PROMOTE WATER CONSERVATION, TO BECOME EFFECTIVE IMMEDIATELY

THE CITY COUNCIL OF THE CITY OF ROHNERT PARK HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authority. This Ordinance is adopted pursuant to the provisions set forth in Government Code Section 36937(b) and pursuant to other applicable law.

SECTION 2. Findings.

- A. On January 17, 2014 Governor Brown issued Governor's Proclamation No. 1-17-2014 declaring a State of Emergency to exist in California due to severe drought conditions.
- B. February 11, 2014, and in support of the Governor's Proclamation, the City adopted its Resolution Number 2014-12 calling for a voluntary 20% reduction in water use.
- C. On April 25, 2014, Governor Brown issued an executive order to strengthen the state's ability to manage water and habitat effectively in a drought.
- D. On July 15, 2014, the State Water Resources Control Board approved its Resolution No. 2014-0032 To Adopt an Emergency Regulation for Statewide Water Conservation and this emergency regulation includes new California Code of Regulations Title 23, Section 863, 864 and 865 (hereinafter "Emergency Regulation"). These Regulations became effective as of August 1, 2014.
- E. The Emergency Regulation prohibits each of the following actions, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:
 - The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
 - The application of potable water to driveways and sidewalks; and
 - The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

- F. The Emergency Regulation requires that each urban water supplier within 30 days to either implement all requirements and actions of the stage of their Water Shortage Contingency Plan that impose mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water or request approval from the State Water Resources Control Board of an alternate plan that achieves a specified level of conservation.
- G. The Emergency Regulation requires that urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board that includes the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.
- H. The Emergency Regulation is in effect for 270 days, beginning on or about August 1, 2014, and may be extended by the State Water Resources Control Board.
- I. The City of Rohnert Park (City) is an urban water supplier, as that term is defined in Water Code Section 10617.
- J. The City's Water Waste Regulations (Municipal Code Section 13.62) and Water Shortage Emergency Plan (Municipal Code Section 13.66) contain prohibitions and mandatory restrictions to reduce water waste and control outdoor water use.
- K. By adopting this ordinance, the City will both implement the Emergency Regulation and provide clarity to its customers on prohibitions and restrictions that are in effect.
- L. In light of the declaration of a State of Emergency by the Governor and the obligation to implement the Emergency Regulations in a short timeframe, the City considered the adoption of this interim urgency ordinance in accordance with Government Code § 36937 at a duly noticed public meeting on August 26, 2014, at which time it received and considered testimony from members of the public.
- M. Pursuant to Article XI, Section 7 of the California Constitution, the City may make and enforce all regulations and ordinances using its police powers.

SECTION 3. IMPOSITION OF INTERM URGENCY ORDINANCE.

In accordance with the authority granted the City under Government Code section 36937(b), and pursuant to the findings stated herein, the City Council: (1) hereby finds that there exists a current and immediate threat to the public health, safety, and welfare requiring immediate implementation of the Emergency Regulations to promote water conservation during the drought, (2) further finds that this ordinance is necessary for the immediate preservation of the public peace, health, and safety, and (3) hereby declares and imposes the prohibitions on wasting water and restrictions on water use as set forth below.

The City Council of the City of Rohnert Park hereby ordains as follows:

1. To promote water conservation, each of the following actions shall be prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:
 - A. The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
 - B. The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
 - C. The application of potable water to driveways and sidewalks; and
 - D. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

In addition, the prohibition against nonessential uses of water outlined in Chapter 13.62.030 of the Municipal Code remain in effect, except to the extent that those provisions conflict with the prohibitions described above. In the event of a conflict, the prohibitions described above shall govern.

2. To promote conservation, all potable water customers of the city shall comply with the following mandatory restrictions:
 - A. Restrict residential irrigation use to between the hours of six p.m. and eight a.m.
 - B. Restrict potable water use through a dedicated irrigation meter to the hours of six p.m. and eight a.m. and to an amount no greater than eighty percent (80%) of historical net evapotranspiration-based demand for the square footage of the irrigated area.
 - C. Inspect all irrigation systems, repair leaks, and adjust spray heads to provide optimum coverage and eliminate avoidable over-spray.
 - D. When irrigation control valves are used, vary the sprinkler system run times consistent with fluctuations in weather.
 - E. Reduce minutes of run-time for each irrigation cycle if water begins to run-off to gutters and ditches before the irrigation cycle is completed.
3. To promote conservation, all potable water customers of the city are requested to undertake the following voluntary activities:
 - A. Utilize water conservation incentive, rebate and giveaway programs to replace plumbing fixtures and appliances with more water efficient models.
 - B. Utilize city information regarding water efficient landscapes.
4. Any customer of the city may make written application for an exception to this Ordinance. Said application shall describe in detail why applicant believes an exception

is justified. The application shall be processed in accordance with the Section 13.66.060 of the Municipal Code.

5. The violation of each provision of this Ordinance, and each separate violation thereof, shall be deemed a separate offense, and shall be enforced as an infraction in accordance with Chapter 1.24 of the Municipal Code. When undertaking enforcement, the city may take any or all of the actions necessary and proper to ensure compliance, including but not limited to imposing any or all of the fees and charges described in Section 13.66.070 of the Municipal Code. When undertaking enforcement, the city shall comply with the notice and hearing process described in Section 13.66.080 of the Municipal Code.

6. As a remedy, the violation of any provision of this Ordinance by any person who has received more than one written warning to refrain from the same or any other violation under this Ordinance, in one calendar year, shall be deemed and is declared to be a public nuisance and may be subject to abatement in accordance with Chapter 1.24 of the Municipal Code.

7. As an additional remedy and in accordance with the Emergency Regulation, the taking of any prohibited action, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

SECTION 9. Environmental Review.

The City Council finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the statutory exemption set forth in Section 15269(c) (specific actions necessary to prevent or mitigate an emergency) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because this ordinance is a direct response to the State's Emergency Regulation, and pursuant to the categorical exemption set forth in Section 15307 (actions by regulatory agencies for protection of natural resources) because the State Water Resources Control Board has mandated that Rohnert Park, as an urban water supplier, protect and conserve the natural resource of water during the severe drought.

SECTION 10. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 11. Effective Date and Duration. This ordinance is an urgency ordinance enacted under California Government Code sections 36934 and 36937(b). This urgency ordinance is effective upon adoption by a four-fifths (4/5) vote of the City Council. This Ordinance shall remain in full force and effect for a period of two hundred and seventy (270) days from the date of adoption, at which time it will automatically expire, unless it is earlier repealed by the enactment of a new regulatory scheme or extended by the City Council in accordance with applicable law.

SECTION 12. Publication. The City Clerk is directed to cause this ordinance to be published in the manner required by law.

This ordinance was introduced and duly adopted by the City Council of the City of Rohnert Park at the regular meeting held this 26th day of August, 2014 by a four-fifths vote of the City Council as follows:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF ROHNERT PARK

Joseph T. Callinan, Mayor

ATTEST:

JoAnne M. Buergler
City Clerk

APPROVED AS TO FORM:

Michelle M. Kenyon
City Attorney

Exhibit "A"

MEMORANDUM

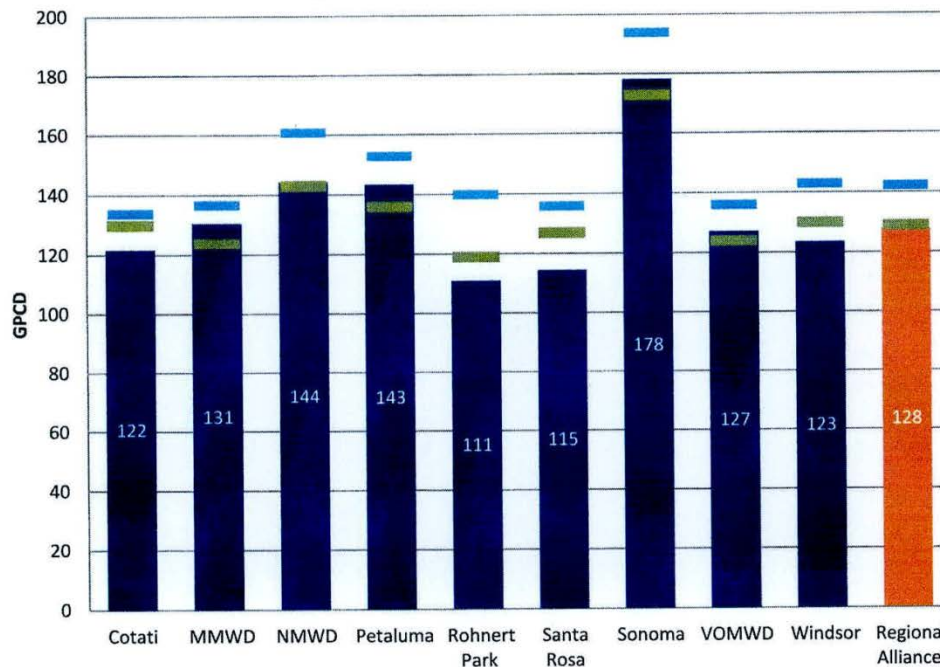
To: Chris DeGabriele, Technical Advisory Committee Chair
 From: Carrie Pollard, Principal Program Specialist, Water Agency
 Subject: UPDATED 2013 Gallon per Capita per Day (GPCD)

May 1, 2014

On May 18, 2011 DWR was notified that a regional alliance has been formed between and among the cities of Santa Rosa, Rohnert Park, Sonoma, Cotati, Petaluma, Town of Windsor and North Marin, Marin Municipal and Valley of the Moon Water Districts to comply with SBx7-7, the Water Conservation Act of 2009. The regional alliance was formed pursuant to the Department of Water Resources Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use because the parties receive water from a common water wholesale supplier, the Sonoma County Water Agency.

The Sonoma-Marín Saving Water Partnership established a regional commitment to work collaboratively on the implementation of appropriate water use efficiency programs. The Partnership is the mechanism used for tracking each water contractor's individual progress towards SBx7-7 compliance and to track the regional status on an annual basis.

The graph and table below show the reported 2013 GPCD, the 2015 Target and the 2020 Target for each water contractor and the region as whole.



	Cotati	MMWD	NMWD	Petaluma	Rohnert Park	Santa Rosa	Sonoma	VOMWD	Windsor	Regional Alliance
2013 GPCD	122	131	144	143	111	115	178	127	123	128
2015 Target	134	137	161	153	140	136	194	136	143	142
2020 Target	130	124	143	136	119	127	173	124	130	129

Exhibit "B"

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2014-0038

TO ADOPT AN EMERGENCY REGULATION
FOR STATEWIDE URBAN WATER CONSERVATION

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an [executive order](#) to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. The executive order finds that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity if drought conditions continue into 2015. The [National Integrated Drought Information System](#) reported that nearly 80% of the state was reported to be under "extreme" drought conditions at the end of June;
2. The executive order refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State's dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California's rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on;
4. Water Code section 1058.5 grants the State Water 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, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";
5. Over 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water, and fish and wildlife will suffer.

6. Many Californians have taken bold steps over the years and in this year to reduce water use; nevertheless, the dire nature of the current drought requires additional conservation actions from residents and businesses. Some severely affected communities have implemented water rationing, limiting water use in some cases to only 50 gallons per person per day, foregoing showers, laundry, toilet flushing, and all outdoor watering.
7. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required ;
8. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water;
9. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
11. The emergency regulations set a minimum standard requiring only modest lifestyle changes across the state. Many communities are already doing more and have been for years. They should be commended, but can and should do more. Others are not yet doing so and should at least do this, but should do much more given the severity of the drought;
12. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
13. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation;
14. As discussed above, the State Water Board is adopting the emergency regulation because of emergency drought conditions, the need for prompt action, and current limitations in the existing enforcement process;

15. Disadvantaged communities may require assistance in increasing water conservation and state agencies should look for opportunities to provide assistance in promoting water conservation;
16. Nothing in the regulations or in the enforcement provisions of the regulations, preclude a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulations adopted by this resolution and local agencies retain their enforcement discretion in enforcing the regulations, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, sections 863, 864, and 865, as appended to this resolution as an emergency regulation;
2. The State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes;
4. These regulations shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulations and their effect;
6. Directs State Water Board staff to condition funding upon compliance with the emergency regulations, to the extent feasible;
7. Directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations; and
8. Directs State Water Board staff in developing an electronic reporting portal to include data fields so that local agencies may provide monthly reporting data on (i) conservation-related implementation measures or enforcement actions taken by the local agency and (ii) substitution during the drought of potable water with recycled water to extend water supplies.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board commends water suppliers that have increased conservation messaging and adopted innovative strategies to enhance customer awareness of water use, such as applications that let customers compare their water use to water use by others; reduce system losses, such as fixing system leaks which can deplete supplies by 10 percent or more; and establish incentives to reduce demand, such as tiered or drought rate structures. The State Water Board also commends all Californians that have already been working to maximize their conservation efforts, both at home and at work;

10. The State Water Board calls upon water suppliers to take the following actions:

Educate customers and employees

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in their customer communications;
- All water suppliers should train personnel on the regulations;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should redouble their efforts to disseminate information regarding opportunities and incentives to upgrade indoor fixtures and appliances;
- All water suppliers should use education and the tools available through the Save Our Water website (<http://saveourwater.com>); and
- All water suppliers should educate and prepare their boards and councils on the drought response actions contained in the emergency regulations and in this resolution, and to make sure that drought response items are placed on agendas as early as possible;

Increasing local supplies

- All water suppliers should accelerate the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water, "greywater," and stormwater collection projects;
- All water suppliers should improve their leak reporting and response programs and request that police and fire departments and other local government personnel report leaks and water waste that they encounter during their routine duties/patrols;
- Smaller water suppliers – those with fewer than 3,000 service connections – should take proactive steps to secure their communities' water supplies and educate their customers about water conservation and the status of their supply reserves;
- All water suppliers should conduct water loss audits and make leak detection and repair a top priority for the duration of the drought; and
- All urban water suppliers should evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. Information and assistance on setting and implementing drought rates is available from the Alliance for Water Efficiency. (<http://www.allianceforwaterefficiency.org/>).

RESOLUTION NO. 28536

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING STAGE 1 – MANDATORY OF THE CITY’S URBAN WATER SHORTAGE CONTINGENCY PLAN REQUIRING CUSTOMERS TO REDUCE COMMUNITY-WIDE WATER USE BY 20% AND AUTHORIZING UTILIZATION OF THE UTILITY’S CATASTROPHIC RESERVE

WHEREAS, the City of Santa Rosa is a City empowered to provide water service within certain boundaries; and

WHEREAS, California is continuing to experience extremely dry conditions and the Governor of the State of California, on January 17, 2014, declared a state-wide drought emergency and requested Californians to voluntarily reduce water use by 20%; and

WHEREAS, on February 11, 2014, the Council of the City of Santa Rosa adopted Resolution No. 28427 requesting Santa Rosa customers reduce water use by 20% community-wide through voluntary conservation; and

WHEREAS, on April 25, 2014, the Governor of the State of California issued an Executive Order directing local water suppliers to redouble efforts to implement water conservation activities; and

WHEREAS, Santa Rosa customers have reduced water use by approximately 16% during the months of March through June 2014 in comparison to the same time in 2013; and

WHEREAS, on July 15, 2014, the State Water Resources Control Board adopted Drought Emergency Water Conservation Regulations (Emergency Regulations) prohibiting certain water using activities and requiring urban water suppliers to implement their Urban Water Shortage Contingency Plans to a level that imposes mandatory restrictions on outdoor irrigation with potable water; and

WHEREAS, the City of Santa Rosa has the authority and responsibility to adopt and had adopted water conservation measures within its area of service; and

WHEREAS, the City of Santa Rosa has the authority to employ the Catastrophic Reserve during implementation of the City’s Urban Water Shortage Contingency Plan; and

WHEREAS, in order to comply with the State Water Resources Control Board Emergency Regulations, the Utilities Department is recommending implementation of Stage 1 – Mandatory of the City’s Urban Water Shortage Contingency Plan; and

WHEREAS, on July 24, 2014, the Board of Public Utilities recommended that the Council of the City of Santa Rosa, by resolution, adopt Stage 1 – Mandatory of the City’s Urban Water Shortage Contingency Plan, directing staff to implement the water conservation program

Reso. No. 28536
Page 1 of 2

as defined by Stage 1 – Mandatory to realize community-wide water use reduction of 20%, and authorizing staff to utilize the Utility’s Catastrophic Reserve, if necessary.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa adopts Stage 1 – Mandatory of the City’s Urban Water Shortage Contingency Plan and directs staff to implement the water conservation program as defined by Stage 1 – Mandatory to realize community-wide water use reduction of 20%.

BE IT FURTHER RESOLVED that the Council of the City of Santa Rosa authorizes staff to utilize the Utility’s Catastrophic Reserve, if necessary.

IN COUNCIL DULY PASSED this 5th day of August, 2014.

AYES: (5) Mayor Bartley, Vice Mayor Swinth, Council Members Carlstrom, Olivares, Ours

NOES: (0)

ABSENT: (2) Council Members Combs, Wysocky

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

CITY OF SONOMA

RESOLUTION 42 - 2014

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA
DECLARING A MANDATORY STAGE 2 WATER SHORTAGE ALERT**

WHEREAS, pursuant to California Water Code Section 102, all water in the state is the property of the people of the state; and

WHEREAS, the State Resources Control Board (State Board) is the agency tasked with issuing and monitoring permits to urban water suppliers and others to appropriate water statewide and determining the amount, purpose, place and beneficial use of that water. The City of Sonoma is the beneficiary of multiple State Board permits which authorize the appropriation of waters of the state; and

WHEREAS, Water Code Section 10617 defines "urban water supplier" as a supplier for municipal purposes that serves 3,000 customers or more than 3,000 acre feet annually. Pursuant to Section 10617, the City is an urban water supplier; and

WHEREAS, California is continuing to experience extremely dry conditions and the Governor of the State of California, on January 17, 2014, declared a state-wide drought emergency and requested Californians to voluntarily reduce water use by 20%; and

WHEREAS, on February 3, 2014, the Council of the City of Sonoma adopted Resolution 07-2014 requesting Sonoma customers reduce water use by 15% community-wide through voluntary conservation; and

WHEREAS, on April 25, 2014, the Governor of the State of California issued an Executive Order directing local water suppliers to redouble efforts to implement water conservation activities; and

WHEREAS, Sonoma customers have reduced water use by approximately 16% during the months of April through July 2014 in comparison to the same time in 2013; and

WHEREAS, on July 15, 2014, the State Water Resources Control Board adopted Drought Emergency Water Conservation Regulations (Emergency Regulations) prohibiting certain water using activities and requiring urban water suppliers to implement their Urban Water Shortage Contingency Plans to a level that imposes mandatory restrictions on outdoor irrigation with potable water; and

WHEREAS, the City of Sonoma has the authority and responsibility to adopt and had adopted water conservation measures within its area of service; and

WHEREAS, in order to comply with the State Water Resources Control Board Emergency Regulations, the City staff is recommending implementation of a Mandatory Stage 2 Water Conservation Alert, which imposes mandatory restrictions on outdoor irrigation with potable water; and

WHEREAS, the City Council has determined that it is necessary to be proactive and responsible in the management of the City's water supply.

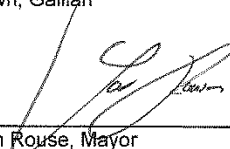
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sonoma hereby declares a mandatory Stage 2 water shortage alert, in accordance with Sonoma Municipal Code 13.10.070.

BE IT FURTHER RESOLVED that until such time as the City Council determines that the condition for conservation no longer exists, all potable water customers of the City of Sonoma shall adhere to the following restrictions on non-essential water use:

1. Refilling or initial filling of a swimming pool shall be prohibited;
2. Use of water for nonrecirculating ornamental fountains by commercial customers shall be prohibited;
3. Noncommercial washing of privately owned motor vehicles, trailers, and boats except from a bucket and a hose equipped with a shutoff nozzle shall be prohibited;
4. Any use of water from a fire hydrant except for fighting fires shall be prohibited. Use for essential construction needs may be permitted by the director upon submittal of a permit application for construction water;
5. Use of potable water for dust control at construction sites shall be prohibited;
6. Residential and commercial turf irrigation shall be prohibited except on Mondays and Thursdays from 7:00pm to 7:00am. An exception to this prohibition shall apply to the Sonoma Plaza Park turf and athletic fields to the degree to ensure the safety of athletes.

PASSED, APPROVED AND ADOPTED this 18th day of August 2014 by the following vote:

AYES: Barbose, Cook, Rouse, Brown, Gallian
NOES: None
ABSENT: None



Tom Rouse, Mayor

ATTEST:



Gay Johann
Assistant City Manager/City Clerk

RESOLUTION NO. 3118-14

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
TERMINATING STAGE 1 WATER SHORTAGE EMERGENCY AND
DECLARING A STAGE 2 WATER SHORTAGE EMERGENCY AND DIRECTING
IMPLEMENTATION OF MANDATORY WATER RESTRICTIONS**

WHEREAS, the Town of Windsor is a retail water purveyor and a Sonoma County Water Agency Water Contractor; and

WHEREAS, calendar year 2013 was the lowest rainfall year on record in 120 years; and

WHEREAS, the historical dry conditions have resulted in severely low storage levels in Lake Mendocino, requiring a Temporary Urgency Change order issued by the State Water Resources Control Board earlier this year enabling lower in stream releases to the Russian River and preserving lake storage; and

WHEREAS, on January 17, 2014, Governor Brown declared a statewide drought in California and called for a 20 percent voluntary reduction in water use; and

WHEREAS, on February 3, 2014, the Water Advisory Committee for the Restructured Water Supply Agreement for the Russian River project adopted a resolution that encourages residents to increase water use efficiency and urged water customers to heed the Governor's declaration to reduce water use by 20%; and

WHEREAS, on February 19, 2014, the Town Council adopted Resolution 3057-14 in support of the call voluntarily to reduce water use by 20%; and

WHEREAS, on July 15, 2014 the State Water Resources Control Board (State) adopted emergency regulations for mandatory outdoor water restrictions due to the ongoing drought emergency;

WHEREAS, a duly noticed public hearing was held on August 6, 2014, at which time public comment was heard and considered.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Windsor hereby terminates the existing Stage 1 water shortage emergency condition; finds, determines and declares that a Stage 2 water shortage emergency condition exists, with an overall mandatory rationing requirement of 20 percent; and declares certain water uses to be non-essential and declares suspension of new connections, all as specified in Section 12-3-800 *et seq.* of the Code.

BE IT FURTHER RESOLVED that all customers are subject to the Stage 2 water shortage emergency measures and prohibitions listed in Exhibit "A."

BE IT FURTHER RESOLVED that Town staff is directed to do what is necessary and appropriate to implement the Stage 2 water shortage emergency through education and outreach, by monitoring customer water use and encouraging customers to increase water use efficiency measures, by inspection of outdoor water waste prohibitions and mandatory restrictions, and by enforcement thereof.

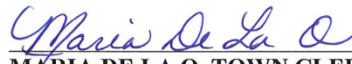
PASSED, APPROVED AND ADOPTED this 6th day of August 2014 by the following vote:

AYES: COUNCILMEMBERS FUDGE, GOBLE, SALMON AND
MAYOR OKREPKIE
NOES: VICE MAYOR ALLEN
ABSTAIN: NONE
ABSENT: NONE



BRUCE OKREPKIE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK

Attachment:
Exhibit "A"

Exhibit "A"
Stage 2 Water Shortage Emergency Measures and Prohibitions

Measures:

1. Inspect all irrigation systems, repair leaks, and adjust spray heads to provide optimum coverage and eliminate avoidable over-spray;
2. For irrigation valves controlling water applied to turf grass, vary the minutes of run-time consistent with fluctuations in weather;
3. Reduce minutes of run-time for each irrigation cycle if water begins to run-off to gutters and ditches before the irrigation cycle is completed;
4. Become informed about and strictly adhere to the Town's Water Waste Prohibitions listed in Section 12-3-825 of the Windsor Municipal Code;
5. Utilize water conservation incentive, rebate and giveaway programs to replace water guzzling plumbing fixtures and appliances with water efficient models.
6. Take advantage of the free information available from the Town on how to use water efficiently, read a water meter, repair ordinary leaks, and how to apply water efficiently to the landscape;

Prohibitions:

- a. Washing of sidewalks, walkways, driveways, parking lots and other hard-surfaced areas by direct hosing.
- b. Escape of water through breaks or leaks within the customer's plumbing or private distribution system for any substantial period of time within which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of seventy two (72) hours after the customer discovers such a break or leak or receives notice from the Town, is a reasonable time within which to correct such break or leak or, as a minimum, to stop the flow of water from such break or leak.
- c. Irrigation in a manner or to an extent which allows excessive runoff of water or unreasonable over-spray of the areas being watered. Every customer is deemed to have his water system under control at all times, to know the manner and extent of his water use and any run off, and to employ available alternatives to apply irrigation water in a reasonably efficient manner.
- d. Water for non-recycling decorative water fountains.
- e. Water for single pass evaporative cooling systems for air conditioning in all connections installed after July 18, 2007 unless required for health or safety reasons.
- f. Water for new non-recirculating conveyor car wash systems.
- g. Water for new non-recirculating industrial clothes wash systems.
- h. Initial filling of any swimming pool for which approval of a construction permit issued by the Town was made after the date on which the water shortage emergency condition was declared to exist, and refilling a swimming pool that was drained after the emergency condition has been declared.
- i. Non-commercial washing of motor vehicles, trailers and boats except from a bucket with use of a hose equipped with a shutoff nozzle for a quick rinse.
- j. Watering of new turf grass or replacement turf grass.
- k. Service of drinking water at any restaurant, cafe, cafeteria or other public place where food is sold, served or offered for sale, unless expressly requested by a patron.

Use of Sprinklers is Conditional:

- a. Automated sprinkler irrigation must be properly controlled and performed in a non-wasteful and efficient manner between the nighttime hours of 7:00 p.m. and 9:00 a.m. of the next day.
- b. The amount of water normally required to maintain a healthy landscape shall be reduced by 20 percent, based on landscape size, plant water requirement, and current weather as specified in section 12-3-835 of the Windsor Municipal Code.

RESOLUTION NO. 140801

RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY OF THE MOON WATER DISTRICT DECLARING MANDATORY CONSERVATION IN RESPONSE TO THE STATE WATER RESOURCES CONTROL BOARD EMERGENCY CONSERVATION REGULATIONS AND ADOPTING WATER SHORTAGE CHARGES

WHEREAS, the Valley of the Moon Water District is a County Water District, duly organized and existing under the provisions of the County Water District Law (California Water Code section 30000 *et seq.*), and is empowered to provide water service to customers within certain boundaries; and

WHEREAS, the State of California is in a drought caused by two years of below average rainfall followed by this past year of significantly below average rainfall; and

WHEREAS, on January 17, 2014 Governor Brown declared a statewide drought in California and called for a 20% voluntary reduction in water use; and

WHEREAS, on March 4, 2014 the District adopted a resolution that encourages residents to increase water use efficiency by fixing leaks and eliminating unnecessary outdoor irrigation to help protect and preserve reliable drinking water supplies stored in Lake Mendocino and Lake Sonoma; and urge water customers to heed the Governor's declaration and SCWA's General Manager's request to voluntarily reduce water use by 20%; and

WHEREAS, due to insufficient statewide conservation and a potentially dry 2015 the State Water Resources Control Board adopted resolution number 2014-0038 adopting California Code of Regulations title 23, sections 863, 864 and 865 that requires each urban water supplier to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restriction on outdoor irrigation of ornamental landscapes or turf with potable water; and

WHEREAS, pursuant to the provisions of Water Code section 375 *et seq.* and 10632, the District has the authority and responsibility to adopt water demand reduction measures within its area of service during the existence of a water shortage.

NOW, THEREFORE, IT IS RESOLVED that the Board of Directors finds and determines that the State Water Resources Control Board Emergency Conservation Regulations require the District to declare a Stage 2 water shortage at a 20% level.

BE IT FURTHER RESOLVED, that the Board of Directors hereby establishes the Water Shortage Charges as defined in the District's 2014 Urban Water Shortage Contingency Plan.

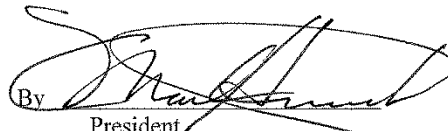
BE IT FURTHER RESOLVED, that the Board of Directors finds and determines that the water shortage declaration are in the public interest, serve a public purpose, and will promote the health, welfare, and safety of the people who reside within the District.

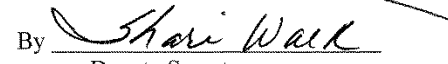
BE IT FURTHER RESOLVED, that this resolution shall become effective immediately with Water Shortage Charges starting for water bills issued after August 31, 2014 and will automatically expire April 30, 2015.

BE IT FURTHER RESOLVED, that the General Manager is hereby authorized and directed to take such steps as he shall deem necessary to implement Stage 2 and shall report back to the Board and make such recommendations for further actions of this Board as may be necessary due to additional State Water Resources Control Board Actions or actual water supply conditions.

THIS RESOLUTION PASSED AND ADOPTED THIS 5th DAY OF AUGUST, 2014, by the following votes:

- Director Heneveld Aye
- Director Foreman Aye
- Director Kenny Aye
- Director Peddicord Absent
- Director Prushko Aye

By 
President

By 
Deputy Secretary

AYES 4 NOES 0 ABSENT 1 ABSTAIN 0

I HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the board of Directors of Valley of the Moon Water District, held on the 5th day of August, 2014, of which meeting all Directors were duly notified and at which meeting a quorum was present at all times and acting.

By 
Deputy Secretary