



Hidden Valley Lake Community Services District

Regular Board Meeting

DATE: May 19, 2015

TIME: 7:00 p.m.

PLACE: Hidden Valley Lake CSD
Administration Office, Boardroom
19400 Hartmann Road
Hidden Valley Lake, CA

- 1) CALL TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) ROLL CALL
- 4) APPROVAL OF AGENDA

- 5) CONSENT CALENDAR
 - (A) MINUTES: Approval of the Minutes of the Board of Directors meeting April 21, 2015

 - (B) DISBURSEMENTS: Check # 032714 - # 032785 including bank drafts and payroll for a total of \$855,237.06

- 6) BOARD COMMITTEE REPORTS (for information only, no action anticipated)
 - Personnel Committee
 - Finance Committee
 - Emergency Preparedness Committee

- 7) BOARD MEMBER ATTENDANCE AT OTHER MEETINGS (for information only, no action anticipated)
 - ACWA Region 1
 - ACWA State Legislative Committee
 - County OES
 - Other meetings attended

- 8) STAFF REPORTS (for information only, no action anticipated)
 - General Manager's Report

- 9) DISCUSSION AND POSSIBLE ACTION: Adoption of Resolution 2015-07 nominating a HVLCD candidate for the 2016-2017 ACWA Region 1 Board

- 10) DISCUSSION AND POSSIBLE ACTION: State Water Resources Control Board 25 Percent Mandatory Water Conservation Regulation

- 11) DISCUSSION AND POSSIBLE ACTION: Status of new water hook up moratorium (HVLCD Compliance Order No. 02_03_14R_004)

- 12) DISCUSSION AND POSSIBLE ACTION: Proposed water rate increase and authorization for staff to submit revised 218 Notice

- 13) PUBLIC COMMENT

- 14) BOARD MEMBER COMMENT

15) CLOSED SESSION: Government Code Section 54956.7 (e) Public Employment:
Title: General Manager

16) ADJOURNMENT

Public records are available upon request. Board Packets are posted on our website at www.hiddenvalleylakecsd.com. Click on the "Board Packet" link on the Agenda tab.

In compliance to the Americans with Disabilities Act, if you need special accommodations to participate in or attend the meeting please contact the District Office at 987-9201 at least 48 hours prior to the scheduled meeting.

Public shall be given the opportunity to comment on each agenda item before the Governing Board acts on that item, G.C. 54953.3. All other comments will be taken under Public Comment.



**HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
MEETING DATE: APRIL 21, 2015**

The Hidden Valley Lake Community Services District Board of Directors met this evening at the District office located at 19400 Hartmann Road, in Hidden Valley Lake, California. Present were:

Director Jim Freeman, President
Director Jim Lieberman, Vice President
Director Carolyn Graham
Director Linda Herndon
Director Judy Mirbegian
Tami Ipsen, Administrative Services Officer
Roland Sanford, General Manager
Mike Merrill, District Counsel

CALL TO ORDER

The meeting was called to order at 7:03 p.m. by President Freeman.

APPROVAL OF AGENDA

On a motion made by Director Mirbegian and second by Director Herndon the Board unanimously approved the agenda.

CONSENT CALENDAR

On a motion made by Director Lieberman and second by Director Herndon the Board unanimously approved the following Consent Calendar items:

- (A) **MINUTES**: Approval of the Minutes of the Board of Directors meeting March 17, 2015
- (B) **DISBURSEMENTS**: check #032642 – 032713 for a total of \$216,403.38.
- (C) **ADOPT RESOLUTION** 2015-06 authorizing General Manager to submit CAL EMA (Emergency Management Agency) Application for reimbursement of December 2014 storm damage expenses

STAFF PRESENTATION

General Manager Roland Sanford reported the District had received 15 formal protest letters against the proposed water and sewer rate increases. He briefly discussed the San Juan Capistrano Appeals Court decision that was made public earlier in the day, in which the court ruled San Juan Capistrano's tiered water rate structure failed to satisfy the requirements of Proposition 218 because the charge rates associated with the various tiers were not based on the "cost of service" – the cost of providing water. Mr. Sanford noted the District's proposed tiered water rate structure was designed to incentivize water conservation – pursuant to Governor Brown's April 1, 2015 Executive Order regarding mandatory water conservation – and not entirely based on cost of service. Mr. Sanford and District Counsel Mike Merrill recommended in view of the San Juan Capistrano Court decision, the Board not adopt Ordinance #56 and the associated proposed water rate increases.



HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

April 2015

DISBURSEMENT SUMMARY REPORT

4/1/2015-4/30/2015

Disbursement Summary		
Fund		
120 - Sewer	\$	80,163.81
130 - Water	\$	69,192.08
215 - USDA Sewer Bond	\$	-
217 - State Loan	\$	657,469.30
218 - CIEDB	\$	-
219 - USDA Solar Project	\$	-
375 - Sewer Reserve Improvement	\$	-
711 - Bond Administration	\$	1,098.65
	SUB TOTAL	\$ 807,923.84
*Payroll	\$	47,313.22
Total Warrants	\$	855,237.06

**Funds disbursed directly to employees and Directors. Pass-thru funds (collected from the employee and paid on their behalf by the District) are included in totals for funds 120 and 130.*



HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

APRIL 2015

DISBURSEMENT SUMMARY REPORT

4/1/2015-4/30/2015

DRAFT DATE	TYPE	NUMBER	NAME	CHECK AMOUNT	STATUS
4/3/2015	D	BANK-DRAFT	US DEPARTMENT OF THE TREASURY	5,278.58	P
4/3/2015	D	BANK-DRAFT	NATIONWIDE RETIREMENT SOLUTION	1,180.00	P
4/17/2015	D	BANK-DRAFT	US DEPARTMENT OF THE TREASURY	6,175.15	P
4/17/2015	D	BANK-DRAFT	NATIONWIDE RETIREMENT SOLUTION	1,180.00	P
TOTAL				13,813.73	

CHECK DATE	TYPE	CHECK NUMBER	NAME	CHECK AMOUNT	STATUS
4/3/2015	R	32714	ELLISON, SCHNEIDER & HARRIS L.	4,072.60	P
4/3/2015	R	32715	KAREN JENSEN	78.40	P
4/3/2015	R	32716	LIEBERMAN, JIM	28.15	P
4/3/2015	R	32717	MEDIACOM	358.99	P
4/3/2015	R	32718	NBS GOVERNMENT FINANCE GROUP	1,098.65	P
4/3/2015	R	32719	PATRICIA WILKINSON	50.40	P
4/3/2015	R	32720	SPECIAL DISTRICT RISK MANAGEME	528.46	P
4/3/2015	R	32721	ALPHA ANALYTICAL LABORATORIES	408.00	P
4/3/2015	R	32722	BRELJE AND RACE LABS, INC.	69.00	P
4/3/2015	R	32723	E & M ELECTRIC & MACHINERY, IN	2,392.44	P
4/3/2015	R	32724	PACIFIC GAS & ELECTRIC COMPANY	10,139.80	P
4/3/2015	R	32725	SIERRA CHEMICAL CO.	589.45	P
4/3/2015	R	32726	CALIFORNIA PUBLIC EMPLOYEES RE	7,513.65	P
4/3/2015	R	32727	STATE OF CALIFORNIA EDD	1,605.45	P
4/3/2015	R	32728	VARIABLE ANNUITY LIFE INSURANC	100.00	P
4/3/2015	R	32729	MARKS, GLEN & AMY	20.73	P
4/10/2015	R	32730	JAMES ARVANTIS	100.00	P
4/10/2015	R	32731	STATE OF CALIFORNIA EDD	545.82	P
4/10/2015	R	32732	EEL RIVER FUELS, INC.	1,223.85	P
4/10/2015	R	32733	LAKE COUNTY RECORD BEE	1,085.64	P
4/10/2015	R	32734	WEED TECH	225.00	P
4/10/2015	R	32735	SOUTH LAKE REFUSE COMPANY	169.62	P
4/10/2015	R	32736	LAKE COUNTY ELECTRIC SUPPLY	172.73	P
4/10/2015	R	32737	SPECIAL DISTRICT RISK MANAGEME	24,234.18	P
4/10/2015	R	32738	ACWA/JPIA	959.89	P
4/10/2015	R	32739	ARMED FORCE PEST CONTROL, INC.	390.00	P
4/10/2015	R	32740	HARDESTER'S MARKETS & HARDWARE	43.93	P
4/10/2015	R	32741	MENDO MILL CLEARLAKE	5.93	P
4/10/2015	R	32742	TYLER TECHNOLOGY	596.55	P
4/10/2015	R	32743	ADTS, INC	196.00	P
TOTAL				59,003.31	

CHECK DATE	TYPE	CHECK NUMBER	NAME	CHECK AMOUNT	STATUS
4/10/2015	R	32744	TRICERAT	360.00	P
4/10/2015	R	32745	NAPA AUTO PARTS	264.56	P
4/10/2015	R	32746	ALPHA ANALYTICAL LABORATORIES	538.00	P
4/10/2015	R	32747	GARDENS BY JILLIAN	200.00	P
4/10/2015	R	32748	AT&T	648.22	P
4/10/2015	R	32749	SOLARI, JANET	6.18	P
4/10/2015	R	32750	SCOTT, BETTY E	3.18	P
4/10/2015	R	32751	MERRILL, JOANN	177.91	P
4/17/2015	R	32752	CARDMEMBER SERVICE	2,767.68	P
4/17/2015	R	32753	COASTLAND CIVIL ENGINEERING, I	1,887.50	P
4/17/2015	R	32754	DATAPROSE	1,319.39	P
4/17/2015	R	32755	GRAPHIC FX, INC.	1,500.00	P
4/17/2015	R	32756	MERRILL, ARNONE & JONES, LLP	6,076.17	P
4/17/2015	R	32757	NBS GOVERNMENT FINANCE GROUP	430.00	P
4/17/2015	R	32758	OFFICE DEPOT	128.85	P
4/17/2015	R	32759	REGINALD AND LAURA MEIRLAEN	50.00	P
4/17/2015	R	32760	RICOH AMERICAS CORPORATION	1,215.76	P
4/17/2015	R	32761	SPECIALIZED UTILITY SERVICES	3,100.00	P
4/17/2015	R	32762	TYLER TECHNOLOGY	121.00	P
4/17/2015	R	32763	WAGNER & BONSIGNORE	3,944.20	P
4/17/2015	R	32764	ALPHA ANALYTICAL LABORATORIES	1,122.00	P
4/17/2015	R	32765	ANALYTICAL SCIENCES	1,609.50	P
4/17/2015	R	32766	DENNIS WHITE	215.56	P
4/17/2015	R	32767	TELSTAR INSTRUMENTS, INC	34,121.11	P
4/17/2015	R	32768	CALIFORNIA PUBLIC EMPLOYEES RE	7,545.68	P
4/17/2015	R	32769	STATE OF CALIFORNIA EDD	1,973.64	P
4/17/2015	R	32770	VARIABLE ANNUITY LIFE INSURANC	100.00	P
4/17/2015	R	32771	HOLT, DUNCAN & NANCY	9.17	P
4/24/2015	R	32772	GHD	307.00	P
4/24/2015	R	32773	LAKE COUNTY RECORDER	7.00	P
4/24/2015	R	32774	MICHELLE HAMILTON	855.00	P
4/24/2015	R	32775	OFFICE DEPOT	87.59	P
4/24/2015	R	32776	REDFORD SERVICES	720.00	P
4/24/2015	R	32777	ROLAND SANFORD	126.55	P
4/24/2015	R	32778	SWRCB	1,422.08	P
4/24/2015	R	32779	TAMI IPSEN	177.08	P
4/24/2015	R	32780	ALPHA ANALYTICAL LABORATORIES	877.00	P
4/24/2015	R	32781	POLYDYNE INC.	107.46	P
4/24/2015	R	32782	USA BLUE BOOK	566.35	P
4/24/2015	R	32783	VERIZON WIRELESS	664.09	P
4/24/2015	R	32784	JENICHEN, BARBARA H	285.04	P
4/24/2015	R	32785	STATE WATER RESOURCES CONTROL	657,469.30	P
TOTAL				735,106.80	

PAYROLL:					
DATE	TYPE	NUMBER	DESCRIPTION	AMOUNT	STATUS
4/3/2015	MISC.		PAYROLL DIRECT DEPOSIT	21,768.41	P
4/17/2015	MISC.		PAYROLL DIRECT DEPOSIT	21,516.25	P
4/17/2015	MISC.		PAYROLL DIRECT DEPOSIT	184.70	P
4/17/2015	MISC.		PAYROLL DIRECT DEPOSIT	3,843.86	P
TOTAL				47,313.22	

CHECK TOTAL: 794,110.11
BANK-DRAFT TOTAL: 13,813.73
PAYROLL TOTAL: 47,313.22
855,237.06



**HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT
FINANCE COMMITTEE REPORT
MEETING DATE: May 11, 2015**

The Hidden Valley Lake Community Services District Finance Committee met at the District office located at 19400 Hartmann Road, in Hidden Valley Lake, California.
Present were:

Director Jim Freeman
Director Carolyn Graham
Roland Sanford, General Manager

CALL TO ORDER

The meeting was called to order at 4:34 by Director Freeman.

APPROVAL OF AGENDA

On a motion made by Director Graham and second by Director Freeman the Committee unanimously approved the agenda.

ALTERNATIVE WATER RATE SCENARIOS

The Committee reviewed the "Uniform" water rate scenario presented in the NBS Water and Sanitary Sewer Rate Study report dated March 2015 and after discussion, recommended the District move forward with adoption of the Uniform water rate scenario presented in the March 2015 NBS Water and Sanitary Sewer Rate Study report.

HEALTH INSURANCE OPTIONS

The committee briefly discussed the feasibility of establishing Health Savings Accounts (HAS) for District employees and Board members, as part of an overall restructuring of District-provided health benefits. The Committee directed staff to gather additional information on HSA's.

PREPARATION OF FY 2015-16 BUDGET

General Manager Roland Sanford summarized the status of the water and sewer operating budgets for fiscal year 2014-2015 and the challenges facing the District – lost revenue due to state-imposed mandatory water conservation restrictions and delayed implementation of water rate increase – with respect to fiscal year 2015-2016. Committee members agreed to meet on Friday, May 22, 2015 to review draft proposals for fiscal year 2015-2016.

PUBLIC COMMENT

There were no public comments.

BOARD MEMBER COMMENT

There were no public comments.

ADJOURNMENT

On a motion made by Director Freeman and second by Director Graham the Committee voted unanimously to adjourn the meeting. The meeting was adjourned at 5:35 p.m.

Association of California Water Agencies

ACWA Spring Conference & Exhibition

Sacramento, CA

May 6&7, 2015

I attended this ACWA Conference on behalf of Hidden Valley Lake CSD and ACWA Region 1 on May 6 and 7, 2015

The following are the presentations and seminars I attended, a brief description of each and how my attendance benefited HVLCSD.

Human Resources Program: The Future of Health Benefits presented by Tom Sher, Senior VP at Alliant Insurance Services

The future of health benefits continues to change at a rapid pace. Members need to be aware of potential changes and start planning now to ensure compliance, maintain employee morale, attract new employees, offer cost-effective plans and avoid penalties. Technology updates are also changing the way people manage and receive their health care benefits. By participating in this workshop I now have ideas and tools to better evaluate the District's health care benefit programs and I realize the need for CSD to develop and an alternate plan so employees may choose among options that best suit their health benefit needs.

Special Address to ACWA Delegation, the Honorable Edmund G. Brown, Governor of California and the Honorable John Chiang, Treasurer of the California

Gov. Jerry Brown addressed the ACWA delegation on his vision for managing the drought emergency while improving the resiliency of California's water system via the California Water Action Plan. John Chiang addressed the funding issues related to the recent passage of the Water Bond.

Region Issue Forum

ACWA Region 1: A presentation of the North Coast Cannabis Conundrum: Scott Bauer, CA Fish and Wildlife and Judy Morris, Vice-Chair, North Coast Resource Partnership Policy Review Panel

I was privileged as Region 1 Chair to open this forum which was an excellent presentation of new data gathered by CA Fish and Wildlife documenting the complete devastation of streams in watersheds impacted by marijuana cultivation. Attendees also heard the local, "on the ground" point of view about regulatory concerns and needs surrounding legislation. Viewing this presentation and new data is clearly an eye opening exposure to the negative impact of marijuana cultivation in the woodlands and rural areas of northern California. In Lake County we are on the cusp of experiencing the same devastation and we can learn a lot from what has gone on in our northern counties. I am planning to have this presentation brought to the District and Lake County law enforcement for viewing.

Headwaters Plenary Session-Headwaters: What Are the Challenges and Recommendations?

California's mountain watersheds are the source of most of the state's developed water supply but today's headwaters landscapes are overgrown and underfunded. Most is Federal land but state, local government and private lands are also in need of improvement. Active land management is needed to address the threats of catastrophic wildfires, droughts, (and in the North Coast areas marijuana cultivation) and diminishing water supply and water quality. ACWA recently released a "Headwaters Framework" document to shape the discussion and policy moving forward on this important issue. This was an excellent panel discussion and Q&A moderated by Tim Quinn. The speakers were Dr. Martha Conklin, Professor of Engineering, UC, Merced; Dave Eggerton, GM, Calaveras County Water District; Bernie Gyant, USDA Forest Service Regional Forester for Natural Resources; Steve LaMar, Director, Irvine Ranch Water District.

Seeing as we sit near the headwaters of our watershed, we need to be very aware of the impacts on our watershed that would adversely impact our water supply and quality. The struggle between state and federal officials over funding for this issue is not the least of the challenges by any means. However, it is clear to me that we must move away from shunting responsibilities and work in a cooperative way for the best solution.

Town Hall-Next Steps on Urban Water Conservation moderated by ACWA's Dave Bolland with Felicia Marcus, Chair of the SWRCB speaking

This was a very well attended session as most are very interested to hear from Felicia Marcus on the mandated and increased water use reductions being imposed currently. Marcus is acutely aware of the problems but stressed that many agencies tend to oversimplify the problems when declaring the inequities of the mandate. Clearly the mandated restrictions are here to stay for the foreseeable future but the greater issue of long term water policy is very much in the forefront for the SWRCB. This was a very interesting and informative session.

Water Storage Funding: A Top Priority: Keynote Speaker Joseph Byrne, Chair of the California Water Commission

With the passage of Proposition 1, Mr. Byrne addressed the development of the guidelines being used to disperse funding for water storage projects. This is shaping up to be a very complicated process by which the Commission will develop the Water Storage Investment Program.

Statewide Issue Forum- Integrated Regional Water Management 2.0-CA's Strategic Plan for Improved Water Management

This was a panel discussion with some Q&A moderated by Kathleen Pieroni. The Panelists were Michael Floyd, DWR; Mark Cowin, Director of DWR; Steve Moore, SWRCB and Tim Quinn, Executive Director of ACWA. The program provided an overview of the IRWM Strategic Plan and highlighted some of the new policy prescriptions.

ACWA Region 1 Membership Meeting

I had the privilege of chairing this meeting. There was good attendance and participation from most of the Region 1 directors and member agencies. In addition to being kept apprised of all the ACWA committees' discussions and activities, we had Cindy Tuck, Deputy Executive Director of ACWA hold a Q&A session with the Region 1 Board on the drought and other Region 1 issues.

Respectfully submitted,

Judy Mirbegian

Hidden Valley Lake CSD

HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

APRIL 2015

FINANCIAL REPORT





HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

**April 2015
FINANCIAL REPORT**

**POOLED CASH
AS OF APRIL 30, 2015**

Beginning Balance	156,177.54
Cash Receipts	
Deposit	101,115.51
Transfers	657,469.30
Total Receipts	758,584.81
Cash Disbursements	
Accounts Payable	807,923.84
Payroll	47,313.22
Bank Fees	1,503.64
Total Disbursements	856,740.70
Ending Balance	58,021.65

TEMPORARY INVESTMENTS

AS OF APRIL 30, 2015

Fund		LAIF	Money Mkt	Total	G/L Bal
120	Sewer Operating Fund	66,988.74	56,987.70	123,976.45	123,976.45
130	Water Operating Fund	223,048.98	11,142.43	234,191.42	234,191.42
215	1995-2 Redemption	238,443.94	103,885.60	342,329.54	342,329.54
217	State Revolving Loan Sewer	158,823.08	(134,559.92)	24,263.16	24,263.16
218	CIEDB Redemption	11,461.36	(161,244.90)	(149,783.55)	(149,783.55)
219	USDARUS Solar Loan (Sewer)	815.70	63,370.52	64,186.23	64,186.23
313	Wastewater Cap Fac Reserved	432,155.95	33,536.81	465,692.76	465,692.76
314	Wastewater Cap Fac Unrestricted	53,721.28	91,952.26	145,673.54	145,673.54
320	Water Capital Fund	-	-	-	-
350	CIEDB Loan Reserve	170,433.60	-	170,433.60	170,433.60
711	Bond Administration	27,032.17	14,412.93	41,445.11	41,445.11
TOTAL		1,382,924.81	114,762.76	1,497,687.57	1,497,687.58



HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

APRIL 2015

FINANCIAL REPORT

CAPITAL EXPENDITURES

2014-2015 BUDGET

Sewer	Budget	Yr to Date Actual
Video Inspections of Sewer Laterals	35,000	-
Repair Sewer Lateral Leaks	35,000	-
Prepare Sewer Capital Improvement Plan	20,000	10,386.51
Install Security Fencing at Lift Station 1 & 4	10,000	-
Field Laptop (non-budget)	(1,522)	1,522.23
SCADA Computer (non-budget)	(6,442)	32,979.25
Total	98,478	44,887.99

Water	Budget	Yr to Date Actuals
Field Laptop (non-budget)	(1,522)	1,522.23
SCADA Computer (non-budget)	(6,442)	6,442.25
Total	(7,964)	7,964.48



HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

APRIL 2015

Financial Report

REVENUE & EXPENSE SEWER REPORT

4/1/2015-4/30/2015

120-SEWER ENTERPRISE FUND FINANCIAL SUMMARY	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
TOTAL REVENUE	1,006,300.00	184,336.77	880,239.37	126,060.63	87.47

EXPENDITURE SUMMARY					
NON-DEPARTMENTAL	350,606.00	23,901.52	366,130.04	(15,524.04)	104.43
ADMINISTRATION	312,539.00	27,464.13	287,316.31	25,222.69	91.93
FIELD	299,954.00	21,385.37	209,540.45	90,413.55	69.86
DIRECTORS	43,201.00	3,131.17	30,372.68	12,828.32	70.31
TOTAL	1,006,300.00	75,882.19	893,359.48	112,940.52	88.78

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
120-4020 PERMIT & INSPECTION FEES	300.00	-	100.00	200.00	33.33
120-4045 AVAILABILITY FEES	10,200.00	-	3,882.21	6,317.79	38.06
120-4050 SALES OF RECLAIMED WATER	95,000.00	7,850.94	73,325.58	21,674.42	77.18
120-4111 COMM SEWER USE	18,400.00	1,677.02	16,770.20	1,629.80	91.14
120-4112 GOV'T SEWER USE	600.00	50.18	501.80	98.20	83.63
120-4116 SEWER USE CHARGES	862,000.00	145,559.15	730,074.10	131,925.90	84.7
120-4210 LATE FEE	15,500.00	2,364.81	14,825.29	674.71	95.65
120-4300 MISC INCOME	100.00	104.86	620.51	(520.51)	620.51
120-4505 LEASE INCOME	4,200.00	129.23	1,960.94	2,239.06	46.69
120-4550 INTEREST INCOME	-	63.58	192.26	(192.26)	0
120-4580 TRANSFERS IN	-	26,537.00	37,986.48	(37,986.48)	0
TOTAL	1,006,300.00	184,336.77	880,239.37	126,060.63	87.47

NON-DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
120-5-00-5024 WORKERS' COMP INSURANCE	4,815.00	-	14,443.50	(9,628.50)	299.97
120-5-00-5025 RETIREE HEALTH BENEFITS	5,027.00	556.41	4,367.24	659.76	86.88
120-5-00-5060 GASOLINE, OIL & FUEL	14,200.00	611.93	7,103.41	7,096.59	50.02
120-5-00-5061 VEHICLE MAINT	10,357.00	264.56	9,207.80	1,149.20	88.9
120-5-00-5062 TAXES & LIC	1,100.00	-	517.52	582.48	47.05
120-5-00-5074 INSURANCE	16,285.00	-	16.50	16,268.50	0.1
120-5-00-5075 BANK FEES	7,000.00	751.83	7,329.47	(329.47)	104.71
120-5-00-5080 MEMBERSHIP & SUBSCRIPTIONS	6,000.00	-	3,779.63	2,220.37	62.99
120-5-00-5092 POSTAGE & SHIPPING	1,500.00	-	861.92	638.08	57.46
120-5-00-5110 CONTRACTUAL SERVICES	36,210.00	4,513.46	48,688.95	(12,478.95)	134.46
120-5-00-5121 LEGAL SERVICES	12,500.00	3,038.08	8,059.06	4,440.94	64.47
120-5-00-5122 ENGINEERING SERVICES	15,000.00	1,303.25	38,467.64	(23,467.64)	256.45
120-5-00-5123 OTHER PROFESSIONAL SERVICE	27,750.00	28.75	51,913.64	(24,163.64)	187.08
120-5-00-5130 PRINTING & PUBLICATION	500.00	542.82	1,009.09	(509.09)	201.82
120-5-00-5135 NEWSLETTER	1,000.00	-	762.92	237.08	76.29
120-5-00-5145 EQUIPMENT RENTAL	-	-	827.86	(827.86)	0
120-5-00-5148 OPERATING SUPPLIES	12,000.00	366.27	9,701.44	2,298.56	80.85
120-5-00-5150 REPAIR & REPLACE	50,452.00	6,183.19	43,997.40	6,454.60	87.21
120-5-00-5155 MAINT BLDG & GROUNDS	5,300.00	295.00	7,213.80	(1,913.80)	136.11
120-5-00-5156 CUSTODIAL SERVICES	9,450.00	787.50	8,381.25	1,068.75	88.69
120-5-00-5157 SECURITY	2,000.00	-	405.00	1,595.00	20.25
120-5-00-5160 SLUDGE DISPOSAL	23,000.00	-	11,423.45	11,576.55	49.67
120-5-00-5191 TELEPHONE	9,000.00	656.16	5,817.69	3,182.31	64.64
120-5-00-5192 ELECTRICITY	18,400.00	1,510.40	13,040.53	5,359.47	70.87
120-5-00-5193 OTHER UTILITIES	1,800.00	264.30	2,197.42	(397.42)	122.08
120-5-00-5195 ENV/MONITORING	25,000.00	2,182.00	27,755.16	(2,755.16)	111.02
120-5-00-5196 RISK MANAGEMENT	17,800.00	-	250.00	17,550.00	1.4
120-5-00-5198 ANNUAL OPERATING FEES	3,000.00	-	872.00	2,128.00	29.07
120-5-00-5310 EQUIPMENT - FIELD	1,000.00	-	961.13	38.87	96.11
120-5-00-5311 EQUIPMENT - OFFICE	2,800.00	-	1,063.28	1,736.72	37.97
120-5-00-5312 TOOLS - FIELD	1,100.00	26.02	438.11	661.89	39.83
120-5-00-5315 SAFETY EQUIPMENT	4,100.00	16.09	1,359.73	2,740.27	33.16
120-5-00-5510 SEWER OUTREACH	5,000.00	-	-	5,000.00	0
120-5-00-5545 RECORDING FEES	160.00	3.50	221.50	(61.50)	138.44
120-5-00-5590 NON-OPERATING OTHER	-	-	33,675.00	(33,675.00)	0
TOTAL	350,606.00	23,901.52	366,130.04	(15,524.04)	104.43

ADMINISTRATION EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
120-5-10-5010 SALARIES & WAGES	205,456.00	18,814.71	197,647.58	7,808.42	96.2
120-5-10-5020 EMPLOYEE BENEFITS	55,100.00	4,251.30	45,948.64	9,151.36	83.39
120-5-10-5021 RETIREMENT BENEFITS	41,013.00	3,060.96	31,804.26	9,208.74	77.55
120-5-10-5063 CERTIFICATIONS	20.00	-	-	20.00	0
120-5-10-5090 OFFICE SUPPLIES	6,200.00	699.56	5,188.38	1,011.62	83.68
120-5-10-5170 TRAVEL MILEAGE	350.00	196.76	1,511.53	(1,161.53)	431.87
120-5-10-5175 EDUCATION / SEMINARS	3,900.00	347.50	4,958.51	(1,058.51)	127.14
120-5-10-5179 ADM MISC EXPENSES	500.00	93.34	257.41	242.59	51.48
TOTAL	312,539.00	27,464.13	287,316.31	25,222.69	91.93

FIELD EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
120-5-30-5010 SALARIES & WAGES	213,757.00	14,118.17	136,409.73	77,347.27	63.82
120-5-30-5020 EMPLOYEE BENEFITS	44,068.00	4,672.31	44,626.83	(558.83)	101.27
120-5-30-5021 RETIREMENT BENEFITS	36,249.00	1,786.97	21,526.49	14,722.51	59.39
120-5-30-5022 CLOTHING ALLOWANCE	2,000.00	-	1,474.28	525.72	73.71
120-5-30-5063 CERTIFICATIONS	780.00	48.75	218.75	561.25	28.04
120-5-30-5090 OFFICE SUPPLIES	400.00	108.21	1,069.41	(669.41)	267.35
120-5-30-5170 TRAVEL MILEAGE	600.00	-	60.34	539.66	10.06
120-5-30-5175 EDUCATION / SEMINARS	2,100.00	650.96	4,154.62	(2,054.62)	197.84
TOTAL	299,954.00	21,385.37	209,540.45	90,413.55	69.86

DIRECTORS EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
120-5-40-5010 DIRECTORS COMPENSATION	1,170.00	96.88	968.80	201.20	82.8
120-5-40-5020 DIRECTOR BENEFITS	230.00	-	9.24	220.76	4.02
120-5-40-5030 DIRECTOR HEALTH BENEFITS	40,851.00	3,020.22	29,252.44	11,598.56	71.61
120-5-40-5170 TRAVEL MILEAGE	150.00	14.07	27.78	122.22	18.52
120-5-40-5175 EDUCATION / SEMINARS	600.00	-	-	600.00	0
120-5-40-5176 DIRECTOR TRAINING	200.00	-	114.42	85.58	57.21
TOTAL	43,201.00	3,131.17	30,372.68	12,828.32	70.31



HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

APRIL 2015

Financial Report

REVENUE & EXPENSE WATER REPORT

4/1/2015-4/30/2015

130-WATER ENTERPRISE FUND FINANCIAL SUMMARY	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
ALL REVENUE	1,134,100.00	155,960.37	888,799.27	245,300.73	78.37

EXPENDITURE SUMMARY					
NON-DEPARTMENTAL	641,637.00	37,142.47	452,060.23	189,576.77	70.45
ADMINISTRATION	335,979.00	27,463.94	288,241.21	47,737.79	85.79
FIELD	302,954.00	25,572.39	226,869.49	76,084.51	74.89
DIRECTORS	46,201.00	3,152.72	31,755.22	14,445.78	68.73
TOTAL	1,326,771.00	93,331.52	998,926.15	327,844.85	75.29

REVENUES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
130-4035 RECONNECT FEE	10,000.00	2,010.00	11,370.00	(1,370.00)	113.7
130-4039 WATER METER INST	300.00	300.00	500.00	(200.00)	166.67
130-4040 RECORDING FEE	100.00	10.00	110.00	(10.00)	110
130-4045 AVAILABILITY FEES	40,000.00	-	15,941.79	24,058.21	39.85
130-4110 COMM WATER USE	14,000.00	1,151.03	11,510.30	2,489.70	82.22
130-4112 GOV'T WATER USE	800.00	74.26	742.60	57.40	92.83
130-4115 WATER USE	863,000.00	140,291.85	702,766.71	160,233.29	81.43
130-4117 WATER OVERAGE FEE	167,000.00	7,357.05	95,258.07	71,741.93	57.04
130-4118 WATER OVERAGE COMM	11,000.00	938.42	16,052.36	(5,052.36)	145.93
130-4119 WATER OVERAGE GOV	-	57.78	57.78	(57.78)	0
130-4210 LATE FEE	22,000.00	2,967.02	19,765.32	2,234.68	89.84
130-4215 RETURNED CHECK FEE	800.00	50.00	575.00	225.00	71.88
130-4300 MISC INCOME	100.00	89.04	902.72	(802.72)	902.72
130-4505 LEASE INCOME	4,200.00	516.93	4,823.74	(623.74)	114.85
130-4550 INTEREST INCOME	800.00	146.99	458.40	341.60	57.3
130-4580 TRANSFER IN	-	-	7,964.48	(7,964.48)	0
TOTAL	1,134,100.00	155,960.37	888,799.27	245,300.73	78.37

NON-DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
130-5-00-5024 WORKERS' COMP INSURANCE	4,815.00	-	14,443.50	(9,628.50)	299.97
130-5-00-5025 RETIREE HEALTH BENEFITS	5,027.00	556.41	4,674.94	352.06	93
130-5-00-5060 GASOLINE, OIL & FUEL	12,500.00	611.92	7,103.25	5,396.75	56.83
130-5-00-5061 VEHICLE MAINT	12,500.00	-	2,944.34	9,555.66	23.55
130-5-00-5062 TAXES & LIC	1,600.00	-	963.97	636.03	60.25
130-5-00-5074 INSURANCE	16,285.00	-	16.50	16,268.50	0.1
130-5-00-5075 BANK FEES	7,000.00	751.81	7,323.33	(323.33)	104.62
130-5-00-5080 MEMBERSHIP & SUBSCRIPTION	17,200.00	-	14,752.36	2,447.64	85.77
130-5-00-5092 POSTAGE & SHIPPING	1,500.00	-	861.91	638.09	57.46
130-5-00-5110 CONTRACTUAL SERVICES	49,650.00	1,413.48	46,988.01	2,661.99	94.64
130-5-00-5121 LEGAL SERVICES	12,500.00	3,038.09	7,898.07	4,601.93	63.18
130-5-00-5122 ENGINEERING SERVICES	15,000.00	891.25	19,024.04	(4,024.04)	126.83
130-5-00-5123 OTHER PROFESSIONAL SERVIC	144,750.00	3,776.35	97,156.35	47,593.65	67.12
130-5-00-5124 WATER RIGHTS	10,000.00	4,269.20	8,719.91	1,280.09	87.2
130-5-00-5130 PRINTING & PUBLICATION	500.00	542.82	1,451.30	(951.30)	290.26
130-5-00-5135 NEWSLETTER	1,000.00	-	762.92	237.08	76.29
130-5-00-5148 OPERATING SUPPLIES	10,000.00	352.37	844.26	9,155.74	8.44
130-5-00-5150 REPAIR & REPLACE	52,000.00	4,606.80	52,275.68	(275.68)	100.53
130-5-00-5155 MAINT BLDG & GROUNDS	5,300.00	520.00	6,661.78	(1,361.78)	125.69
130-5-00-5156 CUSTODIAL SERVICES	9,450.00	787.50	8,943.75	506.25	94.64
130-5-00-5157 SECURITY	2,000.00	-	405.00	1,595.00	20.25
130-5-00-5191 TELEPHONE	9,000.00	656.15	5,817.65	3,182.35	64.64
130-5-00-5192 ELECTRICITY	165,000.00	8,629.40	100,096.66	64,903.34	60.66
130-5-00-5193 OTHER UTILITIES	1,800.00	264.31	2,197.42	(397.42)	122.08
130-5-00-5195 ENV/MONITORING	25,000.00	2,441.50	9,399.31	15,600.69	37.6
130-5-00-5196 RISK MANAGEMENT	-	-	250.00	(250.00)	0
130-5-00-5198 ANNUAL OPERATING FEES	27,000.00	1,422.08	18,587.04	8,412.96	68.84
130-5-00-5310 EQUIPMENT - FIELD	1,000.00	-	961.13	38.87	96.11
130-5-00-5311 EQUIPMENT - OFFICE	2,200.00	-	1,063.28	1,136.72	48.33
130-5-00-5312 TOOLS - FIELD	800.00	136.72	1,405.87	(605.87)	175.73
130-5-00-5315 SAFETY EQUIPMENT	4,100.00	(179.19)	1,073.11	3,026.89	26.17
130-5-00-5505 WATER CONSERVATION	15,000.00	1,650.00	6,772.09	8,227.91	45.15
130-5-00-5545 RECORDING FEES	160.00	3.50	221.50	(61.50)	138.44
TOTAL	641,637.00	37,142.47	452,060.23	189,576.77	70.45

ADMINISTRATION EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
130-5-10-5010 SALARIES & WAGES	227,796.00	18,814.66	196,209.43	31,586.57	86.13
130-5-10-5020 EMPLOYEE BENEFITS	55,100.00	4,251.30	45,917.10	9,182.90	83.33
130-5-10-5021 RETIREMENT BENEFITS	41,013.00	3,060.80	31,750.88	9,262.12	77.42
130-5-10-5063 CERTIFICATIONS	20.00	-	-	20.00	0
130-5-10-5090 OFFICE SUPPLIES	6,200.00	699.56	5,188.12	1,011.88	83.68
130-5-10-5170 TRAVEL MILEAGE	550.00	196.77	1,870.47	(1,320.47)	340.09
130-5-10-5175 EDUCATION / SEMINARS	4,800.00	347.50	7,047.82	(2,247.82)	146.83
130-5-10-5179 ADM MISC EXPENSES	500.00	93.35	257.39	242.61	51.48
TOTAL	335,979.00	27,463.94	288,241.21	47,737.79	85.79%

FIELD EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
130-5-30-5010 SALARIES & WAGES	216,757.00	17,944.11	153,970.88	62,786.12	71.03
130-5-30-5020 EMPLOYEE BENEFITS	44,068.00	4,672.31	44,296.87	(228.87)	100.52
130-5-30-5021 RETIREMENT BENEFITS	36,249.00	2,598.98	25,392.46	10,856.54	70.05
130-5-30-5022 CLOTHING ALLOWANCE	2,000.00	-	1,474.25	525.75	73.71
130-5-30-5063 CERTIFICATIONS	780.00	48.75	288.75	491.25	37.02
130-5-30-5090 OFFICE SUPPLIES	400.00	108.23	1,069.42	(669.42)	267.36
130-5-30-5170 TRAVEL MILEAGE	600.00	-	60.35	539.65	10.06
130-5-30-5175 EDUCATION / SEMINARS	2,100.00	200.01	316.51	1,783.49	15.07
TOTAL	302,954.00	25,572.39	226,869.49	76,084.51	74.89

DIRECTORS EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	BUDGET BALANCE	% OF BUDGET
130-5-40-5010 DIRECTORS COMPENSATION	3,000.00	118.42	1,184.20	1,815.80	39.47
130-5-40-5020 DIRECTOR BENEFITS	230.00	-	11.16	218.84	4.85
130-5-40-5030 DIRECTOR HEALTH BENEFITS	42,021.00	3,020.22	29,224.16	12,796.84	69.55
130-5-40-5170 TRAVEL MILEAGE	150.00	14.08	301.27	(151.27)	200.85
130-5-40-5175 EDUCATION / SEMINARS	600.00	-	-	600.00	0
130-5-40-5176 DIRECTOR TRAINING	200.00	-	1,034.43	(834.43)	517.22
TOTAL	46,201.00	3,152.72	31,755.22	14,445.78	68.73



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hiddenvalleylakecsd.com

MEMO

To: Board of Directors
From: Roland Sanford
Date: May 14, 2015
RE: General Manager's Monthly Report

Drought update

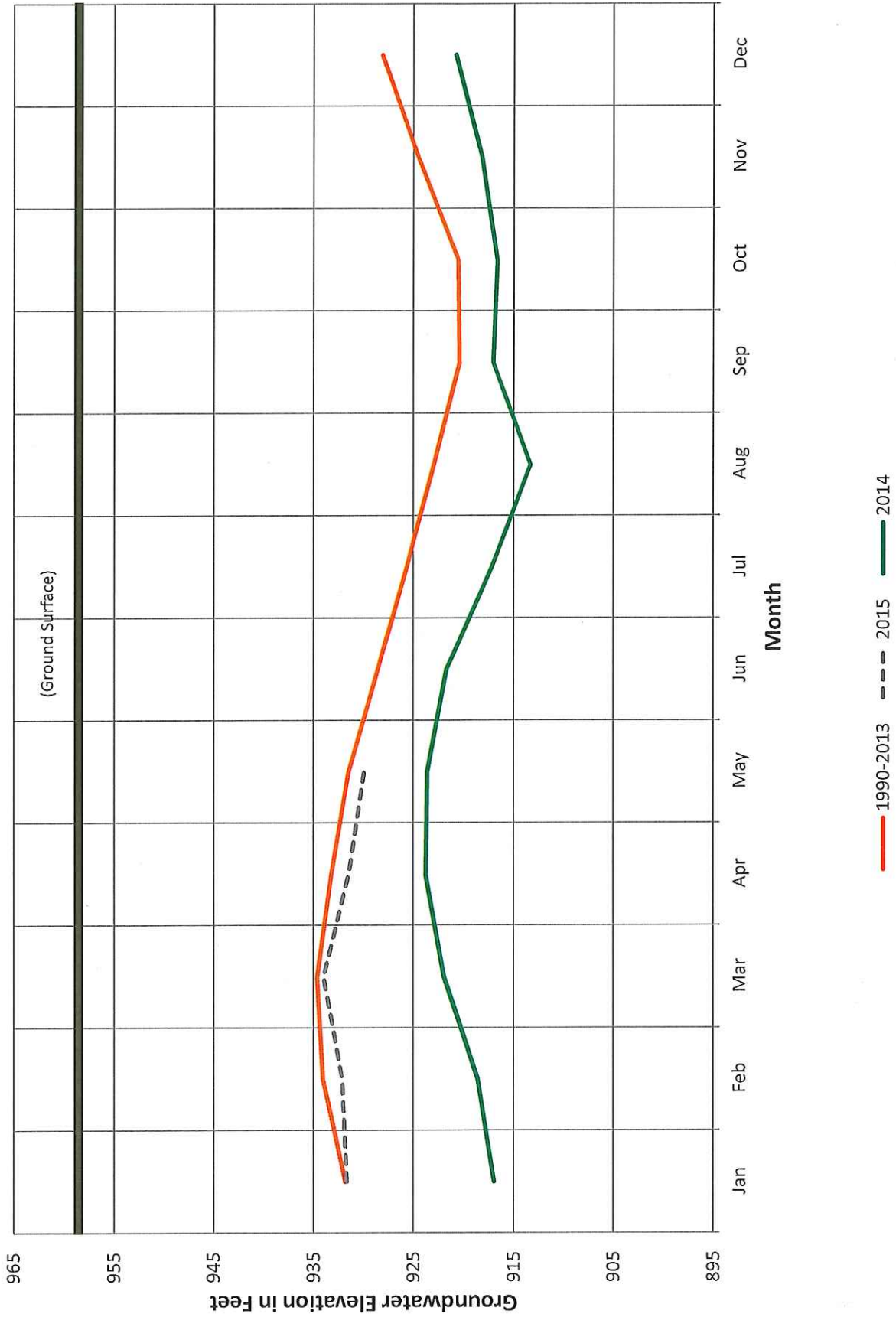
On May 5, 2015 the State Water Resources Control Board adopted statewide mandatory water conservation regulations that have garnered considerable media attention. For the most part, the new regulations are directed toward the larger urban water purveyors – those that have more than 3,000 service connections. Small urban water purveyors such as the District have been given the option of reducing overall municipal water use by 25 percent through whatever means they choose, or restricting outdoor landscape irrigation to two days per week.

In her comments at the recent Association of California Water Agencies conference in Sacramento, Felicia Marcus, the Chair of the State Water Resources Control Board (SWRCB), noted the mandatory water conservation regulations are intended to save approximately 1,500,000 acre-feet of water statewide – water that could be extremely valuable should the drought continue into 2016, and a lesson learned from the recent 10-year drought experienced by Australia. Ms. Marcus went on to explain that at this point in time, the restrictions on outdoor landscape irrigation appear to be the most effective approach for saving significant quantities of water, while minimizing economic impacts to the State.

As an anonymous gold miner once reportedly said *“...you may not need a good water supply like you may not need a good revolver all the time, but when you want it, you will want it awful bad”*.

Which leads me to our water supply situation - as previously reported, despite below average rainfall and runoff, groundwater elevation in the District's municipal wells remain on par with historic seasonal averages (see attached chart). The District, unlike many water purveyors in the San Joaquin drainage, has a reliable water supply. Now we just need to make that point abundantly clear to the SWRCB's Division of Water Rights, who earlier this month issued yet another Appropriative water right Curtailment Notice to the District and all “junior” water right holders in the Sacramento drainage.

Average Groundwater Elevations at HVLCS D Wells





Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hiddenvalleylakecsd.com

Staff has submitted documentation to the SWRCB demonstrating why the District should not be subject to water right curtailment notices, and is waiting for their response – which should come sooner rather than later, since the State has indicated that it will soon be reviewing those cases where curtailment notices have been issued for an entity that must continue water diversions for human health and safety purposes. This topic has been agendaized for discussion at the May 19 Board meeting.

Petition for Change

On May 12, 2015 staff and the District's water right consultants met with the California Department of Fish and Wildlife (CDFW) to view Putah Creek and discuss alternatives to the current Putah Creek supplemental release term in the District's appropriative water right license and permit. The District is proposing to eliminate this term, due in part to the marginal ecological benefits the supplemental releases provide. Other options, such as physical habitat improvements, are under consideration. The District is seeking CDFW concurrence before finalizing the "project description" of the forthcoming draft Environmental Impact Report for the Petition for Change.

As discussed elsewhere, due to budgetary constraints created by the State's mandatory water conservation restrictions (up to \$70,000 in lost revenue) and the delayed implementation of increased water rates (more "unrealized" revenue, approximately \$40,000), it may be necessary to slow down or postpone work on the draft Environmental Impact Report for the Petition for Change.

Cal OES Storm Damage Reimbursement

I am happy to report that Cal OES has tentatively approved our requested \$38,889 reimbursement for damage incurred during the December 2014 storms. I want to thank Director Lieberman for bringing the reimbursement prospects to my attention, as well as Tami Ipsen and Alyssa Gordon, who prepared the reimbursement application. Most of all, my thanks to Marisa Chilafoe, County OES Director, who made it all possible by spearheading efforts to make Lake County eligible for funding. Although the December 2014 storm damage was widespread in Northwestern California, it is my understanding that only two counties – Lake and Tehama – were designated as disaster areas by Governor Brown. It is all about persistence and paperwork – Marisa did an outstanding job and should be commended for her efforts.

"Pays Program" Grant

I am also happy to report the \$250,000 "Pays Program" grant application prepared by Alyssa Gordon and submitted to the Department of Water Resources (DWR) has been recommended for at least partial funding by DWR staff. The Pays Program is in essence a loan program, whereby residential and commercial water conservation improvements are funded, and the loan repaid as



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hiddenvalleylakecsd.com

part of an applicant's monthly water bill. To be eligible, a project must provide water savings that more than offset the cost of the associated water conservation improvements. In other words, the applicant's monthly water bill - the combination of water usage charges and monthly loan repayment - is less than it would be in the absence of the installed water conservation improvements.

The competition for these funds was intense and as shown on the attached map, only a few entities in the State are recommended for funding. This was Alyssa's first attempt at a DWR grant application and a very impressive rookie effort.

Sewer Loan Payoff

Last month the District made the final payment on the 9,994,000 million dollar State Revolving Fund loan for the Reclamation Plant – hence the rather large "Accounts Payable" figure in the April Pooled Cash report. Because the loan is now paid off, properties within Sewer Assessment District 1 will no longer be assessed \$380 dollars as a part of their annual property tax bill.

District Election Cycle

On April 28, 2015 the Lake County Board of Supervisors approved the District's request to switch Board Member elections from odd-numbered years to even-numbered years (see attached letter and Lake County Resolution). Accordingly, the District's next Board Member election will be consolidated with the November 8, 2016 statewide General Election.

Water Rate Increase

On May 11, 2015 the Finance Committee met and reviewed a "Uniform" water rate structure previously developed by NBS. The Committee is recommending the Board move forward with the adoption of the NBS Uniform water rate structure. This item has been agendaized for discussion at the May 19 Board meeting.

FY 2015-2016 Budget

On May 22, 2015 the Finance Committee will be meeting to review FY 2015-2016 budget scenarios. As mentioned earlier, the State's mandatory water conservation regulation and the rate increase delay resulting from the recent San Juan Capistrano Appeals Court Decision have created unwelcomed financial challenges for the Water Fund. Initially it was my hope that the Finance Committee would be able to meet on May 22, 2015 and recommend a given FY

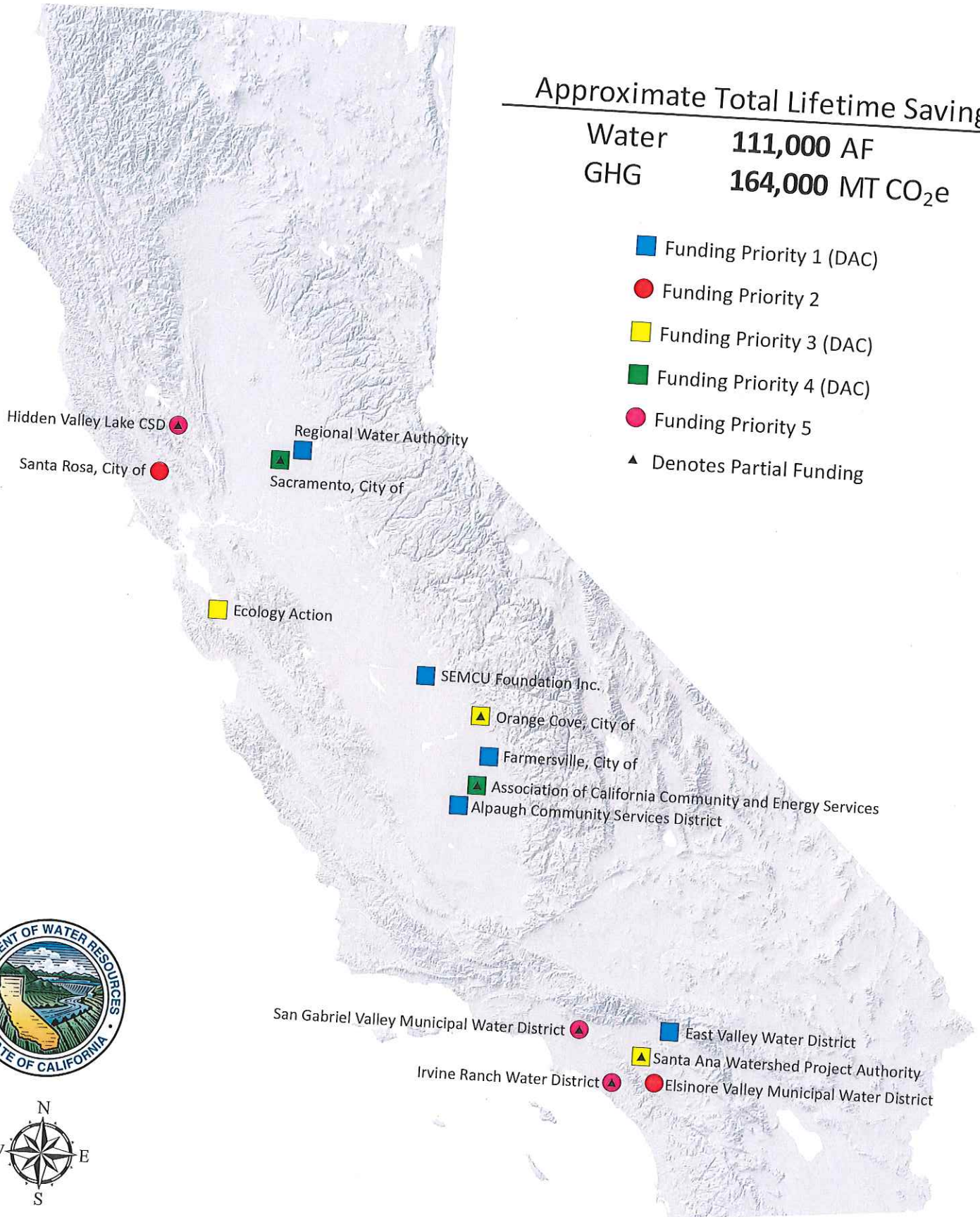
2015 -2016 budget scenario for adoption by the Board in June. However, it may be necessary to include an intermediary step – a Board Workshop in early June – prior to the Board's regularly scheduled Board meeting on June 16, 2015, in order for staff to obtain sufficient Board direction.

2014 Water-Energy Draft Funding Recommendations

Approximate Total Lifetime Savings

Water	111,000 AF
GHG	164,000 MT CO₂e

- Funding Priority 1 (DAC)
- Funding Priority 2
- Funding Priority 3 (DAC)
- Funding Priority 4 (DAC)
- Funding Priority 5
- ▲ Denotes Partial Funding





COUNTY OF LAKE
Registrar of Voters Office
Courthouse – 255 North Forbes Street
Lakeport, CA 95453
Telephone 707/263-2372
FAX 707/263-2742

DIANE C. FRIDLEY
Registrar of Voters

MARIA VALADEZ
Deputy Registrar of Voters

May 11, 2015

RECEIVED

MAY 13 2015

Hidden Valley Lake Community Services District
Roland Sanford, District Secretary
19400 Hartmann Road
Hidden Valley Lake, CA 95467

Dear Mr. Sanford:

I am enclosing two (2) documents regarding the Community Services District's request to the Lake County Board of Supervisors' to change the Board Member Election from odd-numbered years to even-numbered years:

1. Certified copy of the Board of Supervisors, County of Lake, State of California Resolution No. 2015-59 titled "RESOLUTION APPROVING HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS' REQUEST TO CHANGE THE DISTRICT'S BOARD MEMBER ELECTION FROM ODD-NUMBERED YEARS TO EVEN-NUMBERED YEARS".
2. Pursuant to Elections Code section 10404(f), a copy of the letter that will be mailed on Tuesday, May 12, 2015 to each registered voter of the Hidden Valley Lake Community Services District advising each voter that the Lake County Board of Supervisors approved the District's request to change the Board Member Election to even-numbered years and the first election will be consolidated with the November 8, 2016 statewide General Election.

Please do not hesitate to contact me or Maria in the Lake County Registrar of Voters office at 707/263-2372 if you have any questions or if we may be of further assistance.

Sincerely,

Diane C Fridley
Registrar of Voters

Enclosures

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO.: 2015-59

RESOLUTION APPROVING
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS' REQUEST TO CHANGE THE DISTRICT'S
BOARD MEMBER ELECTION FROM ODD-NUMBERED YEARS TO
EVEN-NUMBERED YEARS

RESOLVED by the Board of Supervisors of the County of Lake, State of California, that it finds, determines and hereby declares THAT:

WHEREAS, California Elections Code section 10404 authorizes a governing board of a special district to adopt and submit a resolution requesting that the District's governing board member election be consolidated with the statewide election to the Board of Supervisors no later than 240 days prior to the District's current scheduled district election in November, 2015; and,

WHEREAS, Hidden Valley Lake Community Services District Board of Directors adopted Resolution 2015-04 on February 17, 2015 requesting that the Lake County Board of Supervisors consider changing the District's governing board member elections from odd-numbered years to even-numbered years; and,

WHEREAS, the District's Resolution was submitted to the Board of Supervisors at their regular meeting on March 3, 2015; and,

WHEREAS, as required by Elections Code section 10404(c) the Board of Supervisors notified all districts with elected governing board members within Lake County that Hidden Valley Lake Community Services District Board submitted a resolution requesting that their regularly scheduled election date to elect directors be changed from November of odd-numbered years to November of even-numbered years; and,

WHEREAS, no district submitted a written response to the Board of Supervisors on the effect of the consolidation; and,

WHEREAS, the Registrar of Voters "Impact Analysis/Cost Effectiveness Report On Changing the Election of the Directors for the Hidden Valley Lake Community Services District from Odd-Year to Even-Year General Elections" did not find that the election systems, including the ballot layout, voting, ballot counting, and election reporting system, will be beyond capacity with the consolidation of the District election; and,

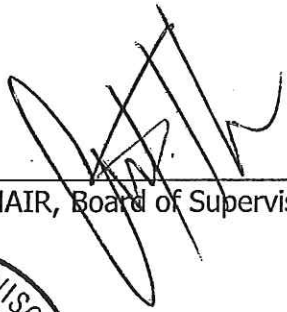
NOW THEREFORE, BE IT RESOLVED pursuant to Section 10404 of the Elections Code, State of California, the Lake County Board of Supervisors approves the Hidden Valley Lake Community Services District Board of Director's request to change the District's Governing Board Member elections from odd-numbered years to even-numbered years commencing on the November 8, 2016 General Election and those governing body members whose terms would have expired in 2015 and 2017 shall continue in their offices for an additional year.

This Resolution was passed by the Board of Supervisors of the County of Lake, State of California, at a regular meeting thereof on April 28, 2015, by the following vote:

AYES: Supervisors Comstock, Smith, Steele, Brown and Farrington

NOES: None

ABSENT OR NOT VOTING: None



CHAIR, Board of Supervisors

ATTEST: MATT PERRY
Clerk of the Board of Supervisors

BY: 


Deputy



APPROVED AS TO FORM: ANITA L. GRANT
County Counsel





The within instrument is a correct copy of the Document on file in this office.
ATTEST: 05-07-2015
MATT PERRY
Clerk of the Board of Supervisors of the State of California in and for the County of Lake.
By: 



COUNTY OF LAKE
Registrar of Voters Office
Courthouse - 255 North Forbes Street
Lakeport, CA 95453
Telephone 707/263-2372
FAX 707/263-2742

DIANE C. FRIDLEY
Registrar of Voters

MARIA VALADEZ
Deputy Registrar of Voters

May 12, 2015

**Re: Hidden Valley Lake Community Services District
Governing Board Member Elections**

Dear Registered Voter:

I am sending you this letter as notification that at a public hearing held on Tuesday, April 28, 2015, the Lake County Board of Supervisors adopted Resolution No. 2015-59 which approved the Hidden Valley Lake Community Services District Board of Directors' request to change the District's Governing Board Member elections from odd-numbered years to even-numbered years. Due to this change, the next election to elect directors for the Hidden Valley Lake Community Services District will be held on November 8, 2016 at the statewide General Election. Regularly scheduled elections will follow every two (2) years thereafter: Consequently, those governing body members whose terms would have expired in 2015 and 2017 will continue in their offices for an additional year.

Please feel free to contact me or Maria in the Lake County Registrar of Voters office at 707/263-2372 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Diane C. Fridley".

Diane C Fridley
Registrar of Voters



Hidden Valley Lake Community Services District

19400 Hartmann Road
Hidden Valley Lake, CA 95467
707.987.9201
707.987.3237 fax
www.hiddenvalleylakecsd.com

My Resignation

Finally, as you are aware, on May 15, 2015 I submitted my letter of resignation. I have enjoyed my three years at District. It has been challenging, and very rewarding both professionally and personally. I feel very fortunate to have work for and with you, and I am proud of what we have all accomplished.

At the same time, I am feeling very fortunate and honored to be given the opportunity to become the General Manager of the Solano County Water Agency, the District's downstream neighbor based in Vacaville. My public sector career began at the Solano County Water Agency - I was with the Agency for 13 years. It is an opportunity to follow in the footsteps of my mentors and in many respects, an opportunity to return home.

My last work day with the District will be August 20, 2015 and from here on out it will be "full throttle". There is still much to do and I intend to leave the District as "ship shape" as possible. The priorities, as I see them, are; getting the water hookup moratorium lifted, a water rate increase approved, obtaining the California Department of Fish and Wildlife's concurrence that the supplemental release flows to Putah Creek should be discontinued, initiating a sewer collection system repair/replacement program to reduce inflow and infiltration, reaching a final determination as to whether or not dilution will be a viable option for compliance with the new hexavalent drinking water standard, and last but not least, facilitating a smooth transition to my successor.



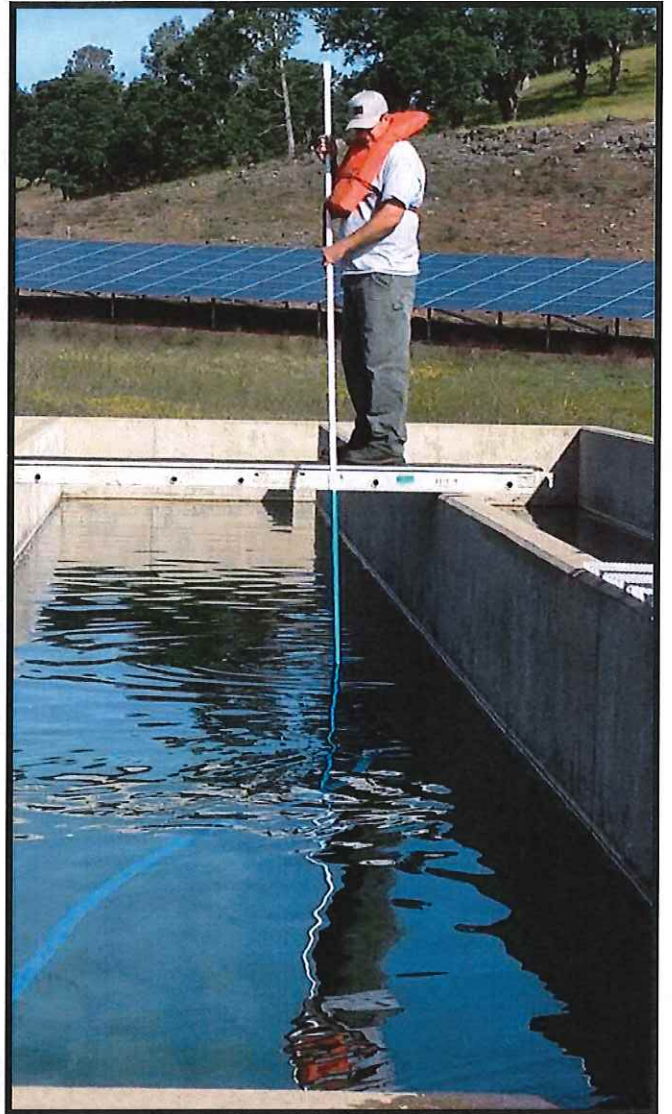
Hidden Valley Lake Community Services District

April 2015 Report

F
I
E
L
D

O
P
E
R
A
T
I
O
N
S

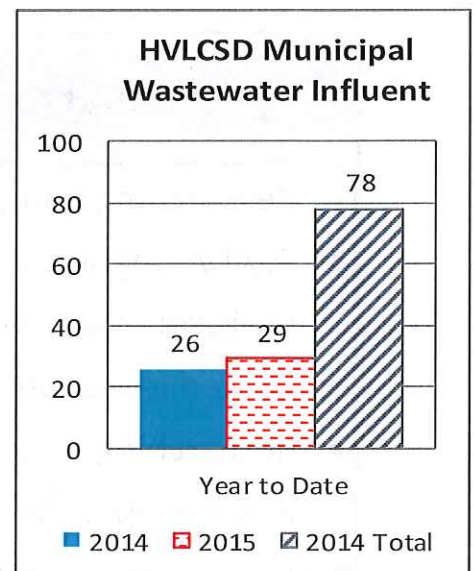
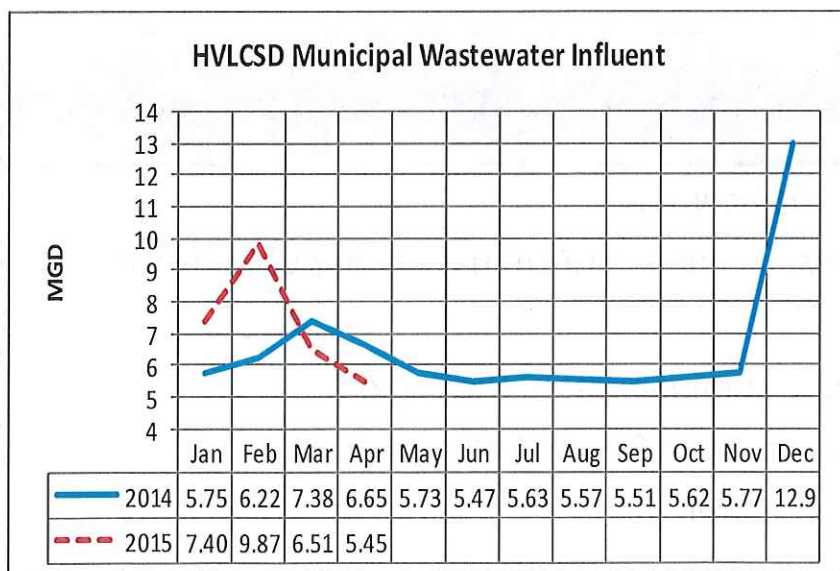
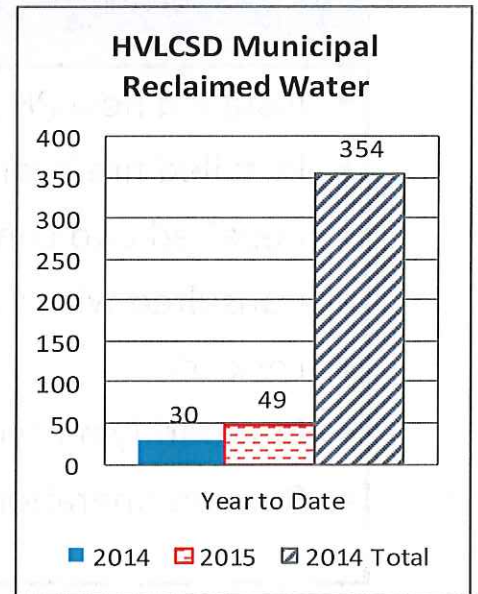
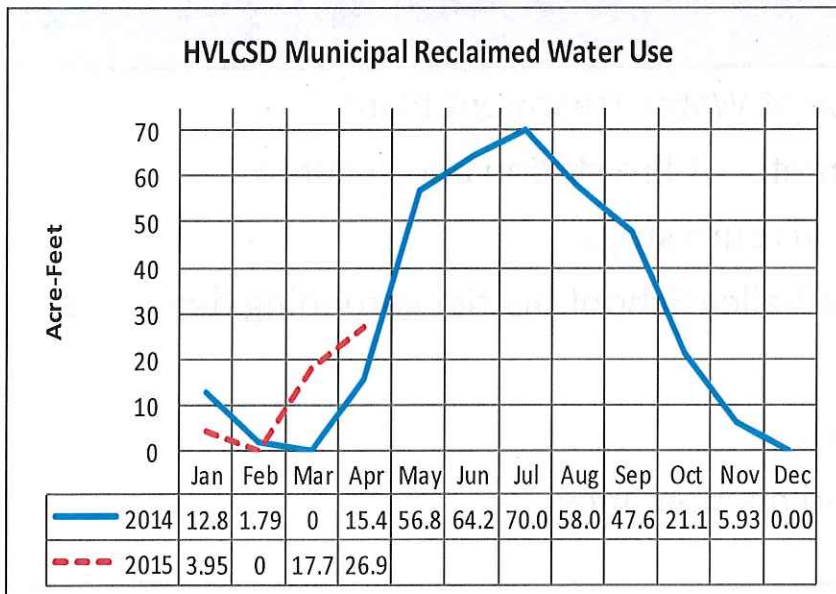
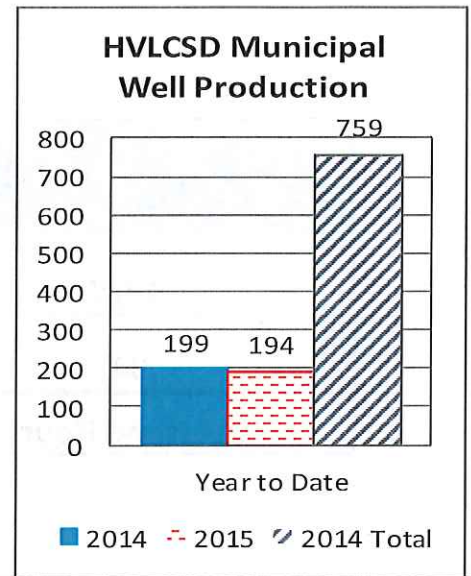
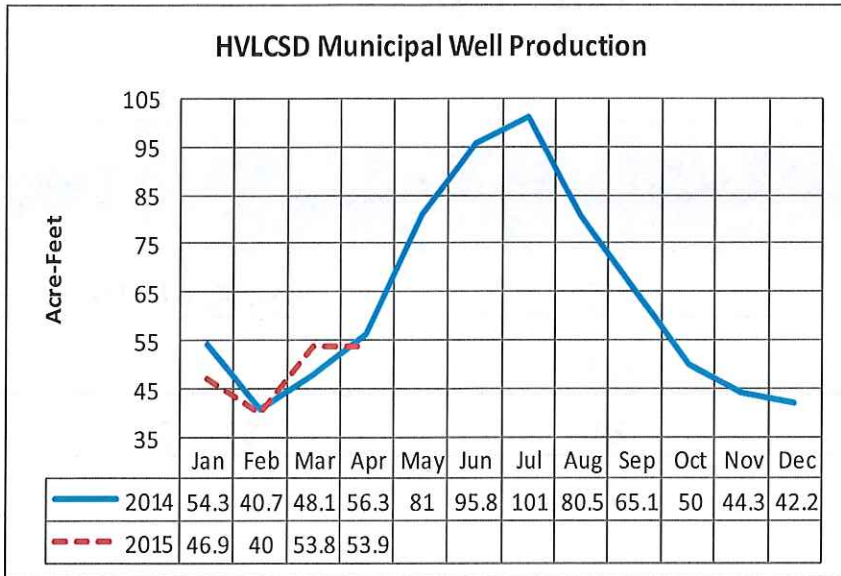
Routine maintenance and operations: Cleaning the Cl2 Basin



Routine maintenance and operation: In-house repair of CL2 mixer

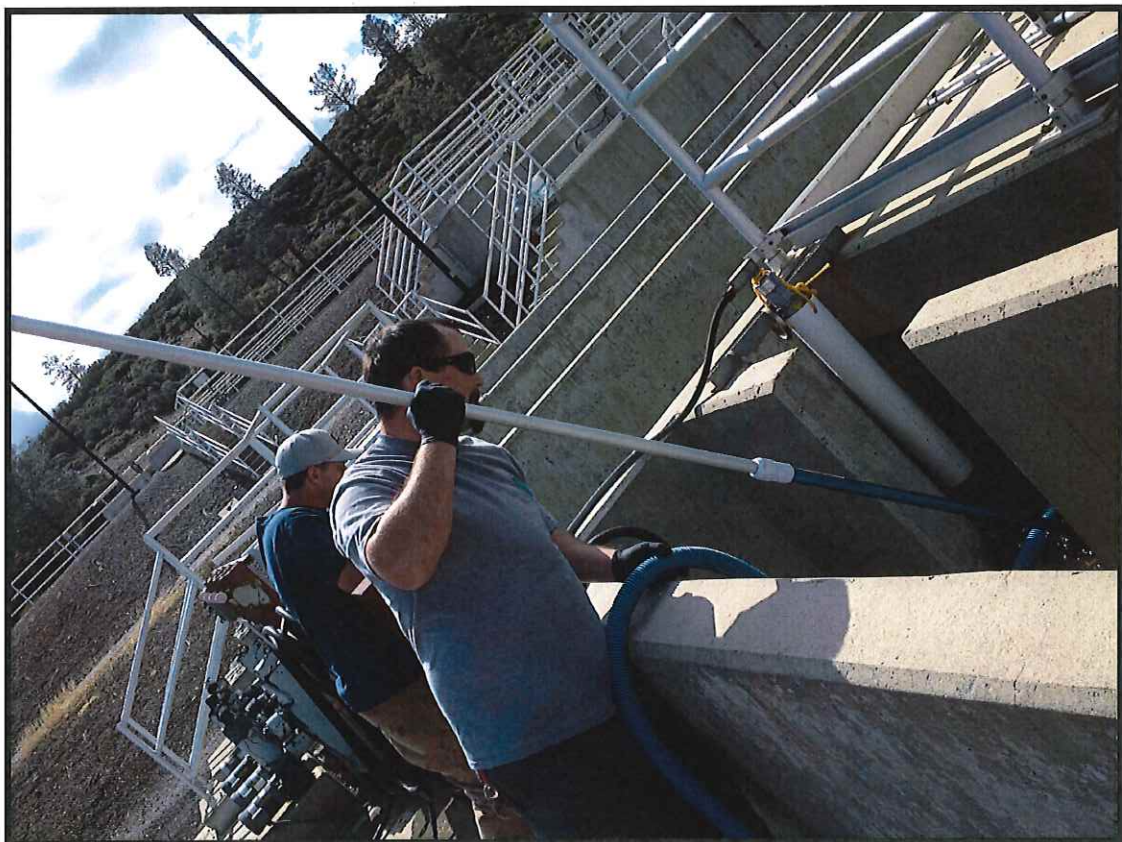


April 2015 Field Report



April 2015 Field Report

Vehicle Mileage	
<i>Vehicle</i>	<i>Mileage</i>
Truck 1 (construction truck)	520
Truck 3 (On-Call truck)	1966
Truck 4 (field truck)	604.2
Truck 6 (plant truck)	352
Truck 7 (Sewer Lead Op)	0
Truck 8 (Water Lead Op)	987
Dump Truck	158
Backhoe	0
Tractor	0
New Holland Tractor	3.09



**ACTION OF
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT**

DATE: May 19, 2015

AGENDA ITEM: Discussion and Possible Action: Adoption of Resolution 2015-08 nominating a HVLCSD candidate for the 2016-2017 ACWA Region 1 Board

RECOMMENDATIONS:

Nominate a candidate for the 2016-2017 ACWA Region 1 Board via adoption of Resolution 2015-08.

FINANCIAL IMPACT:

None

BACKGROUND:

The District actively participates in the Association of California Water Agencies (ACWA) Region 1 events and District Board members often serve on the ACWA Region 1 Board. Judy Mirbegan currently serves on the ACWA Region 1 Board.

Later this year there will be an election of new ACWA Region 1 Board members (all Board member positions are up for election; two-year term, no term limits). Nominations are being sought by the ACWA Region 1 Nominating Committee. Staff recommends that the District Board nominate a candidate – a fellow District Board member – to serve on the ACWA Region 1 Board. Additional information regarding the functions and responsibilities of ACWA Region 1 Board members, and the process by which ACWA Region 1 Board members are elected, is attached.

APPROVED
AS RECOMMENDED

OTHER
(SEE BELOW)

Modification to recommendation and/or other actions:

I, Roland Sanford, Secretary to the Board, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular board meeting thereof held on (DATE) by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Secretary to the Board

RESOLUTION NO. 2015-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
THE HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT
PLACING IN NOMINATION A CANDIDATE
AS A MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES
REGION 1 BOARD

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF HIDDEN VALLEY
LAKE COMMUNITY SERVICES DISTRICT AS FOLLOWS:

A. Recitals

- (i) The Board of Directors of the Hidden Valley Lake Community Services District (Hidden Valley Lake CSD) does encourage and support the participation of its members in the affairs of the Association of California Water Agencies (ACWA).
- (ii) Judy Mirbegian has indicated a desire to serve as a Board member of ACWA Region 1.

B. Resolves

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS
OF HIDDEN VALLEY LAKE CSD,

- (i) Does place its full and unreserved support in the nomination of Judy Mirbegian for the Board member of ACWA Region 1.
- (ii) Does hereby determine that the expenses attendant with the service of Judy Mirbegian in ACWA Region 1 shall be borne by the Hidden Valley Lake CSD.

I, Roland Sanford, Secretary to the Board of Directors of Hidden Valley Lake CSD, hereby certify that the foregoing Resolution was introduced at a regular meeting of the Board of Directors of said District, held on the 19th day of May 2015, and was adopted and approved at that meeting by the following role call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

(SEAL)

ATTEST:

Roland Sanford, General Manager/
Secretary to the Board of Directors

Jim Freeman, President of the Board

Nominee

THE ROLE OF THE REGIONS

Mission:

ACWA Regions will provide the grassroots support to advance ACWA's legislative and regulatory agenda.

Background:

As a result of ACWA's 1993 strategic planning process, known as Vision 2000, ACWA modified its governance structure from one that was based on sections to a regional-based configuration. Ten regions were established to provide geographic balance and to group agencies with similar interests.

The primary charge of regions:

- To provide a structure where agencies can come together and discuss / resolve issues of mutual concern and interest and based on that interaction, provide representative input to the ACWA board.
- To assist the Outreach Task Force in building local grassroots support for the ACWA Outreach Program in order to advance ACWA's legislative and regulatory priorities as determined by the ACWA Board and the State Legislative, Federal Affairs or other policy committees.
- To provide a forum to educate region members on ACWA's priorities and issues of local and statewide concern.
- To assist with association membership recruitment at the regional level.
- To take positions recommending specific action to the ACWA Board on local, regional, state and federal issues as well as to recommend endorsement for various government offices and positions.
 - *Individual region boards CANNOT take positions, action or disseminate communication on issues and endorsements without going through the ACWA Board structure.*

Region chairs and vice chairs, with support from their region boards, provide the regional leadership to fulfill this charge.

GENERAL DUTIES / RESPONSIBILITIES FOR REGION OFFICERS

Region Chair:

- Serves as a member of the ACWA Board of Directors at bimonthly meetings at such times and places as the Board may determine. The Chair will also call at least two Region membership meetings to be held at each of the ACWA Conferences and periodic Region Board meetings.
- Is a member of ACWA's Outreach Program, and encourages region involvement.
 - Appoints Outreach Captain to help lead outreach effort within the region.
- Presides over all region activities and ensures that such activities promote and support accomplishment of ACWA's Goals.



2015 ACWA Region Election Timeline 2016-2017 Term

- February 28:** **NOMINATING COMMITTEES APPOINTED**
- With consensus of the region board, the region chairs appoint at least three region members to serve as the respective region's Nominating Committee
 - Those serving on nominating committees are ineligible to seek region offices
 - Nominating Committee members are posted online at www.acwa.com
- March 1-31:** **NOMINATING COMMITTEE TRAINING**
- Nominating Committee packets will be e-mailed out to each committee member
 - ACWA staff will hold a training session via conference call with each nominating committee to educate them on their specific role and duties
 - Regions 1-5 Nominating Committees: March 18 at 10 a.m.
 - Regions 6-10 Nominating Committees: March 18 at 2 p.m.
- May 4:** **CALL FOR CANDIDATES**
- The call for candidate nominations packet will be e-mailed to ACWA member agency Board Presidents and General Managers
 - The call for candidate nominations will be announced at the 2015 ACWA Spring Conference and Exhibition in Sacramento
- June 30:** **DEADLINE FOR COMPLETED NOMINATION FORMS**
- Deadline to submit all Nomination Forms and board resolutions of support for candidacy for region positions
 - Nominating Committee members may need to solicit additional candidates in person to achieve a full complement of nominees for the slate
- July 10:** **CANDIDATE INFORMATION TO NOMINATING COMMITTEES**
- All information submitted by candidates will be forwarded from ACWA staff to the respective region Nominating Committee members with a cover memo explaining their task

July 11 - 31:

RECOMMENDED SLATES SELECTED

- Nominating Committees will meet to determine the recommended individuals for their region. The slate will be placed on the election ballot.
- Nominating Committee Chairs will inform their respective ACWA Regional Affairs Representative of their recommended slate
- Candidates will be notified of the recommended slate by July 31
- The Nominating Committee Chair will approve the official region ballot

August 1:

ELECTIONS BEGIN

- All 10 official electronic ballots identifying the recommended slate and any additional candidates for consideration for each region will be produced and e-mailed to ACWA member agencies only
- Only one ballot per agency will be counted

September 30:

ELECTION BALLOTS DUE

- ***Deadline for all region elections. All region ballots must be received by ACWA by September 30, 2015***

October 5:

ANNOUNCEMENT OF ELECTION RESULTS

- Newly-elected members of the region boards will be contacted accordingly
- An ACWA Advisory will be distributed electronically to all members reporting the statewide region election results
- Results will be posted at acwa.com and will be published in the October issue of ACWA News

**ACTION OF
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT**

DATE: May 19, 2015

AGENDA ITEM: DISCUSSION AND POSSIBLE ACTION: State Water Resources Control Board 25 Percent Mandatory Water Conservation Regulation

RECOMMENDATIONS:

Hear staff presentation and provide direction to staff.

FINANCIAL IMPACT:

Lost revenue - approximately \$70,000 - if the Mandatory Water Conservation Regulation remains in effect for the next 12 months.

BACKGROUND:

On May 5, 2015 the State Water Resources Control Board (SWRCB) adopted mandatory water conservation regulations (Water Conservation Regulation) designed to reduce statewide urban water use by 25 percent, as compared to statewide urban water use in 2013 (see attached SWRCB media release and supporting information). The Water Conservation Regulation will become effective on or about May 15, 2015 and will remain in effect for at least 270 days.

Pursuant to the Water Conservation Regulation, the District has the option of either restricting overall water use by 25 percent or limiting outdoor irrigation to no more than two days per week. On August 19, 2014 the Board adopted Ordinance Number 2014-55, which limits outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week (see attached Ordinance 2014-55). Accordingly, compliance with the Water Conservation Regulation can be most easily achieved by not rescinding Ordinance Number 2014-55.

APPROVED
AS RECOMMENDED

OTHER
(SEE BELOW)

Modification to recommendation and/or other actions:

I, Roland Sanford, Secretary to the Board, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular board meeting thereof held on (DATE) by the following vote:

Ayes:

Noes:

Abstain:

Absent

Secretary to the Board



Media Release

State Water Board Adopts 25 Percent Mandatory Water Conservation Regulation

For Immediate Release
May 5, 2015

Contact: George Kostyrko
gkostyrko@waterboards.ca.gov

SACRAMENTO – With emergency drought conditions persisting throughout California, the State Water Resources Control Board Tuesday adopted an [emergency regulation](#) requiring an immediate 25 percent reduction in overall potable urban water use statewide in accordance with Gov. Jerry Brown's April 1 [Executive Order](#).

The Governor's Executive Order required, for the first time in the state's history, mandatory conservation for all residents and directed several state agencies, including the State Water Board, to take immediate action to safeguard the state's remaining potable urban water supplies in preparation for a possible fifth year of drought.

A 25 percent savings in potable urban water use amounts to more than 1.2 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville.

Tuesday's action follows the release of water production figures for the month of March which registered only a slight increase from the amount of water saved in the prior month. The amount of water conserved in March 2015, as compared to March 2013 was 3.6 percent, up less than one percent from February's results.

Since the State Water Board adopted its initial emergency urban conservation regulation in July 2014, voluntary statewide conservation efforts have reached 9 percent overall – far short of the 20 percent Governor Brown called for in 2014. To see how various regions and communities have done conserving water, please visit this link [here](#).

"This is the drought of the century, with greater impact than anything our parents and grandparents experienced, and we have to act accordingly," said Felicia Marcus, Chair of the State Water Resources Control Board.

"Today we set a high but achievable bar, with the goal of stretching urban California's water supply. We have to face the reality that this drought may continue and prepare as if that's the case. If it rains and snows next winter, we celebrate. If the drought continues, we'll be glad we took difficult but prudent action today. It's the responsible thing to do."



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

STATE WATER RESOURCES CONTROL BOARD

1001 I Street, Sacramento, CA 95814 • Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 • www.waterboards.ca.gov



Conservation Standard

The emergency regulation identifies how much water communities must conserve based on their average residential water use, per person per day, last summer. Every person should be able keep indoor water use to no more than 55 gallons per day. For the most part, the amount of water that each person uses in excess of this amount is water that is applied to lawns and other ornamental landscapes.

On average, 50 percent of total residential use is outdoors, in some cases up to 80 percent. To save water now, during this drought emergency, the regulation targets these outdoor uses. Communities that are approaching, at or below the indoor target, are assigned a modest conservation standard while communities that use water well above the indoor target will be asked to do much more.

To reduce water use by 25 percent statewide, the regulation adopted by the Board this week places each urban water supplier into one of eight tiers which are assigned a conservation standard, ranging between four percent and 36 percent. Each month, the State Water Board will compare every urban water suppliers' water use with their use for the same month in 2013 to determine if they are on track for meeting their conservation standard. Local water agencies will determine the most cost effective and locally appropriate way to achieve their standard. The State Water Board will be working closely with water suppliers to implement the regulations and improve local efforts that are falling short.

"This likely will result in all communities significantly cutting back on outdoor watering, particularly ornamental landscapes surrounding homes, institutions, and businesses, resulting in many golden landscapes statewide," said Marcus. "This will be a heavy lift for some, but we believe that the regulatory strategy adopted today is doable – in fact, many communities that have focused on conserving water have already achieved significant conservation without losing their landscapes."

Residential customers of water suppliers with a conservation standard of 36 percent currently use between 216 and 614 gallons of water per person per day during the months of July, August, and September. Reducing their water use by 36 percent will still leave these residents with a minimum of 137 and up to 393 gallons of water per person per day; far more than the accepted standard of 55 gallons per person per day for indoor use. The difference between 55 gallons per person per day and 137 – 393 gallons per person per day means that these residents will still have water available for outdoor irrigation. Communities using less than 65 gallons per person per day will be required to reduce their overall water use by 8 percent.

"Over the longer term, we have many ways to extend our precious water resources, particularly in urban areas — conservation, recycling, stormwater capture, and desalination in appropriate cases have great promise. Many communities have done a lot already, or have ambitious goals that we hope to help them achieve. In the short run however, conservation is the cheapest, fastest and smartest way to become more resilient in the face of drought today and climate change in the future," said Marcus.

Summary of New Requirements

- The conservation savings for all urban water suppliers (serving more than 3,000 connections) are allocated across nine tiers of increasing levels of residential gallons per capita per day (R-GPCD) water use to reduce water use by 25 percent statewide and will take effect June 1st. For specific information on the tiers and the suppliers in each tier, please visit [here](#).
- Smaller water suppliers (serving fewer than 3,000 connections) must either reduce water use by 25 percent, or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers, that collectively serve less than 10 percent of Californians, must submit a report on December 15, 2015 to demonstrate compliance.
- Commercial, Industrial and Institutional properties that are not served by a water supplier (or are self-supplied, such as by a groundwater well) also must either reduce water use by 25 percent or restrict outdoor irrigation to no more than two days per week. No reporting is required but these properties must maintain documentation of their water use and practices.
- The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:
 - Irrigation with potable water of ornamental turf on public street medians; and
 - Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established by the Building Standards Commission and the Department of Housing and Community Development.
- These are in addition to the existing restrictions that prohibit:
 - Using potable water to wash sidewalks and driveways;
 - Allowing runoff when irrigating with potable water;
 - Using hoses with no automatic shutoff nozzles to wash cars;
 - Using potable water in decorative water features that do not recirculate the water;
 - Irrigating outdoors during and within 48 hours following measureable rainfall; and
 - Restaurants serving water to their customers unless the customer requests it.
- Additionally, hotels and motels must offer their guests the option to not have their linens and towels laundered daily and prominently display this option in each guest room.



Enforcement

In addition to other powers, local agencies can fine property owners up to \$500 a day for failure to implement the water use prohibitions and restrictions. The State Water Board can issue informational orders, conservation orders or cease and desist orders to water suppliers for failure to meet their conservation standard. Water agencies that violate cease and desist orders are subject to a civil liability of up to \$10,000 a day.

Next Steps

Following Board adoption, the regulation will be submitted to the Office of Administrative Law, which has 10 days to approve or deny the regulation. If approved by the Office of Administrative Law, the regulation will take effect immediately and remain in effect for 270 days from that date.

For more information, please visit the [Emergency Water Conservation](#) website.

To learn more about the state's drought response, visit [Drought.CA.Gov](#).

Every Californian should take steps to conserve water. Find out how at [SaveOurWater.com](#).

ADOPTED TEXT OF EMERGENCY REGULATION

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) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

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

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

(6) 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 prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and 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;

- (5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
 - (6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
 - (7) The irrigation with potable water of ornamental turf on public street medians; and
 - (8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- (b) To promote water conservation, operators of hotels and motels shall 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 using clear and easily understood language.
 - (c) Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either:
 - (1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or
 - (2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through February 2016 as compared to the amount used from those sources for the same months in 2013.
 - (d) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivisions (b) or (c), is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 865. Mandatory Actions by Water Suppliers.

- (a) As used in this section:
 - (1) “Distributor of a public water supply” has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.
 - (2) “R-GPCD” means residential gallons per capita per day.

- (3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier's service area.
- (4) "Urban water supplier" means 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) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.

(2) 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. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's April 1, 2015 Executive Order, each urban water supplier shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available may, submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.

(3) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(4) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(5) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(6) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(7) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(8) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(9) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(10) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier shall comply with the conservation standard specified in subdivision (c).

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall take one or more of the following actions:

(A) 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

(B) Reduce by 25 percent reduction its total potable water production relative to the amount produced in 2013.

(2) Each distributor of a public water supply that is not an urban water supplier shall submit a report by December 15, 2015, on a form provided by the Board, that either confirms compliance with subdivision (f)(1)(A) or identifies total potable water production, by month, from June through November, 2015, and total potable water production, by month, for June through November 2013.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article by the board or an officer or employee of the board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the California Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2015-0032**

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 (April 2014 Proclamation) 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 April 2014 Proclamation 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 April 2014 Proclamation also suspends the environmental review required by the California Environmental Quality Act to allow the emergency regulation and other actions to take place as quickly as possible;
2. The April 2014 Proclamation refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a drought State of Emergency to exist in California due to severe drought conditions (January 2014 Proclamation). The January 2014 Proclamation finds that dry conditions and lack of precipitation present urgent problems to drinking water supplies and cultivation of crops, which put farmers' long-term investments at risk. The conditions also threaten the survival of animals and plants that rely on California's rivers, including many species in danger of extinction. The January 2014 Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. On December 22, 2014, in light of the continued lack of rain, Governor Brown issued [Executive Order B-28-14](#), which extends the California Environmental Quality Act suspension through May 31, 2016 for Water Code section 13247 and certain activities identified in the January 2014 and April 2014 proclamations;
4. On April 1, 2015, Governor Brown issued a new Executive Order that directs the State Water Board to impose restrictions on urban water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems; along with other directives;
5. 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";

6. On July 15, 2014, the State Water Board adopted an emergency regulation to support water conservation ([Resolution No. 2014-0038](#)), and that regulation became effective July 28, 2014 upon approval by the Office of Administrative Law (OAL);
7. On March 17, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation ([Resolution No. 2015-0013](#)), which became effective March 27, 2015 upon approval by OAL;
8. The current emergency regulation has supported Californians' water conservation efforts, with over 125 billion gallons saved from August 2014 through March 2015; however, statewide water use is only nine percent less than the same months in 2013. Achieving a 25 percent reduction in use will require even greater conservation efforts across the state. In particular, many communities must dramatically reduce their outdoor water use;
9. 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 will survive while receiving a decreased amount of water;
10. Although urban water suppliers have placed restrictions on outdoor watering, the State Water Board continues to receive reports of excessive outdoor water use;
11. 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 later in the season or next year, reducing the likelihood of even more severe water shortages should the drought continue;
12. Education and 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;
13. 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>);
14. Many California communities are facing social and economic hardship due to this drought. The rest of us can make adjustments to our water use, including landscape choices that conserve even more water;
15. The California Constitution declares, at article X, section 2, that the water resources of the state must be put to beneficial use in a manner that is reasonable and not wasteful. Relevant to the current drought conditions, the California Supreme Court has clarified that "what may be a reasonable beneficial use, where water is present in excess of all needs, would not be a reasonable beneficial use in an area of great scarcity and great need. What is a beneficial use at one time may, because of changed conditions, become a waste of water at a later time." (*Tulare Dist. v. Lindsay Strathmore Dist.* (1935) 3 Cal.2d 489, 567.) In support of water conservation, the legislature has, through Water Code section 1011, deemed reductions in water use due to conservation as equivalent

to reasonable beneficial use of that water. Accordingly, this regulation is in furtherance of article X, section 2 during this drought emergency. This temporary emergency regulation is not to be used in any future administrative or judicial proceedings as evidence or finding of waste and unreasonable use of any individual water user or water supplier subject to this regulation, and are not to affect or otherwise limit any rights to water conserved under applicable law, including without limitation, water conserved consistent with Water Code section 1011;

16. Directive two of the Governor's April 1, 2015 Executive Order directs the State Water Board to consider the relative per capita usage of each urban water supplier's service area and require that areas with high per capita use achieve proportionally greater reductions than areas with low per capita use;
17. On April 7, 2015, the State Water Board issued a draft framework proposing increasing levels of required water reduction based upon residential per capita per day use (R-GPCD) for the proposed regulation, and solicited public comments. The Board received over 300 comments on the framework, primarily relating to the levels of required water reduction;
18. On April 18, the State Water Board issued draft regulatory language for public comment based on the April 7 framework and the comments received. The draft regulatory language reflected careful consideration of all comments including those directed at the levels of required reduction. Again, the Board received close to 300 comments;
19. On April 28, 2015, the State Water Board issued a final version of draft regulatory language for comment, followed on April 29 by a formal public notice that it would consider the adoption of the emergency regulation at the Board's regularly-scheduled May 5 and 6, 2015 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;
20. As discussed above, the State Water Board is adopting the emergency regulation because of the continuing emergency drought conditions, the need for prompt action to prevent the waste and unreasonable use of water and to promote conservation, and the specific actions called for in the Governor's April 1, 2015 Executive Order; and
21. Nothing in the regulation or in the enforcement provisions of the regulation precludes 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 regulation adopted by this resolution, and local agencies retain the enforcement discretion in enforcing the regulation to the extent authorized. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 866 and re-adopts sections 863, 864, and 865, as appended to this resolution as an emergency regulation;

2. State Water Board staff will submit the regulation to 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 the Executive Director's designee may make such changes;
4. This regulation 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 regulation 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 regulation and its effect. These updates shall include information regarding the progress of the Building Standards Commission, Department of Housing and Community Development, and other state agencies in the adoption and implementation of emergency regulations or other requirements that implement increased outdoor irrigation efficiency for new construction. These regulations and other requirements will extend existing efficiency standards for new construction to the outdoor environment and ensure that California's new homes are constructed to meet the growing demand with the most efficient standards;
6. The State Water Board directs staff to condition funding upon compliance with the emergency regulation, to the extent feasible;
7. The State Water Board directs staff to work with DWR and the Save Our Water campaign to disseminate information regarding the emergency regulation; and
8. The State Water Board directs staff to update the electronic reporting portal to include data fields for the new reporting required by the emergency regulation.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board shall work with DWR, the Public Utilities Commission, and other agencies to support urban water suppliers' actions to implement rates and pricing structures to incent additional conservation, as required by directive eight in the Governor's April 1, 2015 Executive Order. The Fourth District Court of Appeal's recent Decision in *Capistrano Taxpayer Association Inc. v. City of San Juan Capistrano* (G048969) does not foreclose the use of conservation-oriented rate structures;
10. The State Water Board calls upon water suppliers to:
 - a. ensure that adequate personnel and financial resources exist to implement conservation requirements not only for 2015, but also for another year of drought should it occur. Water suppliers that face budget shortfalls due to reduced sales should take immediate steps to raise necessary revenues in a way that actively promotes continued conservation;
 - b. expedite implementation of new conservation programs by minimizing internal review periods and utilizing emergency authorities, as appropriate;

- c. consider the relative water use and conservation practices of their customers and target those with higher water use to achieve proportionally greater reductions than those with low use;
 - d. minimize financial impacts to low-income customers;
 - e. preserve safe indoor water supplies in areas with very low R-GPCD and where necessary to protect public health and safety;
 - f. promote low-water use methods of preserving appropriate defensible space in fire-prone areas, consistent with local fire district requirements;
 - g. educate customers on the preservation of trees;
 - h. promote on-site reuse of water; and
 - i. promptly notify staff of the supplier's need for an alternate method of compliance pursuant to resolved paragraph 16.
11. The State Water Board calls upon all businesses within California's travel and tourism sectors to inform visitors of California's dire drought situation and actions visitors should take to conserve water;
12. The State Water Board commends wholesale water agencies that have set aggressive conservation targets for their retail water suppliers;
13. The State Water Board commends water suppliers that have made investments to boost drought-resistant supplies, such as advanced treated recycled water and desalination. Those investments help to make communities more resilient in the face of drought;
14. The State Water Board commends the many water suppliers that have already surpassed their 20x2020 conservation targets. Long-term conservation efforts are critical to maintaining economic and social well-being, especially in light of the impacts of climate change on California's hydrology;
15. During this drought emergency, heightened conservation that extends urban resilience is necessary. The State Water Board's focus is primarily on immediate reductions in outdoor water use. Some short-term conservation efforts, such as landscape conversions and installation of efficient appliances, will also support long-term conservation objectives, and are encouraged wherever possible;
16. The State Water Board recognizes that some commercial and industrial customers, while accounting for a significant portion of total use in a service area, have already taken steps to significantly reduce their water consumption and cannot further reduce their use without substantial impacts. However, the Board also recognizes that in many areas there are significant opportunities for reductions in water use by industries and commercial enterprises that have yet to take action, especially those with large areas of non-functional turf. The Board directs staff to respond promptly upon receipt of any request for alternate enforceable methods of compliance. If the supplier believes the conservation standard is unachievable due to firm commercial and industrial water use

and residential use reductions that would affect public health and safety, it should provide any supporting information or documentation for an alternate method of compliance; and

17. Some water suppliers have called for further refinement of the tiers to reflect a range of factors that contribute to water use, including but not limited to temperature, lot size, and income. Others have called for an approach that provides greater recognition for early investments in conservation, the development of local, drought resistant water supplies, and health and safety needs. These suggestions and many others are important considerations in the development of a more comprehensive, and long term, conservation framework. The State Water Board directs staff to work with stakeholders on a thoughtful process to devise options for extended and expanded emergency regulations should the drought continue into 2016.

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 May 5, 2015.

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

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

ADOPTED TEXT OF EMERGENCY REGULATION

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) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

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

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

(6) 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 prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X. § 2; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and 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;

- (5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
 - (6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
 - (7) The irrigation with potable water of ornamental turf on public street medians;
and
 - (8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- (b) To promote water conservation, operators of hotels and motels shall 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 using clear and easily understood language.
 - (c) Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either:
 - (1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or
 - (2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through February 2016 as compared to the amount used from those sources for the same months in 2013.
 - (d) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivisions (b) or (c), is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 865. Mandatory Actions by Water Suppliers.

- (a) As used in this section:
 - (1) "Distributor of a public water supply" has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.
 - (2) "R-GPCD" means residential gallons per capita per day.

- (3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier's service area.
- (4) "Urban water supplier" means 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) In furtherance of the promotion of water conservation each urban water supplier shall:

- (1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.
- (2) 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. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's April 1, 2015 Executive Order, each urban water supplier shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available may, submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10); the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.

(3) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(4) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(5) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(6) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(7) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(8) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(9) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(10) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier shall comply with the conservation standard specified in subdivision (c).

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall take one or more of the following actions:

(A) 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

(B) Reduce by 25 percent reduction its total potable water production relative to the amount produced in 2013.

(2) Each distributor of a public water supply that is not an urban water supplier shall submit a report by December 15, 2015, on a form provided by the Board, that either confirms compliance with subdivision (f)(1)(A) or identifies total potable water production, by month, from June through November, 2015, and total potable water production, by month, for June through November 2013.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article by the board or an officer or employee of the board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the California Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

ORDINANCE NO. 2014-55

ORDINANCE OF THE HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT ESTABLISHING MANDATORY WATER CONSERVATION MEASURES

WHEREAS, California is experiencing one of the most severe droughts on record; and

WHEREAS, on January 17, 2014 Governor Edmund G. Brown Jr. declared a drought state of emergency due to severe drought conditions in California and, among other things, called on all Californians to reduce their water usage by twenty percent; 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; and

WHEREAS, California 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, 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"; and

WHEREAS, on July 15, 2014 and pursuant to California Water Code section 1058.5 the State Water Resources Control Board adopted California Code of Regulations, title 23, sections 863, 864, and 865 to reduce urban water usage; and

WHEREAS, on July 28, 2014, California Code of Regulations, title 23, sections 863, 864, and 865 became effective upon approval by the California Office of Administrative Law and filing with the California Secretary of State's Office; and

WHEREAS, California Code of Regulations, title 23, section 865(e) requires each distributor of a public water supply, as defined in California Water Code section 350, that is not an urban water supplier, to take one or more of the following actions within thirty (30) days after the effective date of the emergency regulations:

- (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.

WHEREAS, Hidden Valley Lake Community Services District is not an urban water supplier, as defined by California Water Code section 10617, but is a distributor of a public water supply, as defined by California Water Code section 350, and is therefore subject to the requirements set forth in California Code of Regulation, title 23, section 865(e); and

WHEREAS, pursuant to California Water Code sections 31026 and 31027, Hidden Valley Lake Community Services District may restrict water use during any emergency caused by drought and may prescribe and define by ordinance the restrictions, prohibitions and exclusions.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Hidden Valley Lake Community Services District that:

1. Outdoor irrigation of ornamental landscapes or turf with potable water shall be limited to no more than two days per week, with the following "irrigation day" restrictions:
 - a). All properties with even-numbered street addresses shall limit outdoor irrigation of ornamental landscapes or turf to no more than two of the following days: Sunday, Tuesday, Thursday and Saturday.
 - b). All properties with odd-numbered street addresses shall limit outdoor irrigation of ornamental landscapes or turf to no more than two of the following days: Monday, Wednesday, Friday and Saturday.
2. The above outdoor irrigation restrictions shall become effective immediately upon adoption of this Ordinance and shall remain in effect until rescinded.
3. The provisions of this Ordinance shall prevail and control in the event of inconsistency between this Ordinance and any other rules and regulations of the Hidden Valley Lake Community Services District.

PASSED AND ADOPTED on August 19, 2014 by the following vote:

AYES: Directors Freeman, Herndon, Lieberman and Mirbegian

NOES: None

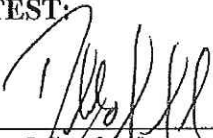
ABSENT: Director Graham

ABSTAIN: None



Judy Mirbegian
President of the Board of Directors

ATTEST:



Roland Sanford
Secretary to the Board of Directors

**ACTION OF
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT**

DATE: May 19, 2015

AGENDA ITEM: Discussion and Possible Action: Status of new water hook up moratorium (HVLCSO Compliance Order No. 02_03_14R_004)

RECOMMENDATIONS:

Hear General Manager’s report and provide direction to staff.

FINANCIAL IMPACT:

None

BACKGROUND:

On October 17, 2014 the State Water Resources Control Board’s Division of Drinking Water (Drinking Water) issued HVLCSO Compliance Order No. 02_03_14R_004, prohibiting the District from adding new water service connections. Drinking Water’s Order was issued in response to a water diversion Curtailment Notice the State Water Resources Control Board’s Division of Water Rights (Water Rights) issued to all “junior” Appropriative water right holders in the Sacramento-San Joaquin drainage (including the District) in May 2014. The Order was amended on February 27, 2015 to exclude those portions of the District (Unit 4 and Unit 5) whose water demands are fully satisfied through a Riparian water right claim. Staff will summarize the current status of the water hook up moratorium and ongoing efforts to rescind Compliance Order Number 02_03_14R_004.

APPROVED
AS RECOMMENDED

OTHER
(SEE BELOW)

Modification to recommendation and/or other actions:

I, _____, Secretary to the Board, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular board meeting thereof held on (DATE) by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Secretary to the Board

**ACTION OF
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT**

DATE: May 19, 2015

AGENDA ITEM: Discussion and Possible Action: Proposed water rate increase and authorization for staff to submit revised 218 Notice

RECOMMENDATIONS:

Authorize staff to submit revised 218 Notice for July 21, 2015 hearing on proposed "Uniform" water rate increase

FINANCIAL IMPACT:

Approximately \$2,500 for printing and mailing

BACKGROUND:

Given the uncertain future of tiered water rate structures, staff and the Finance Committee are recommending the Board move forward with the adoption of a "Uniform" water rate structure developed by NBS and presented in their March 2015 Water and Sanitary Sewer Rate Study report (see attached table). The proposed Uniform water rate structure is very similar to the previously proposed tiered water rate structure, in that they both employ the same "fixed service charge" schedule. The only difference is that the Uniform rate structure employs the same unit charge rate, regardless of how little or much water is used.

Prior to the San Juan Capistrano Appeals Court decision the tiered water rate structure was preferred over the Uniform rate structure, because the tiered water rate structure provided somewhat stronger cost incentives to conserve water. While the San Juan Capistrano Appeals Court decision did not necessarily invalidate all tiered water rate structures, the Court's decision has, in staff's opinion, created enough uncertainty with respect to legal challenges - what constitutes an acceptable tiered water rate structure – that the risks and associated costs of a legal challenge outweigh the potential benefits of the conservation cost incentives provided by a tiered water rate structure.

As illustrated in the two attached figures, under the proposed Uniform water rate structure, monthly water bills for "low" water users would be slightly higher in comparison to what they would have paid under the previously proposed tiered water rate structure, while high water users would pay somewhat less.

Additional background information on the proposed Uniform water rate structure and 218 Hearing is included in the staff presentation.

APPROVED
AS RECOMMENDED

OTHER
(SEE BELOW)

Modification to recommendation and/or other actions:

I, Roland Sanford, Secretary to the Board, do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular board meeting thereof held on (DATE) by the following vote:

Ayes:

Noes:

Abstain:

Absent

Secretary to the Board

TABLE 1

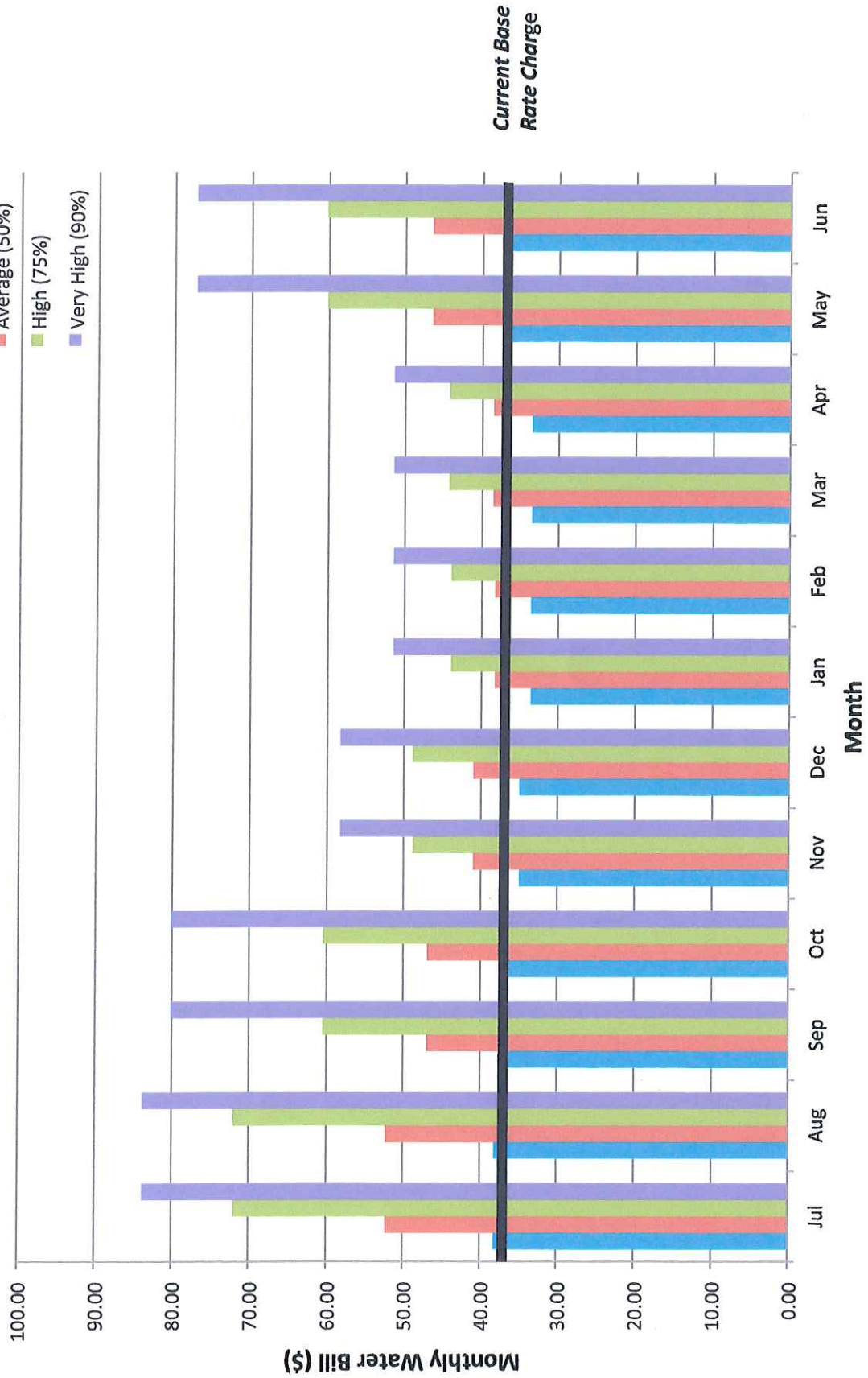
PROPOSED MONTHLY UNIFORM WATER RATES						
<i>"Fixed" Charge by Meter Size</i>	Current Monthly Rate	FY 2015/2016	FY 2016/2017	FY 2017/2018	FY 2018/2019	FY 2019/2020
5/8-inch (*)	\$37.13	\$27.54	\$30.57	\$33.93	\$36.65	\$39.58
3/4-inch	\$37.13	\$40.37	\$44.81	\$49.74	\$53.72	\$58.02
1-inch	\$37.13	\$66.04	\$73.30	\$81.37	\$87.88	\$94.91
1 1/2-inch	\$37.13	\$130.20	\$144.52	\$160.42	\$173.25	\$187.11
2-inch	\$37.13	\$207.19	\$229.99	\$255.28	\$275.71	\$297.76
<i>"Volumetric" Charge per 100 cubic feet of water used</i>						
Uniformed Rate (All Water Consumed)	\$2.48 (**)	\$1.86	\$2.07	\$2.30	\$2.48	\$2.68

*Most common single family residential meter size

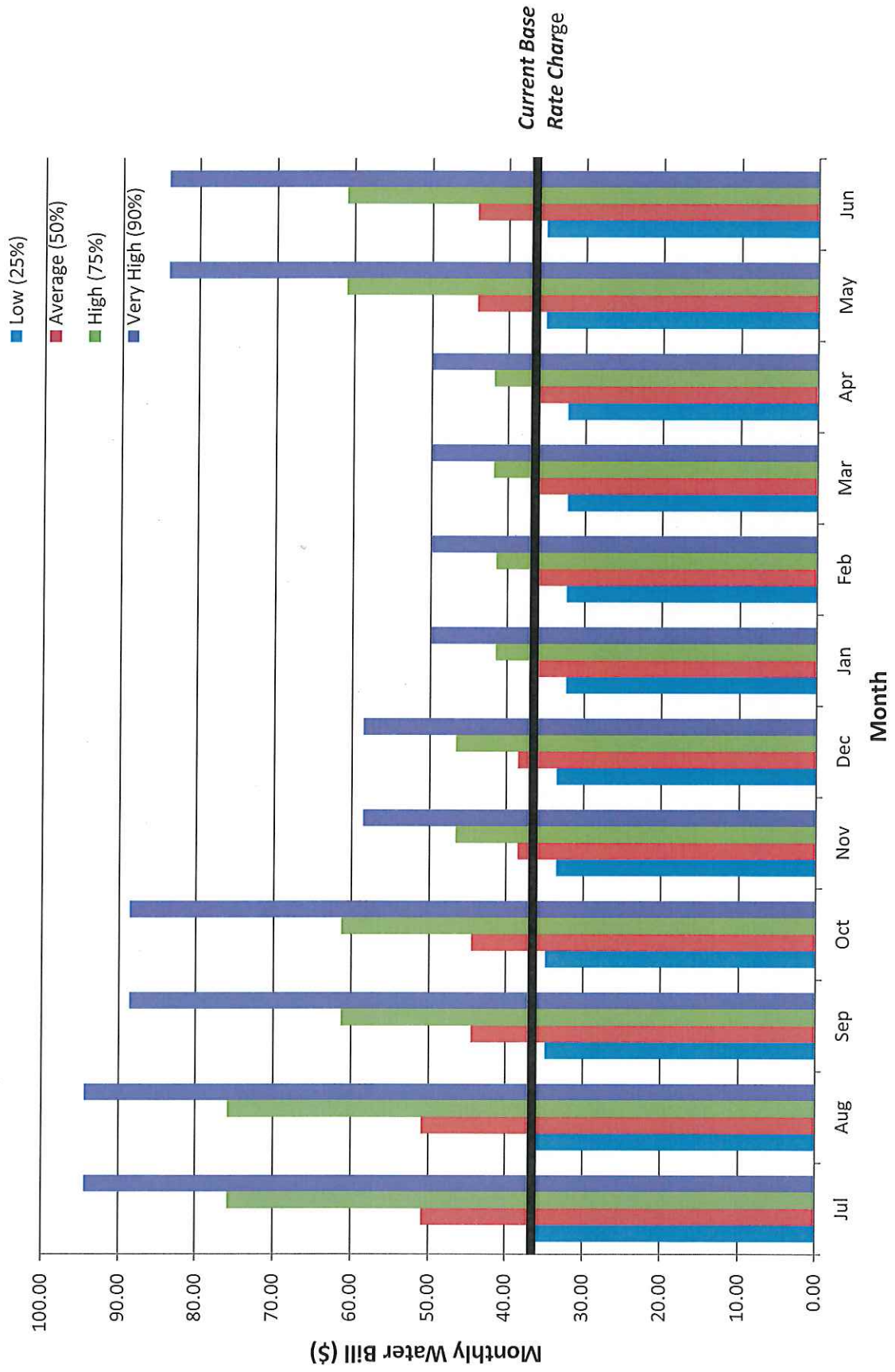
**\$2.48 per every 100 cubic feet used in excess of 1,500 cf/month

HVLCSD Monthly Water Charges Based on Proposed Uniform Rates (July 2013 - June 2014)

- Low (25%)
- Average (50%)
- High (75%)
- Very High (90%)



HVLCSD Monthly Water Charges Based on Proposed Tiered Rates (July 2013 - June 2014)



Projected Annual Residential Water Charges

(July 2013 - June 2014 Water Use)

	Year 1			Year 2		
	Existing	Tiered Proposal	Uniform Proposal	Existing	Tiered Proposal	Uniform Proposal
Annual Water Use						
Low 5212 cf	\$445.56	\$408.66	427.42	\$445.56	\$453.88	474.73
Average 10554 cf	\$445.56	\$499.12	526.78	\$445.56	\$554.29	585.31
High 17694 cf	\$551.43	\$652.15	659.59	\$551.43	\$723.67	733.11
Very High 25490 cf	\$652.64	\$823.12	804.59	\$652.64	\$912.83	894.48



May 4, 2015

RECEIVED
MAY 04 2015

Mr. Roland Sanford
General Manager
Hidden Valley Lake Community Services District
19400 Hartmann Road
Hidden Valley Lake, California 95467

Subject: Application for Assistance
CDAA-2014-07 December 2014 Storms
Cal OES ID: 033-91015
Applicant: Hidden Valley Lake Community Services District
Cal OES Log: 604487

Dear Mr. Sanford:

The California Governor's Office of Emergency Services (Cal OES) has approved the Hidden Valley Lake Community Services District's (District) Project Application for the California Disaster Assistance Act (CDAA) Program for damage caused by the December 2014 Storms. The incident period for this disaster is November 30, 2014, to December 31, 2014.

A Cal OES representative will be contacting the District in the near future. Please reference Cal OES number 033-91015 when corresponding with this office. All correspondence should be addressed to:

Mr. David Gillings
State Public Assistance Officer
California Governor's Office of Emergency Services
3650 Schriever Avenue
Mather, California 95655
Attn: CDAA-2014-07

If you require additional information related to this correspondence, please contact Mr. Peter Crase, Program Manager, at (916) 845-8203 or Mr. Robert Larsen, Disaster Assistance Programs Specialist, at (916) 845-8162.

Sincerely,

DAVID GILLINGS
State Public Assistance Officer

Enclosures
cb

Sewer water put Tri-Valley on the map

By Denis Cuff

Bay Area News Group

PLEASANTON » In the fourth year of drought, the most popular place these days appears to be in line to fill up on free sewer water.

More than 900 people have signed up to haul home sewage effluent given away by the Dublin San Ramon Services District treatment plant — the first in the state to dispense free recycled water to do-it-yourselfers.

In an only-in-California kind of way, it's become a booming business.

Some 25 to 30 people a day signed up in late April and early May to begin hauling water home for their thirsty plants and lawns, plant managers said.

Some 500 people used the plant on a single day — April 17 — when warm temperatures stirred homeowners' worries about their

landscaping, the district reported.

Traffic that day backed up from the fill-up station on Johnson Drive in Pleasanton to the Stoneridge Drive intersection until surprised plant operators rerouted traffic. A run on sewage effluent was threatening to halt traffic.

"It was nuts and we were slammed," said Dan Gallagher, the district operations manager. "We are ahead of it for now, but at the rate we are signing up new people, we are trying to get prepared for the next big challenge when the weather gets hot and stays that way."

Anyone can take away recycled water even if they live outside the district.

The joint water and sewer district opened the station in June on a hunch that a few people may be willing to haul away effluent in barrels, tanks, or jugs. As word

gets out, the district is getting many calls from agencies around the state wanting to know if it might work for them.

In a region bordering on Silicon Valley that's home to dozens of boutique wineries, and includes mega-producer Wente Vineyards, it's the sewer water putting the Tri-Valley on the map.

Plant operators are scrambling to keep up with demand.

The district started with three fill-up spigots last summer. Now there are 18, with another eight or 10 spigots planned soon.

Dublin San Ramon managers even are considering opening a second recycled water fill-up station elsewhere in the district.

"There's plenty of recycled water," said Bert Michalczyk, the district general manager. "We're in no danger of running out of effluent."

How the state's new water conservation rules affect you

By Paul Rogers
San Jose Mercury News

The administration of Gov. Jerry Brown last week enacted historic new water conservation rules in response to California's drought. The goal is to cut statewide water use by urban residents 25 percent over the next nine months to help preserve water supplies in case the drought continues through next winter.

Q Am I affected?

A Yes. The rules apply to all 38 million California residents.

Q I've been hearing lots of confusing details. What do I need to know?

A There are basically three types of rules. Think of them as three buckets: First are statewide rules that ban water wasting. They apply to everyone. Second are mandatory conservation targets for cities and water districts. And, finally, there are local rules, which vary from place to place.

Q OK, let's start with the water-wasting rules. What can't I do?

A Get out those brooms. Nobody in California can use potable water to wash off sidewalks or driveways. Also prohibited is watering landscaping so much that the water runs off into a street, driveway, sidewalk or a neighbor's property. People also can't wash cars with hoses that don't have shut-off nozzles. It's also illegal to water a lawn within 48 hours of "measurable" rainfall. That can mean as little as a hundredth of an inch. Restaurants are banned from serving water unless customers request it. And hotels must post signs in each room offering guests the option to not have towels and linens washed daily. It's also now illegal to irrigate grass on street medians with potable water.

Q Are there exceptions?

A A few. The rules allow for washing pavement to address immediate "health and safety" needs, such as the way that some cities power wash sidewalks to remove human and animal waste.

Q Are there penalties?

A Yes. Violators can be

fined up to \$500 per offense, although enforcement is up to each city.

Q How can I report violators?

A Generally speaking, call your city water department or go to its Web page.

Q Got it. What about the second bucket — those mandatory cuts in water use?

A Last Tuesday, the State Water Resources Control Board passed rules that divide the 410 largest cities, water districts and water companies in California into nine tiers, based on their residential per capita water use from last fall. They will have to meet the targets, which are compared with their 2013 baseline use, or face state fines of up to \$10,000 a day. Communities with low per-capita use — such as Santa Cruz, Hayward and San Francisco — will have to reduce water use by only 8 percent because they already have been conserving. Places with high per-capita use, such as Hillsborough, Beverly Hills and Bakersfield, will have to cut 36 percent. San Jose must cut 20 percent, EBMUD 16 percent and Contra Costa Water District 28 percent. To see the full list of which cities and water districts must cut by how much, go to www.waterboards.ca.gov and click on "Emergency Regulations Development to Achieve 25% Conservation." Then click "Proposed Urban Water Supplier Usage Tiers."

Q How will communities meet those targets?

A It will be up to each one to decide. Many will increase public outreach and offer increased rebates for people who buy water-efficient appliances. Most will limit lawn watering, usually to two days a week. Others will hire "water cops" to write tickets, while others will impose penalties and raise rates on people using more water than a set allowance. Some places have gone further. San Jose last month banned all washing of cars at people's homes — regardless of whether hoses have nozzles — and all filling of new swimming pools and hot tubs, for example.

Q What about the local rules? Where can I find out

about the ones that affect me?

A Check with your water department, or if you receive a bill from a private water provider, check with the company. Most providers will be mailing out notices and updating their websites with local rules. Many already have begun that process.

Q But don't farmers use most of California's water? Why do cities need to save so much?

A Farmers do use 80 percent of the water consumed by people in California. But much of their water cannot be transferred easily to cities, either because they have legal rights to it or because of infrastructure issues. Water that an almond grower in Modesto doesn't pump from a well on his farm, for example, can't be shipped to the Bay Area or Southern California. And many of the state's farmers already have been hit with huge water cuts, losing 80 to 100 percent of their supplies from the Sacramento-San Joaquin River Delta because of state and federal drought cutbacks. Most important, much of the water that urban residents save is from local reservoirs and aquifers. That's water they can use next year or beyond.

Q How hard is this going to be?

A It's not difficult for most people to save a significant amount of water. Lawns use 50 percent of all residential water in the summer. Cut your lawn watering in half, and you've saved 25 percent. The cuts will no doubt be harder for apartment dwellers. But they should check for indoor leaks and get flow restrictors for their showers and sinks. Many cities and water districts hand them out for free. Apartment residents might also want to encourage their landlords to replace old appliances and toilets. The landlords will often be eligible for sizable rebates.

Q Where can I get more information?

A To learn more about the rules, go to www.ca.gov/drought, or for water-saving tips, go to www.saveourwater.com.

Lakeport City Council continues stage one water emergency; plans community education, outreach



THURSDAY, 07 MAY 2015 01:44 ELIZABETH LARSON

LAKEPORT, Calif. – The Lakeport City Council on Tuesday chose to continue with voluntary water conservation measures in the city under a stage one emergency first approved last year rather than moving to a higher level of emergency.

The council voted unanimously to forgo taking much more strict measures and instead directed staff to conduct community outreach in order to educate residents and business owners about state water conservation mandates and the city's stage one requirements that went into effect by resolution last September.

Under the September resolution, the council declared a stage one emergency

In accordance with state mandates, the council also ordered that the outdoor irrigation of ornamental landscapes and turf with potable water by the city's water customers be limited to two days per week, prohibited using potable water for landscapes in such a way that it caused runoff onto pavement or nonirrigated land, prohibited use of hoses without shutoff nozzles for washing cars, banned using potable water for washing driveways and sidewalks, or for fountains or decorative water features that don't have a recirculating system.

City Manager Margaret Silveira said in her written report that enforcement of the rules by the city is not mandatory, "and the City may not wish to expend resources to fully implement this regulation."

The council's decision to continue those measures on Tuesday came on the same day that the State Water Resources Control Board adopted new regulations to achieve the water conservation ordered by Gov. Jerry Brown.

The State Water Resources Control Board approved an emergency regulation requiring an immediate 25-percent reduction in overall potable urban water use statewide.

At the same time, the board instituted a requirement for small water suppliers – those with 3,000 or fewer connections, which Silveira said includes the city of Lakeport – to reduce water use by 25 percent, or restrict outdoor irrigation to no more than two days per week.

Those smaller water suppliers, which the state said serve less than 10 percent of Californians, also must now submit a report on Dec. 15 to demonstrate compliance with the new rules. They still won't be required to do the monthly reporting that applies to large suppliers.

In order to meet the state's requirements, Silveira said the city must implement a simple conservation plan. While noting that small suppliers don't currently need to make regular reports on their water usage, "That may change," Silveira said.

Silveira said the city's Water Task Force – comprised of city staff, Mayor Martin Scheel and Dennis Rollins, chair of the Westside Community Park Committee – recommended continuing stage one of the city's water rationing procedures ordinance, including the state mandates imposed at the Sept. 2 council meeting.

According to the 1989 rationing ordinance, a stage two emergency would have made certain "non-essential" water uses illegal, including use of water from public hydrants for any purpose other than fire protection and prevention; use of water through any meter when the consumer had been given two days notice to repair one or more leaks and has failed to complete such repairs; use of water to irrigate grass, lawns, ground cover, shrubbery, vegetable gardens, trees or other outdoor vegetation by other than hand watering and/or drip irrigation; use of water for the construction of any structure, including such use in dust control; use of water to wash any sidewalk, walkways, driveway, street, parking lot or other hardsurfaced area by hosing or by otherwise direct use of water from faucets or other outlets; use of water to wash any motor vehicle, trailer, airplane or boat by hosing or otherwise using water directly from a faucet

or other outlet; and use of water to fill or refill any swimming pool.

The Lakeport Parks and Recreation Committee also has discussed water conservation measures, said Silveira, and it has asked the city council to consider its recommendations.

A minute order from the commission's April 2 meeting, included in the council's Tuesday agenda packet, proposed several conservation measures to the council.

Those suggestions included using drought resistant plants to replace any plants that die out in city parks; expanding the mulch area around trees; using rocks in planting areas to reduce the number of plants required; using native plants in new planting areas; moving forward on the progress to bring in nonpotable water to Westside Community Park for irrigation.

Councilman Marc Spillman asked Silveira if she foresees the city having to go to stage two measure.

Silveira responded by pointing out that Lakeport hasn't seen drastic changes in its water conditions over the last year, with its well levels staying the same and Clear Lake being up 2 feet over this time in 2014.

Scheel also pointed out that Yolo County Flood Control and Water Conservation District, which possesses the main water rights to Clear Lake, won't get its full allotment of 150,000 acre feet of water this year due to the lower lake level as of May 1.

Lake County Water Resources reported that based on the May 1 lake level, 30,714 acre feet is available for use by Yolo Flood according to the Solano Decree. That amounts to approximately 9 inches of depth on Clear Lake.

Suzanne Lyons, a member of the Parks and Recreation Committee, went over the commission's water conservation suggestions and also added another, permeable pathways, as well as a suggestion that more drought-resistant plants be introduced into the decorative planters on the lamp posts in the downtown area, which are handled by the Lakeport Main Street Association.

Lyons additionally recommended that the city place a sign at Library Park telling people that the city uses nonpotable water from Clear Lake to water the park's lawn.

Scheel agreed with the proposal to educate the public in order to avoid having to resort to the stage two emergency measures, which he called "brutal."

Silveira pointed out in response to the commission's suggestion to move forward on using nonpotable water for Westside Community Park that the city has received an \$80,000 grant for that very project.

Spillman moved to continue the current restrictions and direct staff to begin community outreach, with Councilman Kenny Parlet seconding and the council voting 5-0.

Email Elizabeth Larson at el Larson@lakeconews.com . Follow her on Twitter, [@ERLarson](https://twitter.com/ERLarson), or Lake County News, [@LakeCoNews](https://twitter.com/LakeCoNews).

Like Share 2

 g+1 0

Tweet

Share

submit



LAST UPDATED (THURSDAY, 07 MAY 2015 22:18)

State board passes mandatory water limits

By Paul Rogers, San Jose Mercury News

record-bee.com

SACRAMENTO >> Bringing California's historic drought directly to every home and business in the state, the administration of Gov. Jerry Brown on Tuesday imposed the first mandatory urban water conservation rules in state history.

Denying hours of complaints that the targets are too tough, the State Water Resources Control Board approved the rules by a 5-0 vote after a marathon, 10-hour meeting, saying that requests for voluntary conservation haven't worked sufficiently to save enough water to keep California from running perilously low if the drought drags on for years to come.

"We're in an emergency," said Felicia Marcus, chairwoman of the board. "It might not rain or snow much this year or next year. It is better to be safe than sorry."

With the vote, California's historic four-year drought, whose harshest impacts have been felt mostly by farmers and struggling wildlife species so far, became much more real for the state's cities and towns.

More than 100 people assembled in Sacramento for a two-day meeting of the State Water Resources Control Board, including representatives of some cities and industries who said the agency's proposed targets are too strict.

But state officials repeatedly said that the proposed rules, which were expected to be approved by the board late Tuesday or early Wednesday, are essential in conserving water this summer in case the drought continues into next year or beyond.

"I keep thinking that we are in some stages of Elisabeth Kubler Ross — grief, denial, bargaining, and eventually we get to acceptance, and that can't come too soon," said Marcus.

After hearing testimony, suggestions, critiques and praise for the plan — and putting a few amendments in place — the board voted quickly in favor of the document. Board members thanked the staff for their work and even critics for their concerns and suggestions. They emphasized the time to act was now rather than later, when cuts may be more drastic should the drought continue. They made comparisons to Australia, which suffered a 10-year drought.

Staff members will now make the necessary adjustments based upon the changes.

The vote was taken after 7 p.m.

The board released new numbers Tuesday showing that urban residents were again falling short in water conservation. Statewide, the largest 410 cities and water districts reduced water use by only 3.6 percent in March, compared to the baseline year of 2013.

Last year, Gov. Jerry Brown had asked for a 20 percent conservation.

Cumulatively, since detailed record keeping began last June, California's urban residents have cut water use 8.6 percent, said Max Gomberg, a staff member for the board.

Advertisement

"We have done well, but we have a long way to go," he said.

Under the proposed regulations, first called for by Brown on April 1 at a news conference in a dry Sierra Nevada meadow that normally would be under five feet of snow pack, every city and water district with more than 3,000 customers will be given mandatory water conservation targets ranging from 8 percent to 36 percent water reductions, based on their per capita use. Cities with the lowest per capita use, like San Francisco, Santa Cruz and Hayward, have lower targets, and those with the highest use, like Hillsborough, Bakersfield, Beverly Hills and Atherton, have the highest mandatory targets.

Cities and water districts not meeting those targets will be subject to state fines of up to \$10,000 a day. The rules will take effect on June 1.

"This is a collective issue that we all need to rise to in this time of emergency," said Felicia Marcus, chairwoman of the state board on Tuesday. "This is a community crisis. The community is California."

The reduction of water use will be measured month-by-month until February 2016. Each community's conservation target is based on its per capita water use from last summer. Those that used more must save more water; those that used less will have to cut back less, according to the water board's conservation standards tiered reduction order.

The water board called its proposed order an emergency measure focused on reducing outdoor water use, which accounts for between 50 percent and 80 percent of all urban water use.

Gomberg said that an economic study by the board found that they will cost cities and water districts at least \$511 million from lost water sales. That will have to be made up for in higher rates, he said, adding that the state doesn't have much choice.

"It's an insurance policy against even worse impacts if the drought continues," he said.

"It's not an easy tradeoff. But this is a sort of desperate times approach that's being taken here."

The board issued a draft rule on April 18, and so far has received more than 700 comment letters from the public, water suppliers and industry groups.

Steve Scauzillo (Los Angeles Daily News) and Dave Faries (Lake County Record-Bee) contributed to this report

Lake County BOS approve hydrological study for S. Main Street, Soda Bay Road corridor project

By J.W. Burch IV, jburch@record-bee.com, [@JWBurchIV](https://twitter.com/JWBurchIV) on Twitter

record-bee.com

LAKEPORT >> The Board of Supervisors this week unanimously approved an agreement for a hydrological study of the proposed S. Main Street and Soda Bay Road Water System project.

Healdsburg-based O'Connor Environmental, Inc., will prepare the study for a little more than \$11,000, which will be paid from budgeted reserves for the project. The study will evaluate water supply, quality and potential issues that can affect the Clear Lake hitch.

"There is no well-drilling, this is an evaluation of existing data that is out there," Lake County Special Districts Administrator Mark Dellinger said.

O'Conner Environmental has prepared multiple hydrological studies for the county, including for the prior two options for this project, as well as the study for the Finley-Kelseyville Water System. Because of a limited number of firms able to perform the service, the project being routine and lasting less than three months, the board is able to waive the competitive consultant process for the agreement.

"The consultant has been very careful to keeping this to an absolute minimum," Dellinger said. "It's easy to make things bigger, it not as easy to make them smaller and still meet the environmental requirements."

Originally discussed by the Lake County Planning Commission, the preferred water supply option was an intertie pipeline to the S. Main Street and Soda Bay Road corridor from the Finley-Kelseyville Water System. However, the public resisted the idea.

Of primary concern were issues such as the availability of water within the aquifer and the potential risks to future growth the extra load might cause. As an alternative, a stand-alone well site south of Soda Bay Road was proposed.

"We have had very positive communications with the property owner who is very interested in negotiating an agreement with the county," Dellinger said.

The initial study will be redrafted and redistributed, Dellinger added.

Lakeport special project coordinator explained that this would allow the city to become the lead agency for expansion review. Without the change, LAFCo remains the lead agency. LAFCo, or Local Agency Formation Commission, is charged in part with overseeing special districts and growth issues.

Pre-zoning is completed before the city formally annexes an area to facilitate its transition into the city. However, it doesn't affect the area's allowable uses and county zoning regulations stay in effect until the annexation is accomplished.

Advertisement

WATER: State Water Board adopts 25 percent mandatory water conservation regulation



WEDNESDAY, 06 MAY 2015 00:44 LAKE COUNTY NEWS REPORTS

With emergency drought conditions persisting throughout California, the State Water Resources Control Board Tuesday adopted an emergency regulation requiring an immediate 25 percent reduction in overall potable urban water use statewide in accordance with Gov. Jerry Brown's April 1 executive order.

The governor's executive order required, for the first time in the state's history, mandatory conservation for all residents and directed several state agencies, including the State Water Board, to take immediate action to safeguard the state's remaining potable urban water supplies in preparation for a possible fifth year of drought.

A 25 percent savings in potable urban water use amounts to more than 1.2 million acre-feet of water over the next nine months, or nearly as much water as is currently in Lake Oroville.

The new rules also include a requirement that smaller water suppliers like those in Lake County – which serve fewer than 3,000 connections – must either reduce water use by 25 percent, or restrict outdoor irrigation to no more than two days per week.

These smaller urban suppliers, that collectively serve less than 10 percent of Californians, must submit a report on Dec. 15 to demonstrate compliance, the state said.

Tuesday's action follows the release of water production figures for the month of March which registered only a slight increase from the amount of water saved in the prior month.

The amount of water conserved in March 2015, as compared to March 2013 was 3.6 percent, up less than one percent from February's results.

Since the State Water Board adopted its initial emergency urban conservation regulation in July 2014, voluntary statewide conservation efforts have reached 9 percent overall – far short of the 20 percent Gov. Brown called for in 2014.

"This is the drought of the century, with greater impact than anything our parents and grandparents experienced, and we have to act accordingly," said Felicia Marcus, chair of the State Water Resources Control Board.

"Today we set a high but achievable bar, with the goal of stretching urban California's water supply," Marcus said.

"We have to face the reality that this drought may continue and prepare as if that's the case. If it rains and snows next winter, we celebrate. If the drought continues, we'll be glad we took difficult but prudent action today. It's the responsible thing to do."

Conservation standard

The emergency regulation identifies how much water communities must conserve based on their average residential water use, per person per day, last summer.

Every person should be able keep indoor water use to no more than 55 gallons per day. For the most part, the amount of water that each person uses in excess of this amount is water that is applied to lawns and other ornamental landscapes.

On average, 50 percent of total residential use is outdoors, in some cases up to 80 percent. To save water now, during this drought emergency, the regulation targets these outdoor uses.

Communities that are approaching, at or below the indoor target, are assigned a modest conservation standard while communities that use water well above the indoor target will be asked to do much more.

To reduce water use by 25 percent statewide, the regulation adopted by the board this week places each urban water supplier into one of eight tiers which are assigned a conservation standard, ranging between four percent and 36 percent.

Each month, the State Water Board will compare every urban water suppliers' water use with their use for the same month in 2013 to determine if they are on track for meeting their conservation standard.

Local water agencies will determine the most cost effective and locally appropriate way to achieve their standard.

The State Water Board will be working closely with water suppliers to implement the regulations and improve local efforts that are falling short.

"This likely will result in all communities significantly cutting back on outdoor watering, particularly ornamental landscapes surrounding homes, institutions, and businesses, resulting in many golden landscapes statewide," said Marcus. "This will be a heavy lift for some, but we believe that the regulatory strategy adopted today is doable – in fact, many communities that have focused on conserving water have already achieved significant conservation without losing their landscapes."

Residential customers of water suppliers with a conservation standard of 36 percent currently use between 216 and 614 gallons of water per person per day during the months of July, August, and September.

Reducing their water use by 36 percent will still leave these residents with a minimum of 137 and up to 393 gallons of water per person per day; far more than the accepted standard of 55 gallons per person per day for indoor use.

The difference between 55 gallons per person per day and 137 – 393 gallons per person per day means that these residents will still have water available for outdoor irrigation. Communities using less than 65 gallons per person per day will be required to reduce their overall water use by 8 percent.

"Over the longer term, we have many ways to extend our precious water resources, particularly in urban areas – conservation, recycling, stormwater capture, and desalination in appropriate cases have great promise. Many communities have done a lot already, or have ambitious goals that we hope to help them achieve. In the short run however, conservation is the cheapest, fastest and smartest way to become more resilient in the face of drought today and climate change in the future," said Marcus.

Summary of new requirements

- The conservation savings for all urban water suppliers (serving more than 3,000 connections) are allocated across nine tiers of increasing levels of residential gallons per capita per day (R-GPCD) water use to reduce water use by 25 percent statewide and will take effect June 1.
- Smaller water suppliers (serving fewer than 3,000 connections) must either reduce water use by 25 percent, or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers, that collectively serve less than 10 percent of Californians, must submit a report on December 15, 2015 to demonstrate compliance.
- Commercial, Industrial and Institutional properties that are not served by a water supplier (or are self-supplied, such as by a groundwater well) also must either reduce water use by 25 percent or restrict outdoor irrigation to no more than two days per week. No reporting is required but these properties must maintain documentation of their water use and practices.
- The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law. These include:
 - Irrigation with potable water of ornamental turf on public street medians; and
 - Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established by the Building Standards Commission and the Department of Housing and Community Development.

These are in addition to the existing restrictions that prohibit:

- Using potable water to wash sidewalks and driveways;
- Allowing runoff when irrigating with potable water;
- Using hoses with no automatic shutoff nozzles to wash cars;

- Using potable water in decorative water features that do not recirculate the water;
- Irrigating outdoors during and within 48 hours following measureable rainfall; and
- Restaurants serving water to their customers unless the customer requests it.

Additionally, hotels and motels must offer their guests the option to not have their linens and towels laundered daily and prominently display this option in each guest room.

Enforcement

In addition to other powers, local agencies can fine property owners up to \$500 a day for failure to implement the water use prohibitions and restrictions.

The State Water Board can issue informational orders, conservation orders or cease and desist orders to water suppliers for failure to meet their conservation standard.

Water agencies that violate cease and desist orders are subject to a civil liability of up to \$10,000 a day.

Next steps

Following board adoption, the regulation will be submitted to the Office of Administrative Law, which has 10 days to approve or deny the regulation.

If approved by the Office of Administrative Law, the regulation will take effect immediately and remain in effect for 270 days from that date.

For more information, please visit the Emergency Water Conservation Web site, http://www.swrcb.ca.gov/waterrights/water_issues/programs/drought/emergency_regulations_waterconservation.shtml.

Like Share { 3 } g+1 { 1 } Tweet Share submit 



Regulators: California fell far short of water-saving target in March

BY FENIT NIRAPPIL ASSOCIATED PRESS on May 5, 2015, 11:25AM05/05/2015 Updated 2 hours ago.

SACRAMENTO — Californians conserved little water in March and local officials were not aggressive in cracking down on waste, state regulators reported Tuesday, saying residents and communities again fell short of Gov. Jerry Brown's voluntary water savings target.

The State Water Resources Control Board received the update as it considers sweeping mandatory emergency drought regulations to protect water supplies in the parched state.

Brown has argued that the voluntary targets were insufficient and that Californians needed a jolt to take conservation seriously.

A survey of local water departments released at the start of the two-day meeting shows water use fell less than 4 percent in March compared with the same month in 2013. Overall savings have been only about 9 percent since last summer, even though Brown set a voluntary 20 percent target.

The board also has begun tracking enforcement of water rules. Statewide, agencies reported sending at least 8,762 warnings for water waste and issuing 682 penalties.

Most communities reported sending fewer than 20 warnings for violating water rules in March, but a few were aggressive. The Los Angeles Department of Water and Power issued 1,364 warnings, while Fresno issued 1,221.

Sacramento, Fresno, Madera, Tulare and the Montecito Water District in Santa Barbara County were the only agencies that reported penalizing more than 20 customers in March, mostly through fines.

Lush lawns and verdant landscapes are first on the chopping block under the rules being considered, which would bar cities from using drinking-quality water on street median grass and encourage homeowners to let lawns go brown to meet local mandatory water reduction targets.

Those conservation targets are among the most contentious provisions of the proposed rules. The board plans to order each city to cut water use by as much as 36 percent compared to 2013, the year before the governor declared a drought emergency.

Some local water departments are blasting the proposal as unrealistic and unfair. They say achieving steep cuts could mean increased water rates, ripped up grass and new restrictions on filling pools and washing cars.

Board officials say they expect to start seeing water savings as soon as June and are willing to intervene to add restrictions and penalties for agencies that lag. Summer is the peak water-guzzling season in California.

The regulations before the board would also ban new California homes and buildings from watering lawns unless they meet new efficiency standards. With public comments, a vote on the rules might not come until Wednesday.

The board has already adopted other water restrictions: Californians cannot water lawns two days after rainfall, wash cars with hoses that don't shut off or hose down pavement, hotels must offer guests a chance to reuse sheets and towels and restaurants can only serve water upon request.

Water, sewer rate discussed in Hidden Valley Lake, Clearlake Oaks

By J.W. Burch IV

jburch@record-bee.com
@JWBurchIV on Twitter

LAKE COUNTY » Customers of the Hidden Valley Lake Community Service District will see a change in their sewer bills beginning July 1.

During its most recent Board of Directors meeting, the new billing method was approved after a public hearing.

The new sewer rates consist of two components, the first of which is a "fixed charge," which will be the same for all customers.

Current monthly sewer rates total a little more than \$50 for both residential and commercial connections.

However, the "volumetric charge," which is the second component, will vary between customers based on the average month water use from January to April. Meaning, customers producing less wastewater will pay less than those producing more. Adjustments will be made to sewer rates each year on July 1 based on the averages.

The district will also change from a bimonthly to a monthly billing cycle.

According to the public hearing notice, "in the first year, the average monthly residential sewer bill is estimated to be \$50.95. Annually, the average cost ... for a single family residential customer will increase approximately \$9.24."

The board of directors also discussed a proposed tiered structure for water, which would have increased volumetric rates

when more water was used, as well as the cost of each 100 cubic feet of water.

Citing a finding by from the court of appeal regarding the unconstitutionality of San Juan Capistrano's tiered water rate structure, the board of directors did not adopt the proposed change.

An alternative water rate structure will be developed and by the district and presented in the near future.

Hidden Valley Lake isn't the only water district discussing water and sewer rate changes.

The Clearlake Oaks County Water District (COCWD) has held multiple public hearings regarding fee rate increases.

During its most recent hearing, the COCWD Board of Directors primarily focused on whether or not to require individuals to forfeit their previously paid capital expansion fees if they choose to physically disconnect from the district

Improvements needed in the water system stem from aging equipment, which was originally installed in the 1960s. According to a report by the California Rural Water Association's Specialized Utility Services Program reviewing the water rate increase, three areas were identified as needing infrastructure improvements, which are the water treatment plant, transmission lines, vehicles, as well as pumps and tanks and equipment.

"The biggest change is the fact that we are changing from meter size to any-

one connected to the system," COCWD General Manager Matt Bassett said.

Customers who don't reside at their house all year voiced concerns about the cost of the rate increase during the first meeting. Those in attendance this time around requested the board remove the requirement from the ordinance.

Upon approval of the rate changes rates will increase annually until reserves are funded, which is expected reached in 40 years. Money from the rate increase will be used for capital improvements and infrastructure updates.

Current residential base rates for water and sewer are \$32.36 and \$45.93, respectively. However, if into effect, base rates will increase by three percent each year for the next four years.

Additionally, \$2 will be included for capital improvements.

New rates would be effective starting in July and will be evaluated annually.

"The rates will be reviewed annually, since we are not-for-profit if we are making too much, we are required by law to reduce the rate," Bassett said.

A special meeting of the COCWD Board of Directors is being set up for sometime next week to review system improvement project, as well as changes to the ordinance. No final action will be taken until the board's next regular meeting, which is scheduled for May 21.

Contact J. W. Burch, IV at 900-2022.

DROUGHT

Brown seeks \$10,000 water fines

By Jessica Calefati and Paul Rogers

Bay Area News Group

SACRAMENTO » Waste California's water, risk a \$10,000 fine.

Residents and businesses could soon face that threat after Gov. Jerry Brown on Tuesday unveiled legislation that would increase potential penalties on the most flagrant water scofflaws and allow cities, counties and water districts to issue fines without having to go to court.

"As this drought stretches on, we'll continue to do whatever is necessary to help communities save more water," Brown said after meeting with California mayors, including San Jose's Sam Liccardo and Oakland's Libby Schaaf.

DROUGHT » PAGE 3

Drought

FROM PAGE 1

But whether the proposal — which would boost maximum fines 20-fold from the current \$500 — will ever take effect was unclear Tuesday.

It must first be approved by the state Legislature, and some top lawmakers, especially Republicans, said Tuesday they oppose the tough fines.

And although local governments have had the power under emergency state rules issued last summer to impose fines for wasting water, almost none have done so.

"The issue is not the size of the fine, but how localities are going to enforce it," said water attorney Leon Szeptycki, director of Stanford University's Water in the West program. "It is a PR move. But it will get people's attention. This is part of a broad effort to get people to reduce their water use. They are trying everything."

Meanwhile, the Brown administration late Tuesday refused to back down from strict conservation mandates it plans to approve May 5 that will force cities and water districts to cut water use from 8 percent to 36 percent this summer, depending on their per capita use, or face fines of \$10,000 a day.

Representatives in some cities, particularly in the Sacramento area and Inland Empire of Southern California, where hot summers and large lawns have led to high per-capita use, have said in recent weeks the targets are unfair and should be relaxed to account for differences in weather.

"We understand this is a big deal and a challenge for everyone, but the drought we are in is serious and it calls

upon us to rise to the occasion," said Felicia Marcus, chairwoman of the State Water Resources Control Board.

The drought may last for many years, she said, and communities need to dramatically reduce the amount of drinking water that people are putting on lawns to head off severe shortages.

"It's better to be safer than sorrier in the face of uncertainty," she said.

Tuesday's developments represent the state's latest efforts to reduce water use as California heads into the long, hot summer in its fourth year of drought — the worst in the state's 164-year history.

Under existing state rules, residents and businesses can be fined if they water lawns so much that the water runs into the street, sidewalk or neighboring property. It is also illegal to wash cars without nozzles on the hose, for restaurants to serve water unless upon request and for anyone to irrigate lawns within 48 hours of measurable rain. But enforcement is up to local government.

Speaking Tuesday at a Sacramento news conference, Brown also said he will direct state agencies to streamline environmental review of local water supply projects — like expanding San Jose's water recycling plant — that Liccardo has been fighting for.

The \$10,000 fines won't be doled out liberally, Brown said, noting that "only the worst offenders" will be penalized this way.

"Fines are a tool, and they're the last tool you use," Marcus said.

Brown's goal with the city-by-city water targets is to cut statewide water use 25 percent this year, compared with 2013.

"We think they're reasonable," he said. "We think they're enforceable."

New Hidden Valley Lake sewer rates take effect July 1; water rate increases on hold due to court decision



THURSDAY, 30 APRIL 2015 00:48 LAKE COUNTY NEWS REPORTS

HIDDEN VALLEY LAKE, Calif. – The Hidden Valley Lake Community Services District is moving forward with implementing new sewer rates beginning this summer, but plans for similar water rate increases are on hold pending review of a court decision relating to the city of San Juan Capistrano water district handed down earlier this month.

At its meeting April 21, the Hidden Valley Lake Community Services District Board of Directors adopted the new sewer rates, effective July 1.

The proposed sewer rates consist of two components: a “fixed charge” and a “volumetric charge,” the district reported.

All sewer customers pay the same fixed charge, the district said, while the volumetric charge is determined by the average monthly water usage for the months of January through April.

As a general rule, a residential or commercial customer’s average monthly water use for the months of January through April provides a reasonable estimate of the wastewater produced each month of the year. Customers generating less wastewater will pay less for sewer service than those producing larger volumes of wastewater, the district reported.

Sewer charges will be adjusted on July 1 of each year, with the volumetric charge being based on actual average monthly water usage in the preceding months of January through April, according to the district.

Also on April 21, the board discussed but did not adopt the proposed water rate increases, which included a tiered water rate structure.

The day before, on April 20, California’s Fourth District Court of Appeal found that the city of San Juan Capistrano’s tiered water rate structure was unconstitutional because it charged more for water than it cost to provide the service.

Pursuant to Proposition 218, water rate charges cannot exceed the cost of providing water service.

Historically, tiered water rate structures have been used to incentivize water conservation by charging higher rates for “excessive” water use, the Hidden Valley Lake Community Services District reported. Typically, the charge rates associated with excessive water use are greater than the corresponding cost of providing water service.

Although the Fourth District Court of Appeal did not conclude that tiered water rate structures were unconstitutional per se, the court also did not define what constitutes a credible cost of service analysis in support of a tiered water rate structure, thereby leaving all tiered water rate structures open to legal challenges.

At least for now, the future of tiered water rate structures and more specifically the legality of tiered water rate structures remain unclear, district officials said.

The Hidden Valley Lake Community Services District’s proposed tiered water rate structure included excessive water use tiers that were designed to incentivize water conservation and were not strictly based on the actual cost of providing water service.

Given the uncertainty regarding tiered water rates, the district said it will be proposing an alternative rate structure and will issue a new Proposition 218 water rate increase notice in the near future.

MONTHLY SEWER RATES (Effective July 1, 2015)

<i>"Fixed" Charge by Meter Size</i>	Current Monthly Rate	FY 2015/2016	FY 2016/2017	FY 2017/2018	FY 2018/2019	FY 2019/2020
Residential*	\$50.18	\$38.92	\$42.03	\$45.39	\$49.02	\$51.96
Commercial & Government (per HEU)	\$50.18	\$38.92	\$42.03	\$45.39	\$49.02	\$51.96
<i>"Volumetric" Charge per 100 cubic feet of monthly water use</i>						
Residential*	-	\$2.07	\$2.23	\$2.41	\$2.60	\$2.76
Commercial & Government	-	\$2.25	\$2.43	\$2.62	\$2.83	\$3.00

*Includes single and multifamily, multifamily assessed per HEU

Like Share 1 1

Tweet

Share



Drought

Water ruling on Prop 218 can be overcome

It's been 19 years since voters passed one of the worst initiatives in California history: Proposition 218, which micromanages and severely limits the way public agencies can raise money.

The latest of many harmful consequences was Tuesday's 4th District Court of Appeal ruling that a tiered water-rate structure used by San Juan Capistrano to encourage conservation violates the convoluted rules. The court held that since Proposition 218 prohibits charging more for a service than it costs to provide, the policy of charging higher rates to users of more water was unconstitutional.

At least two-thirds of California water providers, including many in the Bay Area, use some form of tiered rates. Gov. Jerry Brown blasted the ruling for compromising this strategy to discourage wasting water in the face of the worst drought in state history. But a careful reading offers an opening to continue conservation incentives if agencies carefully justify them.

That's what engineers and attorneys need to be parsing now. Communities can't afford to wait for the state Supreme Court to review the decision. The need for conservation is urgent.

The key, legally, is to show solid evidence that acquiring additional water for high-consumption users — say, a lush estate in Woodside as opposed to a drought-tolerant yard in San Jose or Fremont, — justifies a higher rate. For example, the need to build or expand water recycling plants

and to step up the recharging of groundwater to meet high demands might meet the court standard.

Fortunately most of San Jose's businesses and households are customers of the private San Jose Water Co., so Proposition 218 doesn't affect its tiered rate structure.

Contra Costa Water District spokeswoman Jennifer Allen said Wednesday that it does not have a tiered-rate system. But the East Bay Municipal Utility District's three-tier pricing could be in trouble.

Santa Cruz's conservation strategy is to levy penalties for excessive water use. The court didn't specifically rule this out, so it may be a legal alternative. Or it might just be the next Proposition 218 lawsuit target.

Proposition 218 is the classic initiative perceived by voters to be in their interests — in this case, discouraging tax or fee increases — but, because of poor drafting and weird micromanaging rules, ultimately works against them.

The drafters of this 1996 horror may be thrilled with this week's court ruling, but we'll bet they didn't sit around in 1996 saying, Hey, let's be sure to protect people's right to use all the water they want even if there's a mega-drought.

Overturning the initiative is wishful thinking, and a state Supreme Court reversal is unlikely, given the proposition they're stuck with upholding. Elected officials need to find ways to comply and still enact strong incentives to conserve.

Brown sticks with strict targets, despite court ruling

By Paul Rogers and Howard Mintz

Bay Area News Group

SACRAMENTO » Gov. Jerry Brown is sticking to his statewide mandatory water conservation targets, his administration said Tuesday, even as a new appeals court ruling limits the ability of cities and water districts to hit people with punishing rates to encourage them to save water.

"The court's decision is bad," said Michael Lauffer, chief counsel at the State Water Resources Control Board in Sacramento of the Monday ruling by an Orange County appellate court. "It's going to frustrate some local agencies' abilities to conserve water. But the sky is not falling."

Until a possible final ruling by the state Supreme Court occurs, Lauffer said, cities and water districts will have to rely more on other tools. Those include more advertising, water audits, rebate programs for low-water appliances, restrictive rules on lawn watering and fines for violators, he said.

"There is still a lot of low-hanging fruit out there that Californians can tackle — lawns are the best example — to help get to the targets," Lauffer said.

Three weeks ago, amid the most severe drought in California's 164-year history, Brown ordered urban residents to cut water use by 25 percent statewide.

The state water board plans to vote May 5 on rules that would require cities and water agencies to cut water use between 8 and 36 percent this summer, depending on their per capita use, with fines of up to \$10,000 a day for violators.

One key tool that Brown had recommended was for local governments to set rate structures with higher "surcharges, fees and penalties" for people who use large amounts of water.

But that approach — conserve or pay a much higher water bill — was thrown into doubt Monday afternoon when the 4th District Court of Appeal ruled that such charges violate Proposition 218, a 1996 ballot measure that barred governments from charging

more for a service than it costs to provide it.

The court did not invalidate the use of rate tiers entirely. It said, however, that cities and water agencies can only charge more if they can document that it costs them more to provide the extra water.

"Cities are going to have to show their work," said David Aladjem, a veteran Sacramento water attorney. "This is the difference between doing a 1040-EZ tax form and a longer form."

One of California's top water leaders said the ruling will make it more difficult for cities and water districts to reach conservation targets this summer.

"The court did not declare tiered pricing illegal. But this does impose constraints that make it much harder to do," said Tim Quinn, executive director of the Association of California Water Agencies. "It's a significant blow to conservation pricing."

The ruling does not affect electric or gas rates, or privately owned water companies, like San Jose Water Co., which Proposition 218 exempts.

Clearlake Oaks County Water District set to hold final rate increase hearing Friday



THURSDAY, 23 APRIL 2015 01:27 ELIZABETH LARSON

CLEARLAKE OAKS, Calif. – On Friday the Clearlake Oaks County Water District Board will hold the second and last of two hearings required under state law as it prepares to raise water and sewer rates.

The public hearing will take place at 10 a.m. Friday, April 24, at the district's administrative office, 12952 E. Highway 20.

The documents associated with the proposed increase can be seen below, picked up from the district's administrative office during regular business hours or downloaded from the district's Web site at www.clocwd.org.

The proposed changes include a billing system that would switch from active accounts to all service connections, and a 3-percent per-year increase from 2016 to 2018 on the water side. Totals can be seen in the graphics shown here or in the public hearing notice below.

General Manager Matt Bassett told Lake County News that the district needs to implement the rate increases for both sewer and water services in order to help finance capital expenditure projects, specifically, upgrading aging infrastructure.

On the water side alone, Bassett said the 1960's-era infrastructure is responsible for a 60-percent water loss due to leaks for the first three months of this year.

Under the guidelines of Proposition 218, passed by voters in 1996, governments must follow certain rules when increasing or implementing new charges, fees or assessments.

Proposition 218 requires notices and public hearings, and that such new costs be put before property owners on a ballot.

The district's first public hearing on the proposed increases took place April 16.

Bassett said it went well, and while there were some vocal opponents, only about 50 of the possible 2,200 votes came in negative.

He said there would have needed to be more than 1,100 no votes to stop the increases from moving forward.

Email Elizabeth Larson at el Larson@lakeconews.com. Follow her on Twitter, [@ERLarson](https://twitter.com/ERLarson), or Lake County News, [@LakeCoNews](https://twitter.com/LakeCoNews).

[April 2015 - Clearlake Oaks County Water District water and sewer rate ordinance](#)

CLEARLAKE OAKS COUNTY WATER DISTRICT
COUNTY OF LAKE, STATE OF CALIFORNIA

ORDINANCE NO. 73

WATER RATES

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF CLEARLAKE OAKS COUNTY WATER DISTRICT AS FOLLOWS:

In a regular meeting of the Board of Directors (Board), of the Clearlake Oaks County Water District (District), 12952 East Highway 20, Clearlake Oaks, California, at 3:30 p. m. on April 19, 2012, was appointed as the time and place for a public meeting to take testimony and for hearing protests in relation to the proposed revisions, notices of which hearing were mailed and posted as required by law.

The hearing was held and all persons interested or desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the proposed revisions were fully heard and considered by the Board, and any protests, both written and oral, were duly heard, considered, and tabulated.

It is hereby determined that upon the conclusion of the public hearing, and after tabulation of the written protests submitted, no majority protest against the proposed rate revisions existed because the valid written protests representing a majority of the parcels identified as affected by the proposed rate revisions did not exceed a majority of such parcels.

At 3:30 p m., on April 19th, 2012, the Board considered Ordinance 73 for its first reading, and at 5:00 p.m., on April 25th, 2012, for its second reading and adoption, to approve proposed rate increases for the District's water system to provide revenues to operate and make improvements to the drinking water treatment facilities and distribution system.

The public interest, convenience and necessity require that the proposed rate revisions be made and approved.

The proposed rate revisions as scheduled on Exhibit 73-A, attached hereto and to which reference is hereby made for further particulars, is hereby approved and confirmed until as otherwise amended, modified, revised or corrected by, or pursuant to, and in accordance with, any ordinance, if any, heretofore duly adopted or made by this Board under appropriate proceedings had thereof.

The provisions of this ordinance shall amend the applicable provisions of Ordinance 70, of the District with respect to rates and all matters herein approved.

Ordinance 70 - Rates is hereby amended to read:

Rates will be established and effective with the June 2012 billing cycle and will remain in effect for a minimum of one year.

Ordinance 70 and Attachment 70-A of the District are hereby superseded.

The foregoing ordinance was introduced before the Board of Directors on the 19th day of April, 2012, and passed by the following vote on the 25th day of April, 2012.

AYES: Hudson, Heeszal, Chase, Barron, Steele.
ABSENT: None.
NOES: None.



Attest-Darin McCosker-General Manager



Iris Hudson-President of the Board of Directors



EXHIBIT 74 - A**RATES FOR SEWER SERVICE**

There shall be a minimum monthly service charge for sewer service. Charges shall depend upon customer classification in accordance with the following schedule:

Residential - Base Rate for Sewer by Customer Classification

Single Family Dwelling (SFD)	\$45.93
Multiple Family Dwelling - duplex, triplex, apt., condominium, per unit (MFD)	\$44.90
Mobilehome Single Family Dwelling (MHD)	\$37.65

Residential - Sewer Flow Charge

In addition to the minimum monthly residential charge (Residential Base Rate), there shall be a sewer flow charge of \$0.31 per 100 cubic feet of water in excess of the first 200 cubic feet delivered to each unit during any month or fraction thereof, regardless of meter size. Such consumption charge shall be prorated based upon quantity of water delivered.

The residential base rate includes the first 200 cubic feet of water (1496 gallons) delivered per residential unit.

Commercial - Base Rate for Sewer by Customer Classification

School - Per student	\$ 1.48
RV / Campsite - per rental spaces w/ sewer service	\$13.38
Hotel / Motel - per room	\$21.71
Laundromat - per washing machine	\$29.73
Church	\$45.93
Service / Gas Station - per restroom	\$29.73
Beauty / Barber Shop	\$45.93
Restaurant	\$69.13
Restaurant w/ bar	\$117.14
Bar	\$66.83
Bar w/ kitchen / food service	\$64.67
Service Club	\$45.93
Service Club w/ kitchen / food service	\$64.67
Commercial Office space	\$45.93
Community Beach - per restroom	\$45.93
Fire Protection District	\$45.93

Commercial - Sewer Flow Charge

In addition to the minimum monthly commercial charge (Commercial Base Rate), there shall be a sewer flow charge of \$0.31 per 100 cubic feet of water delivered during any month or fraction thereof. Such consumption charge shall be prorated based upon quantity of water delivered.

For those properties which have sewer service only, the flow upon which the charge is based shall be established based upon the average flow of similar customer classification throughout the District.

100 cubic feet of water = 748 gallons

Court: tiered water rates violate state constitution

By Bay Area News Group

record-bee.com

In a ruling with major implications for California's water conservation efforts during the historic drought, a state appeals court on Monday ruled that a tiered water rate structure used by the city of San Juan Capistrano to encourage saving was unconstitutional.

The Orange County city used a rate structure that charged customers who used small amounts of water a lower rate than customers who used larger amounts.

But the 4th District Court of Appeal struck down San Juan Capistrano's fee plan, saying it violated voter-approved Proposition 218, which prohibits government agencies from charging more for a service than it costs to provide it.

The stakes are high because at least two-thirds of California water providers, including many in the Bay Area, use some form of the tiered rate system.

Gov. Jerry Brown immediately lashed out at the decision, saying it puts "a straitjacket on local government at a time when maximum flexibility is needed. My policy is and will continue to be: Employ every method possible to ensure water is conserved across California."

Brown added state lawyers are now reviewing the decision.

It remained unclear Monday evening what effect the ruling would have on other agencies that use tiered rates.

"Our attorneys are reviewing the decision and are evaluating its impacts, if any," said Abby Figueroa, a spokeswoman for the East Bay Municipal Utility District, which uses three tiers to price its water in units that range from \$2.91 for the first 172 gallons a day to up to \$4.42 for all water used in excess of 393 gallons per day.

San Jose Water Company, which provides water to 1 million people, has tiered rates, but as a private company is not affected by Proposition 218.

Water experts have cited studies for years showing that higher costs for water reduce consumption, but critics say it penalizes residents who have larger lots and live in warmer areas.

One city that has put in place a system of very high costs for high use — Santa Cruz — has cut water use 24 percent since last summer, and has among the lowest per-capita water use levels in California.

In a mandatory rationing system imposed last year, suspended over the winter, and reimposed by the Santa Cruz City Council last week, the city allows every residential home to use 10 units of water a month. Each unit is 748 gallons.

The first four units cost \$1.73 per unit, and units above that cost \$4.40 per unit. The city imposes a \$50 fee for per unit — believed to be the highest in the state — on residents who use more than 11 units.

Advertisement

That fee, which sent some water guzzlers' bills skyrocketing, will not be affected by Monday's court ruling, however, said Rosemary Menard, Santa Cruz's water director, because it is clearly labeled a "penalty" in the city ordinance, and is not used to pay for daily operations of the water system.

"The penalties, I'm sure we're not changing," she said. "They don't have anything to do with this."

As other cities struggled to meet tough state water conservation targets, others may copy Santa Cruz's system, she said.

"It works pretty well," Menard said. "If you raise the price of water, people will use less of it, especially for discretionary uses" like overwatering lawns during a historic drought.

Penalties aside, the court said that tiered water rates are legal as long as the government agency can show that each rate is tied to the cost of providing the water.

"The water agency here did not try to calculate the cost of actually providing water at its various tier levels," the court said of San Juan Capistrano. "It merely allocated all its costs among the price tier levels, based not on costs but on predetermined usage budgets."

The highly anticipated decision comes in the wake of Brown's executive order directing water agencies to develop rate structures that use price signals to force conservation. His order, which also requires a 25 percent reduction in urban water usage, marked the first mandatory water restrictions in state history and came as the state enters a fourth year of an unrelenting drought.

Some Bay Area agencies said Monday the case will not affect them.

"I don't see any impact (on) our district based on the way we put our rate system together," said Contra Costa Water District spokeswoman Jennifer Allen. "It's based on cost of service."

In the San Juan Capistrano lawsuit, a group of residents sued that city, alleging that its tiered rate structure resulted in arbitrarily high fees. The city's 2010 rate schedule charged customers \$2.47 per unit of water in the first tier and up to \$9.05 per unit in the fourth. The city, which has since changed its rate structure, was charging customers who used the most water more than the actual cost to deliver it, plaintiffs said. The law, they argued, prohibits suppliers from charging more than it costs to deliver water.

Experts say 66 percent to 80 percent of California water providers use some type of tiered rates. A 2014 UC Riverside study estimated that tiered rate structures similar to the one used in San Juan Capistrano reduce water use over time by up to 15 percent.

An author of the study, Ken Baerenklau, said the effect was greatest on the heaviest water-users. In a previous interview with The Los Angeles Times, he said that if the court found in favor of the plaintiffs, as it did Monday, the decision "would be a big deal" because it would "stand in the face of significant momentum" toward tiered rates.

Matt Stevens of the Los Angeles Times and Bay Area News Group staff writers Paul Rogers, Jeremy Thomas and Denis Cuff contributed to this report.

California drought: Court rules tiered water rates violate state constitution

Staff and Wire reports

Updated: 04/21/2015 07:21:36 AM PDT

MercuryNews.com

In a ruling with major implications for California's water conservation efforts during the historic drought, a state appeals court on Monday ruled that a tiered water rate structure used by the city of San Juan Capistrano to encourage saving was unconstitutional.

The Orange County city used a rate structure that charged customers who used small amounts of water a lower rate than customers who used larger amounts.

But the 4th District Court of Appeal struck down San Juan Capistrano's fee plan, saying it violated voter-approved Proposition 218, which prohibits government agencies from charging more for a service than it costs to provide it.



Piedmont Middle School Green Team members Chloe Hood, 13, from left, Marta Symkowitz, 13, and Lani Shea, 14, finish up spraying some drought tolerant

The stakes are high because at least two-thirds of California water providers, including many in the Bay Area, use some form of the tiered rate system.

Gov. Jerry Brown immediately lashed out at the decision, saying it puts "a straitjacket on local government at a time when maximum flexibility is needed. My policy is and will continue to be: Employ every method possible to ensure water is conserved across California."

Brown added state lawyers are now reviewing the decision.

It remained unclear Monday evening what effect the ruling would have on other agencies that use tiered rates.

"Our attorneys are reviewing the decision and are evaluating its impacts, if any," said Abby Figueroa, a spokeswoman for the East Bay Municipal Utility District, which uses three tiers to price its water in units that range from \$2.91 for the first 172 gallons a day to up to \$4.42 for all water used in excess of 393 gallons per day.

San Jose Water Company, which provides water to 1 million people, has tiered rates, but as a private company is not affected by Proposition 218.

Water experts have cited studies for years showing that higher costs for water reduce consumption, but critics say it penalizes residents who have larger lots and live in warmer areas.

One city that has put in place a system of very high costs for high use -- Santa Cruz -- has cut water use 24 percent since last summer, and has among the lowest per-capita water use levels in California.

In a mandatory rationing system imposed last year, suspended over the winter, and reimposed by the Santa Cruz City Council last week, the city allows every residential home to use 10 units of water a month. Each unit is 748 gallons.

The first four units cost \$1.73 per unit, and units above that cost \$4.40 per unit. The city imposes a \$50 fee for per unit -- believed to be the highest in the state -- on residents who use more than 11 units.

That fee, which sent some water guzzlers' bills skyrocketing, will not be affected by Monday's court ruling, however, said Rosemary Menard, Santa Cruz's water director, because it is clearly labeled a "penalty" in the city ordinance, and is not used to pay for daily operations of the water system.

"The penalties, I'm sure we're not changing," she said. "They don't have anything to do with this."

As other cities struggled to meet tough state water conservation targets, others may copy Santa Cruz's system, she said.

"It works pretty well," Menard said. "If you raise the price of water, people will use less of it, especially for discretionary uses" like overwatering lawns during a historic drought.

Penalties aside, the court said that tiered water rates are legal as long as the government agency can show that each rate is tied to the cost of providing the water.

"The water agency here did not try to calculate the cost of actually providing water at its various tier levels," the court said of San Juan Capistrano. "It merely allocated all its costs among the price tier levels, based not on costs but on predetermined usage budgets."

The highly anticipated decision comes in the wake of Brown's executive order directing water agencies to develop rate structures that use price signals to force conservation. His order, which also requires a 25 percent reduction in urban water usage, marked the first mandatory water restrictions in state history and came as the state enters a fourth year of an unrelenting drought.

Some Bay Area agencies said Monday the case will not affect them.

"I don't see any impact (on) our district based on the way we put our rate system together," said Contra Costa Water District spokeswoman Jennifer Allen. "It's based on cost of service."

In the San Juan Capistrano lawsuit, a group of residents sued that city, alleging that its tiered rate structure resulted in arbitrarily high fees. The city's 2010 rate schedule charged customers \$2.47 per unit of water in the first tier and up to \$9.05 per unit in the fourth. The

city, which has since changed its rate structure, was charging customers who used the most water more than the actual cost to deliver it, plaintiffs said. The law, they argued, prohibits suppliers from charging more than it costs to deliver water.

Experts say 66 percent to 80 percent of California water providers use some type of tiered rates. A 2014 UC Riverside study estimated that tiered rate structures similar to the one used in San Juan Capistrano reduce water use over time by up to 15 percent.

An author of the study, Ken Baerenklau, said the effect was greatest on the heaviest water-users. In a previous interview with The Los Angeles Times, he said that if the court found in favor of the plaintiffs, as it did Monday, the decision "would be a big deal" because it would "stand in the face of significant momentum" toward tiered rates.

Matt Stevens of the Los Angeles Times and Bay Area News Group staff writers Paul Rogers, Jeremy Thomas and Denis Cuff contributed to this report.



Santa Rosa comes out ahead of revised water cuts

BY GUY KOVNER THE PRESS DEMOCRAT on April 20, 2015, 7:41PM04/20/2015

Santa Rosa residents have already satisfied the state's water conservation requirement and simply "need to keep it up" as the weather warms and the urge to water lawns resumes, a city official said Monday.

"We're asking our customers to keep implementing the water-saving habits they have picked up," said Jennifer Burke, deputy director of water and engineering services.

Santa Rosa was the only one of 11 North Bay cities and water agencies that came out ahead of the revised conservation standards issued Saturday by the State Water Board, which is implementing Gov. Jerry Brown's demand for a statewide 25 percent cut in water consumption this year.

State regulators have focused on watering lawns and landscaping, which consumes about 1 million acre feet of water a year, enough to fill Lake Sonoma, the North Bay's largest reservoir, four times.

Two weeks ago, the water board announced draft conservation targets for more than 400 urban water suppliers, giving Santa Rosa a 20 percent goal, just 2 percent higher than the 18 percent water savings achieved since 2013. The goals were revised after water providers complained that draft ones failed to give enough weight to previous conservation efforts. New tiers were established based on usage data from the months of July, August and September instead of just September. The revised standards cut the city's target to 16 percent, 2 percent lower than the current conservation rate.

Burke said it was "good to see the state has taken into account the conservation efforts of previous years."

Rohnert Park, Windsor and the Sweetwater Springs Water District also qualified for the 16 percent target, replacing the 20 percent standard but still larger than their water savings to date: 11 percent for Rohnert Park and 15 percent for Windsor and Sweetwater Springs, which serves the lower Russian River area.

Sonoma and Healdsburg took hits from the revised standards, bumped up to 28 percent from 25 percent.

Sonoma faces the largest challenge, a 13 percent gap between the revised target and the 15 percent conservation it has achieved since 2013. Healdsburg, credited with 17 percent water savings to date, faces an 11 percent gap.

Dan Takasugi, Sonoma's public works director, said the city's outdoor water use is driven by a warm, inland climate and prevalence of single-family housing, which typically consumes more water than apartments.

The town has limited lawn irrigation to two days a week, Monday and Thursday nights from 7 p.m. to 7 a.m., while most other water suppliers limit it to three days per week or have no such limit, Takasugi said. Santa Rosa limits lawn sprinkling to nights from 8 p.m. to 6 a.m.

Commercial landscape maintenance firms, which are “motivated to keep lawns beautiful,” Takasugi said, were sent letters advising them of the restriction.

Sonoma also has a four-tiered residential water rate structure starting at \$3.59 per 1,000 gallons up to \$10.21 per 1,000 gallons, intended to reward households that use water sparingly and boost the cost of “using too much water,” he said.

Petaluma was assigned a 24 percent conservation target on Saturday, down slightly from the 25 percent goal, but Dan St. John, director of public works and utilities, said Monday he had submitted new water consumption data that would qualify the city for a 16 percent target.

The lower target is easier to hit this year, he said, but it means “we have to do everything we did last year, which took a whole lot of work, plus doing more this year to achieve the new 16 percent requirement.”

There were late rains last year, from February through April, “which we haven’t gotten this year — yet,” St. John said.

Strategies for boosting Petaluma’s water conservation will be presented at a City Council workshop on Monday, he said.

Sebastopol, Cloverdale and Cotati are not included in the data because their number of water customers does not require them to report savings figures to the state.



California revises water conservation targets amid drought

BY FENIT NIRAPPIL ASSOCIATED PRESS on April 19, 2015, 12:05AM04/19/2015

SACRAMENTO — Water use must plummet in each California community under Gov. Jerry Brown's sweeping plan to get through a relentless drought, but regulators on Saturday offered some cities relief from drastic cuts, while ordering more severe reductions from others.

Brown this month ordered a 25 percent cutback in statewide urban water use. The agencies expected to make the steepest cuts have said the state's demands are unreasonable and unfair.

Regulators are facing such a backlash — they received 250 comments complaining about their first rationing proposal — as they try to figure out how to distribute the burden of conservation. It's not feasible to expect coastal cities with few lawns like San Francisco to make cuts on the same magnitude as resort towns in the desert. But the state also risks flaring up regional tensions surrounding how water is delivered in California.

“All Californians need to step up more and prepare as if it won't rain or snow much next year either,” said Felicia Marcus, chairwoman of the State Water Resources Control Board.

Homes and businesses use less than a fifth of the water Californians withdraw from surface and groundwater supplies, but state officials say conservation is the best way to maximize water supplies to prepare for future dry years.

The water board on Saturday released new mandatory conservation targets from 8 to 36 percent compared with 2013 levels, before the governor declared a drought emergency. The targets are now assigned based on water use last summer to reward communities that already started making cutbacks after the drought started.

On the North Coast, water districts in Petaluma, Healdsburg and Sonoma will be grappling with stricter reductions than they had been anticipating, while most other districts' restrictions were loosened or stay the same.

Among the 11 water districts serving the North Bay, Petaluma saw its target move the most. The city had been ordered to cut consumption by 20 percent, but faces a 24 percent reduction under the new proposal. The City of Sonoma, which had been ordered to reduce water use by 25 percent, now has a target of 28 percent. Healdsburg jumped 3 percentage points to 28 percent, as well.

Santa Rosa, Rohnert Park and Windsor saw their targets fall from 20 percent to 16 percent.

The remaining districts' targets either stayed the same, or declined by 1 percentage point.

The updated regulations still didn't address some of the most common complaints from agencies.

Communities that slashed water consumption before the drought are grouped together with those who didn't. Water savings can be limited by factors unrelated to good conservation, including hotter weather, fiercer winds and economic growth. And some say regulators are ignoring local efforts to

wean off the state water system and prepare for droughts, such as paying for desalination plants and local reservoirs.

“There are parts of the state that really haven’t done much of anything,” said John Helminski, assistant director of San Diego public utilities.

He said San Diego residents are being asked to endure new restrictions even though they have been paying higher rates to become more self-reliant for water, such as an upcoming project to purify sewage into drinking water.

“The fact that we are being dinged additional costs doesn’t seem fair.”

The board on Saturday said these concerns are valid but more appropriate for permanent conservation goals.

“All of those projects are in the long-term interests of the communities, but what we are talking about here is a short-term emergency,” said Marcus, the chairwoman.

The regulations are expected to be approved by the board in early May and take effect in June.

Local water departments that fail to conserve or reduce water use face possible fines and state intervention, which could include raising water rates and adding new water restrictions. State officials said they will start monitoring for compliance this summer but will remain focused on helping local agencies rather than penalizing them.

“Fines don’t create water,” said Caren Trgovcich, the board’s chief deputy director.

Some communities that aren’t importing water and aren’t facing shortages, particularly on the North Coast, can petition to make just a 4 percent cut.

The board Saturday also allowed water departments to exclude deliveries to farms when determining water cutbacks. Marcus acknowledged that the move would likely exacerbate the perception that agriculture, which uses four times as much as urban users, is exempt from drought cuts.

Farms have endured cutbacks from government reservoir systems, and many are likely to be ordered to stop diverting water from streams and rivers they have legal rights to take as early as next week.

This story includes information from the Press Democrat staff.

Clearlake Oaks water, sewer fee increase approved

By J.W. Burch IV, jburch@record-bee.com, [@JWBurchIV](https://twitter.com/JWBurchIV) on Twitter

record-bee.com

CLEARLAKE OAKS >> A water and sewer fee rate increase was approved by the Clearlake Oaks County Water District (COCWD) Board of Directors after a public hearing was held Thursday. If it passes a second reading, set for Friday, the hikes will go into effect.

The purpose of the hearing was to garner public input and feedback to determine if the district's water and sewer billing procedure should change from being solely based on active accounts to one including all service connections. Upon approval, a tiered system will be used to promote conservation, and rates will increase annually until reserves are funded, which is expected reached in 40 years.

Money from the rate increase will be used for capital improvements and infrastructure updates.

According to a report by the California Rural Water Association's Specialized Utility Services Program reviewing the water rate increase, three areas were identified as needing infrastructure improvements, which are the water treatment plant, transmission lines, vehicles, as well as pumps and tanks and equipment.

"These are all existing parts of the infrastructure, and to date there are very little reserves for these components," the report states.

Improvements needed in the water system stem from aging equipment, which was originally installed in the 1960s.

COCWD General Manager Matt Bassett said the state is "happy we have taken a proactive approach ... and not just waiting for stuff to break before we fix it."

Approximately 50 people were in attendance to voice their support or disapproval of the increase.

"The biggest change is the fact that we are changing from meter size to anyone connected to the system," Bassett said.

Customers who don't reside at their house all year voiced concerns about the cost of the rate increase.

"They won't be paying for consumption, just for maintenance," Bassett explained.

Current residential base rates for water and sewer are \$32.36 and \$45.93, respectively. However, if into effect, base rates will increase by three percent each year for the next four years.

Additionally, \$2 will be included for capital improvements.

In the first year, the residential base water rate will increase to \$37.87 and will eventually rise to \$47.56 in 2018. The base residential sewer rate will increase to \$53.30 in the first year, reaching a total of \$64.42 by 2018.

Advertisement

Furthermore, water usage rates will increase by 3 percent each year. Currently, usage rates are \$1.26 for each 100 cubic feet of water up to 1,500; \$1.45 for each 100 cubic feet from 1,501 to 2,000 and \$1.94 for each 100 cubic feet used more than 2,000. New rates would be effective starting in July and will be evaluated annually.

"The rates will be reviewed annually, since we are not-for-profit if we are making too much, we are required by law to reduce the rate," Bassett said.

Reducing the rate would not require the same process as raising it.

"It gives us the freedom to make whatever adjustments we need," Bassett said.

The fee increase was unanimously approved with a 5-0 vote.

A second reading of the rate increase ordinance will be held at 10 a.m. Friday at the COCWD administration building, which is located at 12952 Highway 20 in Clearlake Oaks.

Contact J. W. Burch, IV at 900-2022.