

## **RESOLUTION NO. 23-5**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT ENDING THE EMERGENCY DROUGHT REGULATIONS AND CONCLUDING STAGE 2 VOLUNTARY OF THE WATER SHORTAGE CONTINGENCY PLAN**

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

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

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

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

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

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

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

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

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

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

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

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

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

**WHEREAS**, because of an increase in precipitation and conservation, on March 13, 2023, the District adopted and moved to Stage 2 – Voluntary of its Water Shortage Contingency Plan; and

**WHEREAS**, 2023 has experienced record-breaking precipitation in the State of California; and

**WHEREAS**, on April 20, 2023, the Department of Water Resources informed its State Water Contractors that they would be receiving a 100% allocation of the State Water Project water; and

**WHEREAS**, 100% allocation will provide sufficient supply to meet customer demands, allow to carryover water for 2024, allow to pay back obligations and bank water for future years; and

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

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

- 1) The State Water Project water available to the District is 100% of our allocation, 100% of our Butte Lease will be available, and additionally Article 21 water is available.
- 2) The reservoir behind Littlerock Dam is full and has been spilling since January 2023.
- 3) Due to an increase of surface water the District will rely less on groundwater supplies.

**Section 2: Concluding Stage 2 – Voluntary - of the Water Shortage Contingency Plan:** The Board of Directors of the District, in accordance with the foregoing findings, hereby determines and declares the current water supply sufficient to call an end to the Water Shortage Rationing. The General Manager is authorized to implement Actions 1 and 2 to effectively lift the drought-related restrictions but keep our Waste of Water Policy in place.

**Action 1. Water Conservation Regulations.** The General Manager shall take all steps necessary to advise the District's customers of the following water waste prohibitions that are always in effect and enforce them in accordance with the District's existing Waste of Water Policy:

1. Water Waste Prohibitions (Remain in full affect and violations will result in water waste fines):
  - a. Application of potable water to outdoor landscapes in a manner that causes runoff.

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

**Action 2: End Stage 2 – Voluntary – Water Shortage Contingency Plan:** Upon specific authorization by the Board of Directors, the General Manager shall end Stage 2 Voluntary of our Water Shortage Contingency Plan.

**Section 3: Effective Date:** May 22, 2023

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

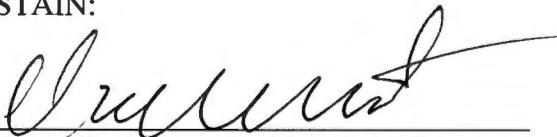
**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of Palmdale Water District held on May 22, 2023, by the following vote:

AYES: President Wilson, Directors Kellerman, Dizmang, Mac Laren-Gomez, Dino

NOES:

ABSENT:

ABSTAIN:

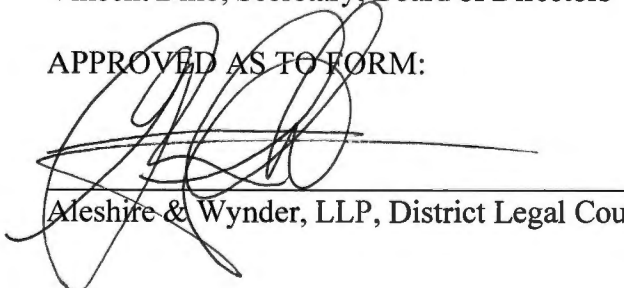


Vincent Dino, Secretary, Board of Directors



Don Wilson, President, Board of Directors

APPROVED AS TO FORM:



Aleshire & Wynder, LLP, District Legal Counsel