

RESOLUTION NO. 1476

RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS MAKING CERTAIN FINDINGS, DEACTIVATING THE MESA WATER DISTRICT WATER CONSERVATION AND WATER SUPPLY EMERGENCY PROGRAM - LEVEL 1 WATER SUPPLY SHORTAGE, TAKING RELATED ACTIONS AND SUPERSEDING RESOLUTION NO. 1471

WHEREAS, the Mesa Water District (Mesa Water®) is a county water district organized and operating according to California law; and

WHEREAS, periodic droughts are a historical fact in the California; and

WHEREAS, on January 17, 2014, the Governor declared a State of Emergency to exist throughout California due to severe and identified drought conditions; and

WHEREAS, on July 16, 2014, March 17, 2015, May 5, 2015, and February 2, 2016, the California State Water Resources Control Board (“SWRCB”) adopted various drought-related emergency regulations for urban water conservation; and

WHEREAS, on April 1, 2015, and May 9, 2016, the Governor issued Executive Orders that, in part, directed the SWRCB to impose and continue restrictions on water suppliers and users to achieve a Statewide 25 percent reduction in potable urban water usage through January 2017; and

WHEREAS, the Governor has directed that certain water conservation measures shall continue to be in force and effect; and

WHEREAS, on May 18, 2015, the SWRCB adopted and issued a self-certification procedure by which water suppliers may define an individualized conservation standard based upon an assessment of their individual projected water supply and demand conditions; and

WHEREAS, Mesa Water® derives the water which it delivers to its customers from (i) local groundwater supplies, and (ii) supplemental water supplies imported from outside the Mesa Water® boundaries; and

WHEREAS, the Orange County groundwater basin (which includes the territory covered by the Mesa Water® service boundaries) is sustainably and cooperatively managed by the Orange County Water District (“OCWD”) and is of sufficient supply, as

defined by the OCWD Basin Pumping Percentage, for all users of the principal groundwater aquifer; and

WHEREAS, in addition to clear groundwater for potable water service from the Orange County groundwater basin aquifers, Mesa Water® has access to the amber-tinted Orange County groundwater basin lower groundwater aquifer, and Mesa Water® treats that water at the Mesa Water® Reliability Facility, which is exempt from the OCWD Basin Pumping Percentage due to its local and regional benefits of groundwater cleanup - thereby allowing Mesa Water® to provide up to 100 percent of the potable water it serves to customers from local groundwater supplies; and

WHEREAS, Mesa Water® has the statutory authority to adopt water conservation requirements and programs to promote wise water use and avoid water waste; and

WHEREAS, the Board of Directors of Mesa Water® (“Board”) has previously adopted Ordinance No. 26 (“Ordinance No. 26”), including the Mesa Water District Water Conservation and Water Supply Emergency Program (“Conservation Program”), to address water supply shortages (including, but not limited to, drought conditions) and water conservation requirements to address such; and

WHEREAS, in light of the current directives of the SWRCB, the sources of potable water supply available to, and utilized by, Mesa Water®, and other factors presented to, and considered by, this Board, the Board has determined that it is appropriate to adopt this Resolution at this time;

NOW, THEREFORE, THE BOARD OF DIRECTORS OF MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The foregoing Recitals are true and correct and are incorporated herein by this reference.

Section 2. Under the provisions of Ordinance No. 26, and based on the fact circumstances stated herein, the Board finds and determines that a water shortage or threat of a water shortage is not currently existent, such that it is appropriate, at this time, to deactivate the Conservation Program, based upon the absence of the following condition:

- (a) A general water supply shortage due to limited supplies and drought conditions.

Section 3. Except as otherwise set forth herein, the Conservation Program is hereby deactivated in its entirety.

Section 4. Notwithstanding the direction set out in Section 3, the Board directs that the provisions of Sections 10(d), 10(e), and 10(g) of the Conservation Program, which are reflective of State law, shall remain in force and effect.

Section 5. Except as expressly set forth herein, the Conservation Program is not otherwise amended or revised.

Section 6. The determinations and directives set forth in this Resolution shall be effective immediately upon adoption.

Section 7. The General Manager is authorized to take such other and further action(s) as are necessary or desirable to carry out the directives of this Resolution and report such actions taken to the Board of Directors.

ADOPTED, SIGNED, and APPROVED, this 9th day of June 2016 by a roll call vote:

AYES: DIRECTORS: Atkinson, Bockmiller, Fisler, Temianka, Dewane
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:



Shawn Dewane
President, Board of Directors



Coleen L. Monteleone
District Secretary