**(PROPOSED) ORDINANCE NO. 2021-05**

**Adoption of Mandatory Water Conservation Measures in Compliance with the 2021 State Water Resources Control Board order imposing water right curtailment and reporting requirements in the Sacramento – San Joaquin Delta Watersheld. Water Right ID S015794 – Pre-1914 Appropriative Claim.**

**WHEREAS,** in response to ongoing drought conditions and associated water supply shortages in the Delta Watershed, The State Water Resources Control Board adopted emergency regulation, effective August 19,2021. imposing water right curtailment and reporting requirements in the Sacramento-San Joaquin Delta Watershed. (Cal. Code Regs., tit, SS 876-870.2). The regulation will remain in effect for up to one year but could be repealed if drought conditions improve.

**WHEREAS,** State Water Resources Control Board has adopted a priority of rights and claims to be curtailed, meaning water diversions are required to cease under certain claims. The VCSD owns a Pre-1914 Appropriative Claim, Water Right ID S015794, which is subject to the curtailment.

**WHEREAS,** The VCSD has subscribed to the required email updates to monitor changes in curtailments through email updates, as hard copies will not be provided.

**WHEREAS,** The VCSD has submitted the required an online Compliance Certification Form in accordance with section 879, subsection (d)(1) of the regulation.

**WHEREAS,** The VCSD has filed for an exception to curtailment based on the VCSD water right, the water diverted under the water right or claim, is the diverter’s only source of water and is needed for minimum human health and safety needs, described in section 878.1 of the regulation.

**WHEREAS,** The VCSD has submitted a petition to request the State Water Board to reconsider the Order.

**WHEREAS**, on September 15, 2021, at its noticed, Special Meeting, the Volcano Community Services District (VCSD) declared the need to respond to the emergency drought conditions and emergency regulation adopted by the State Water Board,

**WHEREAS**, on September 15, 2021, the VCSD made appropriate findings of necessity for the adoption of a set of mandatory water measures to ensure compliance with the required maximum use of 55 gallons per day, per person.

**NOW, THEREFORE, BE IT ORDAINED** by the VCSD, as follows:

1. This ordinance establishes mandatory conservation measures in compliance with the 2021 emergency conservation regulation of the State Water Board, and is effective immediately upon adoption or as otherwise established by State law; and
2. Pursuant to Water Code section 376 and Government Code section 6061, the VCSD shall post on the VCSD website, the ordinance adopting mandatory water conservation measures within 10 days after its adoption, even though it is effective immediately: and
3. The District Secretary is directed to post a copy of the final ordinance in three public places in the district within 10 days after its adoption and post on the VolcanoCSD.org website.
4. This ordinance requires that all persons, including businesses, using VCSD water shall comply with the following mandatory conservation measures:
   1. All outside water use, including landscape/lawn irrigation, pool filling and car washing, is limited to no more than three (3) assigned days per week, as follows:
      1. For all addresses ending in 0,2, 4, 6,8 and VCSD outside watering (e.g., park), the three assigned days are Wednesday, Friday and Sunday
      2. For all addresses ending in 1,3,5,7,9, the three assigned days are Tuesday, Thursday and Saturday.
      3. No outside water use on Mondays.
   2. All outside water use is prohibited between the hours of 9 am to 5 pm (fall and winter months, and 7 pm for Spring and Summer months), even on the assigned (3) watering days;
   3. All lawn/landscape irrigation is limited to no more than ten (10) minutes per watering station/section, per assigned day.
   4. Subject to the restrictions under a., b. and c. above, landscaped areas, including lawn, trees and shrubs that are not irrigated by a landscape irrigation system may be watered using a bucket or a hand-held hose with a shut-off nozzle that causes it to cease dispensing water immediately when not in use.
   5. Subject to the restrictions under a. and b. above, washing of cars is acceptable by by bucket or a hand held hose with a shut-off nozzle that causes it to cease dispensing water immediately when not in use.
   6. The application of potable water to driveways and sidewalks or streets is prohibited.
   7. All water leaks must be repaired within seventy-two (72) hours of notification by the VCSD unless other arrangements are made with the General Manager.
   8. 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;
   9. The operation of ornamental fountains or similar decorative water features is prohibited unless recycled water is used.
   10. Restaurants and other food/drink service establishments are required to serve and refill drinking water only upon request.
   11. Hotels and other commercial lodging establishments are required to provide guests with the option of choosing not to have towels and linens laundered daily. The hotel/lodging establishment shall prominently display notice of this option in each guestroom using clear and easily understood language.
5. Pursuant to the State Water Board regulation, violation of these requirements shall be subject to punishable by fines of up to $500 for each day in which the violation occurs and the VCSD shall establish by resolution fines within these guidelines.

The District Secretary is directed to post a summary of this Ordinance within 10 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Volcano Community Services District on this 15th day of September, 2021, by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0

By: Nancy Bailey

President, Board of Directors

M. Sorensen made a motion to approve S. Owens to sign the ordinance by direction, C. Corral 2nd and all ayes. 09/15/2021 special meeting.

ATTEST:

Sharon Owens

Secretary, Board of Directors