



BOARD MEETING AGENDA SUBMITTAL

TO: GCSB Board of Directors

FROM: Peter Kampa, General Manager

DATE: May 9, 2023

SUBJECT: Agenda Item 4C: Adoption of a Resolution Rescinding Declaration of Stage 2 and Implementing Stage 1 of the District's Water Shortage Contingency Plan Per Executive Order (N-5-23)

RECOMMENDED ACTION:

Staff recommends the following action:

I move to approve Resolution 22-2023 Rescinding Declaration of Stage 2 and Implementing Stage 1 of the District's Water Shortage Contingency Plan Per Executive Order (N-5-23).

BACKGROUND:

On August 9, 2022 due to ongoing drought conditions and state drought declarations, the Board approved Resolution 35-2022 enacting Stage 2 of the District's Water Shortage Contingency Plan per the State Water Resources Control Board requirements and Governor's Executive Order N-7-22.

On March 3, 2023 [Executive Order N-5-23](#) was put into order after a snow survey was conducted by the Department of Water Resources and partnering agencies and found that the regions of Sierra Nevada are above average for snow and rain has fallen across many regions of the state. This large snowpack ensures that adequate water supply is available from the SFPUC system this year and it is recommended that the District rescind its Stage 2 declaration. For information, the Stage 1 and Stage 2 requirements are listed below:

State 1 – Potential Shortage

Stage 1 will always be in place as a water waste prohibition to provide a conservation program framework for reducing GCSB demands by up to 10 percent. During Stage 1, there is up to a 10 percent water supply shortage and a 5 percent or greater voluntary reduction in demand is suggested. The following conservation measures will be implemented during this stage:

- Education programs
- Promotion of water-saving landscaping.

- Requirement of low-flow fixtures in new developments.
- Meter and/or flow control for all customer accounts and plant production activities.
- Maintain tiered water rates for treated water.
- Prohibit wasteful use of water.
- Review water measuring and/or metering devices for accuracy.

State 2 – Minor Shortage

During Stage 2 of a water supply shortage, there is between a 10 to 20 percent water supply shortage and a 10 percent or greater mandatory reduction in water usage is required for the GCSD to meet the immediate needs of its customers. Water alert conditions are declared, the water shortage situation is explained to the public, and consumers are asked for a 10 percent or greater mandatory water use reduction. In addition to Stage 1 conservation measures, the GCSD will implement the following conservation measures during State 2:

- Prohibit fire hydrant flow testing.
- Restaurants shall serve water only upon customer request.
- Hotels, motels, and lodges must offer guests the option of not having towels and linens laundered daily by displaying notices prominently in each guestroom.
- The GCSD will contact the highest water users to encourage use of water conservation methods.
- Watering of lawns, gardens, and other outdoor vegetation by use of irrigation systems, hoses, faucets or other outlets connected to the public water supply is limited to three days a week. Landscape watering may be restricted to outside of peak demand hours.
- The GCSD will evaluate its water use for main flushing to see if reductions are possible.

FINANCIAL IMPACT

Implementation of Stage 1 water conservation will reduce water conservation efforts for District staff and possibly increase water consumption and associated sales revenue.

ATTACHMENTS:

1. Resolution 22-2023
2. Executive Order N-5-23

RESOLUTION 22-2023

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT RESCINDING DECLARATION OF STAGE 2 AND IMPLEMENTING STAGE 1 OF THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN PER EXECUTIVE ORDER (N-5-23)

WHEREAS, the Groveland Community Services District (herein referred to as District) is a local government agency formed and operating in accordance with Section §61000 et seq. of the California Government Code; and

WHEREAS, due to relentless drought conditions and various related requirements issued by the state of California, the District adopted Resolution 35-2022 implementing Stage 2 of its Water Shortage Contingency Plan; and

WHEREAS, the winter of 2023 resulted in over 60 inches of rainfall locally and historic amounts of snowpack in the region, thereby providing significant relief to the drought conditions; and

WHEREAS, on March 3, 2023 Governor Gavin Newsom issued executive order 05-2023 declaring reduced drought restrictions due to an increased available water supply; and

WHEREAS, in response to executive order 05-2023 and the improved water condition, the district desires to reduce its customer and operational water use restrictions.

NOW THEREFORE BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF THE GROVELAND COMMUNITY SERVICES DISTRICT DOES hereby approve Resolution 22-2023 rescinding Declaration of Stage 2 and Implementing Stage 1 of the District's Water Shortage Contingency Plan in accordance with Executive Order (N-5-23).

WHEREFORE, this Resolution is passed and adopted by the Board of Directors of the Groveland Community Services District on May 9, 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT

APPROVE:

Nancy Mora, Board President

ATTEST:

Rachel Pearlman, Board secretary

CERTIFICATE OF SECRETARY

I, Rachel Pearlman, the duly appointed and acting Secretary of the Board of Directors of the Groveland Community Services District, do hereby declare that the foregoing Resolution was duly passed and adopted at a Regular Meeting of the Board of Directors of the Groveland Community Services District, duly called and held on May 9, 2023.

DATED: _____

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-5-23

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

WHEREAS the multi-year nature of the current drought, which began three years after the record-setting drought of 2012-2016, continues to have significant, immediate impacts on communities across California with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the March 3, 2023, snow survey conducted by the Department of Water Resources and partner agencies found that most regions of the Sierra Nevada are above average for snow water content, and some regions are nearing record amounts of snow, and snow and rain has fallen across many regions of the state since then, with more precipitation forecasted; and

WHEREAS improved conditions have helped rehabilitate surface water supplies, but have not abated the severe drought conditions that remain in some parts of the State, including the Klamath River basin and the Colorado River basin, and many groundwater basins throughout the State remain depleted from overreliance and successive multi-year droughts; and

WHEREAS continued action by the State is needed to address ongoing consequences of the drought emergency, including groundwater supply shortages, domestic well failures, and drought-related harm to native fishes in the Klamath River and Clear Lake watersheds; and

WHEREAS the drought emergency has required a dynamic and flexible response from the State, and several provisions in my prior Proclamations and Orders have been terminated or superseded already, specifically Paragraphs 4 and 8 of my State of Emergency Proclamation dated April 21, 2021, Paragraphs 2, 4, and 7 of my State of Emergency Proclamation dated May 10, 2021, Paragraphs 3, 4, 5, 6, and 10 of my State of Emergency Proclamation dated July 8, 2021, and Paragraph 9 of Executive Order N-7-22; and

WHEREAS improved conditions warrant an even more targeted State response to the ongoing drought emergency and certain provisions in my State of Emergency Proclamations dated April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, and in Executive Orders N-10-21, N-7-22, and N-3-23 provide authority that is no longer needed to mitigate the effects of the drought conditions or direct actions by state agencies, departments, and boards that have already been completed; and

WHEREAS notwithstanding the rescission of certain emergency authorities for emergency drinking water action, state agencies have existing legal authority and funding to continue expedited work to advance the human right to water, and state agencies will continue all ongoing drought resilience planning work, including through coordination with local agencies and tribes; and

WHEREAS next winter's hydrology is uncertain and the most efficient way to preserve the State's improved surface water supplies is for Californians to continue their ongoing efforts to make conservation a way of life; and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my State of Emergency Proclamations dated April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, and Executive Orders N-7-22 (March 28, 2022), N-3-23 (February 13, 2023), and N-4-23 (March 10, 2023), remain in full force and effect, except as modified by those Proclamations and Orders and herein. State agencies shall continue to implement all directions from those Proclamations and Orders and accelerate implementation where feasible.
2. The following provisions of my State of Emergency Proclamation dated April 21, 2021, are terminated:
 - a. Paragraph 2;
 - b. Paragraphs 5-7; and
 - c. Paragraphs 9-14.
3. The following provisions of my State of Emergency Proclamation dated May 10, 2021, are terminated:
 - a. Paragraph 1;
 - b. Paragraph 3;
 - c. Paragraph 5; and
 - d. Paragraphs 9-10.
4. The following provisions of my State of Emergency Proclamation dated July 8, 2021, are terminated:
 - a. Paragraph 2;
 - b. Paragraphs 7-8, except those portions of paragraph 7 withdrawing provisions of prior orders;
 - c. Paragraphs 11-12.

5. The following provisions of my State of Emergency Proclamation dated October 19, 2021, are terminated:
 - a. Paragraph 2;
 - b. Paragraphs 4-5;
 - c. Paragraph 8; and
 - d. Paragraph 10.

6. The following provisions of Executive Order N-10-21 are terminated:
 - a. Paragraph 1; and
 - b. Paragraph 3

7. The following provisions of Executive Order N-7-22 are terminated:
 - a. Paragraphs 1-3;
 - b. Paragraph 6; and
 - c. Paragraphs 14-15.

8. The following provisions of Executive Order N-3-23 are terminated:
 - a. Paragraph 1; and
 - b. Paragraph 3, except those portions of the paragraph withdrawing provisions of prior orders.


9. Paragraph 6 of my State of Emergency Proclamation dated May 10, 2021, and Paragraph 9 of my State of Emergency Proclamation dated July 8, 2021, are withdrawn and replaced with the following text:

To ensure critical instream flows for species protection in the Klamath River and Clear Lake watersheds, the State Water Resources Control Board (Water Board) and Department of Fish and Wildlife shall evaluate the minimum instream flows and other actions needed to protect salmon, steelhead, the Clear Lake Hitch, and other native fishes in critical streams systems in these watersheds and work with water users, tribes, and other parties on voluntary measures to implement those actions. To the extent voluntary actions are not sufficient, the Water Board, in coordination with the Department of Fish and Wildlife, shall consider emergency regulations to establish minimum instream flows to mitigate the effects of the drought conditions. For purposes of state agencies carrying out or approving any actions contemplated by this paragraph, Public Resources Code, Division 13 (commencing with Section 21000) and regulations adopted pursuant to that Division are suspended. Nothing in this Paragraph affects or limits the validity of actions already taken in the Klamath and Clear Lake watersheds or ongoing under Paragraph 6 of my State of Emergency Proclamation dated May 10, 2021, or Paragraph 9 of my State of Emergency Proclamation dated July 8, 2021.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 24th day of March 2023.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State