

Heber Public Utility District Board of Directors

MEETING DATE: August 23, 2014

FROM: Laura Fischer, General Manager

SUBJECT: Adopt Resolution 2014-8 Regarding State Mandated Water Conservation Measures

ISSUE:

Shall the Heber Public Utility Board of Directors adopt Resolution 2014-8 regarding State mandated water conservation measures?

GENERAL MANAGER RECOMMENDATION:

Adopt Resolution 2014-8.

FISCAL IMPACT:

BACKGROUND:

On July 29, 2014 an emergency regulation to increase water conservation practices for all Californians became effective. The new conservation regulations targets outdoor urban water use. This regulation establishes the minimum level of activity that residents, businesses and water suppliers must meet as the drought deepens. The regulation will be in effect for 270 days unless extended or repealed.

Attached to this report is a copy of the State Water Resources Control Board Resolution No. 2014-0038 and the summarizing Fact Sheet for your review and consideration.

DISCUSSION

Most of the regulations place requirements on Urban Water Suppliers, which are suppliers that have 3,000 connections or more. HPUD is not an Urban Water Supplier. However, there are some regulations that do apply to HPUD. HPUD must within thirty days take one or more of the following actions:

- 1) Limit outdoor irrigation or 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.

Evaluating violations of this regulation and taking any enforcement action is up to HPUD. We don't have staff available to enforce the mandatory watering schedule, but any calls that come to our office we can investigate and provide the customers with a

friendly note informing them about the regulations and providing them with information and material on water conservation methods.

HPUD must also notify and educate staff, customers and the community at large about the prohibitions. We must also inform ratepayers of the regulations. We provided a copy of the fact sheet to our customers in both English and Spanish in the utility bill mailed on August 1st. The notice also mentioned that the HPUD Board would be considering adoption of a Resolution implementing the State mandated water conservation regulations.

Additionally, we must access the water conservation resources website to encourage water conservation. www.saveourh2o.org/ or www.saveourwater.com

CONCLUSION

As the State Water Boards adopted Resolution No. 2014-0038 adopting an emergency regulation for statewide urban water conservation, it is required that HPUD adopt Resolution 2014-8 establishing mandatory water conservation requirements.

ALTERNATIVES

- 1) Do not adopt Resolution 2014-8, which will result HPUD being out of compliance with the State Mandates. The State Resolution also states that the Water Board directs staff to condition funding upon compliance with the emergency regulations, to the extent feasible. Thus it is in HPUD's best interest to adopt and comply with the Regulations.
- 2) Direct staff to modify the Resolution prior to adopting.
- 3) Provide alternate direction to staff.

Respectfully Submitted,

Laura Fischer, General Manager

Attachments:

Resolution 2014-8
State Water Resources Control Board Resolution No. 2014-0038
State Water Board Fact Sheet

RESOLUTION NO. 2014-08

A RESOLUTION OF THE HEBER PUBLIC UTILITY DISTRICT TO ESTABLISH WATER CONSERVATION MEASURES ACCORDING TO STATE WATER BOARD MANDATES

WHEREAS, on January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions; and

WHEREAS, 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; and

WHEREAS, on July 15, 2014 the State Water Board adopted an Emergency Regulation for Statewide Urban Water Conservation; and

WHEREAS, this urgent Legislation has been enacted to ensure water providers implement water conservation practices for both Urban Water Providers who provide water to 3,000 connections or more, and smaller water providers that serve less than 3,000 connections; and

WHEREAS, the Heber Public Utility District serves less than 3,000 connections and is not required to adopt and implement an Urban Water Management Plan; and

WHEREAS, the Heber Public Utility District desires to follow all State Water Board regulations, and seeks to provide notice of the emergency drought regulations to the customers of the District; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE HEBER PUBLIC UTILITY DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

- 1) That the foregoing statements are true and correct.
- 2) That 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.
 - 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 features, except where the water is part of a recirculating system.
- 3) That outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves shall be limited to no more than two days per week.

- 4) That this Resolution shall remain in effect for 270 days after adoption, or for as long as the State Water Resources Control Board's emergency regulations remain in effect.

PASSED AND ADOPTED at a Special meeting of the Board of Directors of the Heber Public Utility District held on the 23rd day of August, 2014.

Margarita K. Lizarraga, Board President

ATTEST:

Graciela Lopez, Acting as Clerk of the Board

APPROVE AS TO FORM:

Steven M. Walker, General Counsel

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)
HEBER PUBLIC UTILITY)
DISTRICT)

I, GRACIELA LOPEZ, Acting as the Clerk of the Board of the Heber Public Utility District, County of Imperial, State of California, DO HEREBY CERTIFY that the foregoing resolution was dully passed, approved and adopted by the Board of Directors of the Heber Public Utility District at a Special meeting held on the 23rd day of August 2014.

By _____
Graciela Lopez, Acting as Clerk of the Board