

RESOLUTION NO. 2023-4-1

RESOLUTION OF THE BOARD OF DIRECTORS OF THE CUCAMONGA VALLEY WATER DISTRICT RESCINDING A STAGE 3 WATER SHORTAGE

WHEREAS, on April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, Governor Newsom proclaimed States of Emergency to exist due to drought conditions; and

WHEREAS, on July 8, 2021, Governor Newsom issued Executive Order N-10-21 directing local agencies to encourage all Californians to reduce water usage in residential, industrial, commercial, agricultural, or institutional use; and

WHEREAS, on March 28, 2022, Governor Newsom issued Executive Order N-7-22 directing the State Water Resources Control Board (SWRCB) to consider adopting drought emergency water conservation regulations to prepare for and mitigate the effects of the drought conditions, specifically requiring all urban water suppliers to activate their Water Shortage Contingency Plans (WSCPs) and implement the response actions identified for a shortage level of at least 20 percent; and

WHEREAS, on April 26, 2022, the Metropolitan Water District (MWD) Board of Directors adopted a resolution declaring a water shortage emergency condition and implementing an emergency water conservation program in the portions of the service area dependent on State Water Project (SWP) supplies; and

WHEREAS, in May of 2022, the SWRCB adopted Emergency Regulations for urban drought response actions, specifically requiring all urban water suppliers who submitted a WSCP to the Department of Water Resources (DWR) to implement, at minimum, all demand reduction actions identified in the supplier's WSCP for a shortage level of ten to twenty percent by June 10, 2022; and

WHEREAS, on May 10, 2022, based on the SWRCB emergency regulations and availability of imported water at the time, the District Board of Directors enacted Resolution 2022-5-7, declaring a Stage 3 Water Shortage, as defined in the District's WSCP, which equates to a twenty percent reduction in potable water supplies; and

WHEREAS, on March 14, 2023, based on significant improvements in the availability of SWP supplies, the MWD Board of Directors rescinded the Emergency Water Conservation Plan which allocated supplies to SWP exclusive areas and Water Shortage Emergency Condition declared on April 26, 2022, emphasizing the importance of continued conservation and local supply investment by areas in the region; and

WHEREAS, on March 24, 2023, Governor Newsom issued Executive Order N-5-23, which ended the voluntary 15% water conservation target, while continuing to encourage that Californians make conservation a way of life; ended the requirement that the SWRCB consider requiring local water agencies to implement the demand reduction measures identified in level 2 of their WSCPs; and maintains the ban on wasteful water uses, such as watering ornamental grass on commercial properties; and

RESOLUTION NO. 2023-4-1

WHEREAS, on March 24, 2023, based on above average precipitation from late February 2023 to date and the record snowpack in the Sierras, DWR increased the SWP allocation from 35 percent to 75 percent; and

WHEREAS, on April 5, 2023, based on improved hydrologic conditions, reduced regional demands, and increasing SWP allocations, the Inland Empire Utilities Agency (IEUA) Board of Directors rescinded the Level 2 Water Shortage and Emergency Water Conservation Framework; and

WHEREAS, since declaring a Level 3 Water Shortage, the District implemented additional water saving programs and increased outreach with customers to achieve more than 20 percent conservation; and

WHEREAS, within the Annual Water Supply and Demand Assessment pursuant to Section 10632.1 of the Water Code and as part of its regular internal water supply analysis, the District has determined it is able to sufficiently meet the water demands of its customers due to proper water supply planning and prudent investments it has made in projects and programs to increase drought resiliency; and

WHEREAS, pursuant to the District Code Section 4.24.030, the District, through its Board of Directors (Board), may take action by resolution to declare, change, and rescind, as applicable, the particular stage of the water supply shortage.

Therefore, the Board desires to adopt this Resolution in order to rescind a Stage 3 Water Shortage and associated implemented measures.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CUCAMONGA VALLEY WATER DISTRICT THAT:

Section 1 Incorporation of Recitals. All of the foregoing Recitals are true and correct, and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 2 Compliance With SWRCB Regulation. The Board hereby determines that, based upon Executive order N-5-23 and guidance from the SWRCB, the District can rescind Resolution 2022-5-7, which enacted the Stage 3 Water Shortage and associated outdoor watering restrictions while continuing to maintain its best management practices that ban wasteful water use.

Section 3 Rescission of Stage 3 Water Shortage. The Board hereby rescinds Resolution 2022-5-7 in its entirety, which effectively ends the Stage 3 Water Shortage and all associated restrictions and prohibitions.

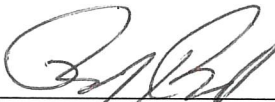
Section 4 Publication Following Adoption. This Resolution shall be in full force and effect immediately upon adoption. Within ten (10) calendar days of adoption of this Resolution, the Board shall issue its determination of shortage and corrective measures by public proclamation published in a daily newspaper of general circulation a minimum of three (3) times for three (3) consecutive weeks. Three publications in a newspaper regularly published once a week or more often, with at least 5 days intervening between the respective publication dates not counting such

RESOLUTION NO. 2023-4-1

publication dates, are sufficient. Such declaration and notice shall provide the extent, terms, and conditions respecting the use and consumption of water in accordance with the applicable water conservation stage. Upon such declaration and publication of such notice, due and proper notice shall be deemed to have been given each and every person supplied water within the District.

Section 5 Severability. If any section, subsection, clause, or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof be held invalid.

PASSED AND ADOPTED this 11th day of April 2023.



Randall James Reed
President

ATTEST:



John Bosler
Secretary

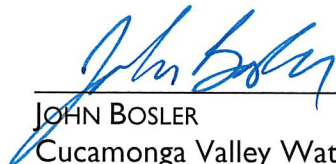
STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.

I, **JOHN BOSLER**, Secretary of the Board of Directors of Cucamonga Valley Water District, do hereby certify that the foregoing **Resolution No. 2023-4-1** was adopted by the Board of Directors of said District at a regular board meeting held on April 11, 2023. A recorded vote of the Board is as follows:

AYES: Curatalo, Gibboney, Kenley, Moffatt, Reed

NOES: _____

ABSENT: _____



JOHN BOSLER
Cucamonga Valley Water District
and the Board of Directors thereof