

COBB AREA COUNTY WATER DISTRICT

16320 HIGH ROAD / P.O. BOX 284 COBB, CA 95426 PH 707-928-5262 FAX 707-928-5263

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ORDINANCE NO. 1- 2021 **ADOPTING A WATER CONSERVATION PROGRAM**

WHEREAS, article X, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

WHEREAS, California Code Water Code section 31026 A district shall have the power to restrict the use of district water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of district water or the use of district water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by the district and may prohibit use of such water during such periods for specific uses which the district from time to time find to be nonessential; and

WHEREAS, Water Code section 375, subdivision (c) defines “public entity” to include a city, county, special district, water authority, or any other municipal public corporation or district; and

WHEREAS, pursuant to California Code Water Code section 31027 and Government Code 6061, the Cobb Area County Water District must publish in a newspaper of general circulation any ordinance or post in 3 public places located within the district a water conservation program within 10 days after its adoption: and

WHEREAS, California Code Water Code section 31029. After the publication or posting of any ordinance as provided in California Code Water Code section 31027, it is a misdemeanor for any person to use or apply water received from the district contrary to or in violation of the restriction or prohibition, until the ordinance has been repealed or the emergency or threatened emergency has ceased, and, upon conviction thereof, that person shall be punished by imprisonment in the county jail for not more than 30 days or by fine of not more than six hundred dollars (\$600), or by both the fine and imprisonment; and

WHEREAS, the adoption and enforcement of a comprehensive water conservation program will allow the Cobb Area County Water District to delay or avoid declaring a water shortage emergency pursuant to Water Code section 31026; and

WHEREAS, when the well levels are below 60% of average static levels and raw water production numbers are poor.

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NOW, THEREFORE, BE IT ORDAINED by the Cobb Area County Water District as follows:

1. This ordinance is effective immediately upon adoption or as otherwise established by State law; and
2. Pursuant to Water Code section 31027 and Government Code section 6061, the Cobb Area County Water District shall publish in a newspaper of general circulation this ordinance adopting a water conservation program within 10 days after its adoption; and
3. This ordinance establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes four levels of drought response actions to be implemented in times of shortage, with increasing restrictions on water use in response to worsening drought conditions and decreasing available supplies; and
4. Pursuant to California Code Water Code sections 31026 through 31029, Cobb Area County Water District will hold a public meeting to discuss any declaration of Drought Response condition, the status of the District's water supply and further actions which need to be taken. Cobb Area County Water District will publish in a newspaper of general circulation notice of the time and place of the public hearing at least seven days prior to the date of hearing, and
5. The four levels of drought response outlined in detail below (items 6-10) will be triggered by the following conditions to meet the specified goals as follows:

Drought Triggers and Levels of Action:

Level 1: a) Well levels are below 50% of our average static water levels, and production has decreased by 30%,

b) The recorded annual rainfall is at or below 20"

c) Cobb Area County Water District's Board of Directors has declared a Level 1 Drought Response condition.

GOAL: Voluntary measures to achieve 20% reduction in usage.

Level 2: a) Well levels are below 60% of our average static water levels, and production has decreased by 30%,

b) The recorded annual rainfall is at or below 20",

c) Emergency conditions related to reduced source, raw water quality, and/or treatment capacity,

d) Cobb Area County Water District's Board of Directors has declared a Level 2 Drought Response condition.

GOAL: Mandatory measures to achieve 25% reduction in usage

Level 3: a) Emergency conditions related to reduced source, raw water quality, and/or treatment capacity.

GOAL: Mandatory measures to achieve 35% reduction in usage.

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Level 4; a) Emergency conditions related to severely reduced source, raw water quality, and/or treatment capacity.

GOAL: Connection moratorium and further mandatory measures to achieve 40% reduction in usage.

6. During a Level 1 Drought Response condition, Cobb Area County Water District will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the following voluntary water conservation practices:
 - a. **Stop washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards.**
 - b. Stop water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. Similarly, stop water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
 - c. Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only.
 - d. Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system.
 - e. Irrigate nursery and commercial grower's products before 10 a.m. and after 6 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
 - f. Use recirculated water to operate ornamental fountains.
 - g. Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.
 - h. Serve and refill water in restaurants and other food service establishments only upon request.
 - i. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.
 - j. Repair all water leaks within five (5) days of notification by the Cobb Area County Water District unless other arrangements are made with the General Manager.
 - k. Use recycled or non-potable water for construction purposes when available.
7. During a Level 2 Drought Response condition, all persons using Cobb Area County Water District water shall comply with Level 1 Drought Response water conservation practices during a Level 2 Drought Alert, and shall also comply with the following additional mandatory conservation measures:
 - a. Limit residential and commercial landscape irrigation to no more than three assigned days per week on a schedule established by Cobb Area County Water District. During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the Cobb Area County Water District.
 - b. Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per day. This provision does not apply to landscape irrigation systems

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using water efficient devices, including but not limited to: weather based controllers, drip/micro-irrigation systems and stream rotor sprinklers.

c. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 6 (b) (1), on the same schedule set forth in section 6 (b) (1) by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation.

d. Repair all leaks within seventy-two (72) hours of notification by the Cobb Area County Water District unless other arrangements are made with the General Manager.

e. Stop operating ornamental fountains or similar decorative water features unless recycled water is used.

8. During a Level 3 Drought Response condition, all persons using Cobb Area County Water District water shall comply with Level 1 and Level 2 Drought Response conditions and shall also comply with the following additional mandatory conservation measure, along with a revised rate structure to financially discourage non-essential water use.:

a. Limit residential and commercial landscape irrigation to no more than two assigned days per week on a schedule established by the General Manager and posted by the Cobb Area County Water District During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the Cobb Area County Water District.

b. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 7 (b) (1), on the same schedule set forth in section 7 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation.

c. Stop filling or refilling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level under this ordinance.

d. Stop washing vehicles except at commercial car washes that re-circulate water, or by high pressure/low volume wash systems.

e. Repair all leaks within forty-eight (48) hours of notification by the Cobb Area County Water District unless other arrangements are made with the General Manager.

f. Tier one and tier 2 water rates subject to 15% and 25% increase respectively.

g. Additionally, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates or letters of availability) shall be issued, except under the following circumstances:

- i. A valid, unexpired building permit has been issued for the project; or
- ii. The project is necessary to protect the public's health, safety, and welfare; or
- iii. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of Cobb Area County Water District

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.

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9. During a Level 4 Drought Response condition, all persons using Cobb Area County Water District water shall comply with Level 1, Level 2, and Level 3 Drought Response conditions and shall also comply with the following additional mandatory conservation measures:
- a. Stop all landscape irrigation. This restriction shall not apply to the following categories of use unless the Cobb Area County Water District has determined that recycled water is available and may be lawfully applied to the use.
 - i. Maintenance of trees and shrubs that are watered on the same schedule set forth in section 7 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;
 - ii. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;
 - iii. Maintenance of existing landscaping for erosion control;
 - iv. Maintenance of plant materials identified to be rare or essential to the well being of rare animals;
 - v. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week according to the schedule established under section 7 (b) (1);
 - vi. Watering of livestock; and
 - vii. Public works projects and actively irrigated environmental mitigation projects.
 - b. Repair all water leaks within twenty-four (24) hours of notification by the Cobb Area County Water District unless other arrangements are made with the General Manager.
10. Violation of the requirements of the Water Conservation Program shall constitute a misdemeanor, subject to the following penalties:
- a. Each violation of this ordinance 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 \$600.00, or by both as provided in California Code Water Code section 31029.
 - b. Each day that a violation of this ordinance occurs is a separate offense.
 - c. Administrative penalties may be levied for each violation of a provision of this ordinance in accordance with Water Code section 71590.

Contacting and Providing Information to the Public:

Information about all the aforementioned trigger mechanisms and levels of action will be provided to the public through website alerts that may be sent to email, text, or both. Information will also be posted and updated regularly on the Districts web site at www.cobbareawater.com, and it is also always available in person at the District office upon request.

Emergency Water Shortage Plan:

In the event a well was to run dry or pump and motor fail causing tank levels to get critically low. The District has the ability in some sections to feed water from one area to another through interties. In the sections of the District where interties do not exist, the District will hire potable water delivery trucks to load their trucks in the unaffected area and haul the potable water to the Districts critical level water tanks in the affected area. Potable water delivery will be found in the Contacts section of this Ordinance.

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Public Education:

The District will provide low flow shower heads, soil meters, and toilet tank bladders to help encourage water conservation. Information on what the current drought status and level we are experiencing will be posted and regularly updated on the Districts web site along with links to information on the latest water conservation techniques and practices. The District will also annually hold water conservation and drought awareness education assemblies at the local Elementary School.

Contacts:

- 1) Cobb Area County Water District General Manager. (707) 928-5262
- 2) Cobb Area County Water District Board President. (707) 928-5262
- 3) Division of Drinking Water District -03. (707) 576-2145
- 4) State Water Resources Control Board. (916) 341-5127
- 5) Potable water delivery Action Sanitary. (707) 994-5086
- 6) Any other available potable water delivery service in or out of Lake County.

Attest:

I certify that the above Ordinance 1 -2021 was duly passed and adopted by the Cobb Area County Water District Board of Directors at the May 12th, 2021, board meeting by the following vote:

Dixon (Aye) Agur (Aye) Barnes (Aye) Winkelman (Aye) Pyska (Aye)

Ayes: 5 Abstain: 0 Nays:0 Absent:0

Joshua Dixon

Date

Board President

Cobb Area County Water District

California Howland

Date

District Secretary Cobb Area County Water District