

OCEANO COMMUNITY SERVICES DISTRICT
RESOLUTION NO: 2017 - 08

**A RESOLUTION AMENDING AND RESTATING RESOLUTION 2014 – 15
REGULATING WATER USE IN ACCORDANCE WITH THE DROUGHT EMERGENCY
WATER CONSERVATION REGULATIONS ADOPTED BY THE STATE OF
CALIFORNIA; CONTINUING SPECIFIC PROHIBITIONS AGAINST EXPORTING
GROUNDWATER PUMPED WITHIN THE BOUNDARIES OF OCEANO; AND
CONFORMING TO EXECUTIVE ORDERS B-37-16 AND B-40-17**

WHEREAS, on January 17, 2014, the Governor of the State of California established a Drought State of Emergency; and

WHEREAS, subsequent to January 17, 2014, the Governor and/or the State Water Board adopted additional emergency proclamations, executive orders, and regulations to address the Drought State of Emergency; and

WHEREAS, on April 7, 2017 the Governor approved Executive Order B-40-17 rescinded most of the previous actions, except that the orders and provisions contained in Executive Order B-37-16 **Making Water Conservation a California Way of Life**, remain in full force and effect except as modified by Executive Order B-40-17; and

WHEREAS, Executive Order B-40-17 provides permanent restrictions on wasteful practices such as:

- Hosing off sidewalks, driveways and other hardscapes;
- Washing automobiles with hoses not equipped with a shut-off nozzle;
- Using non-recirculated water in a fountain or other decorative water feature;
- Watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and
- Irrigating ornamental turf on public street medians.

WHEREAS, Executive Order B-40-17 also provides directions to State Agencies to continue to develop standards, to direct actions and to continue response activities to manage the lingering drought impacts, which may result in additional regulations; and

WHEREAS, the Oceano Community Services District adopted Resolution 2014-15 on October 8, 2014 in response to the Governor's proclamations of a Drought Emergency and regulations established by the State Water Board; and

WHEREAS, Resolution 2014-15 includes provisions required as a result of the Drought Emergency Proclamation and associated regulations while also including certain provisions specific to groundwater pumping within the boundaries of the District; and

WHEREAS, despite the Governor's termination of the Drought State of Emergency, continuing concerns exist regarding the lingering drought impacts on local groundwater conditions and pumping of water from the groundwater basin; and

WHEREAS, it is in the public interest to rescind portions of Resolution 2014-15 while continuing those Sections pertaining to groundwater pumping within the boundaries of the District; and

WHEREAS, it is in the public interest to recognize the need to adhere to Executive Order B-37-16 **Making Water Conservation a California Way of Life**.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the Oceano Community Services District, as follows:

Resolution 2014-15 is hereby amended as follows:

Section 1 – “Findings and Declarations”

The Board of Directors makes the following findings in support of the enactment of this Resolution within the Oceano Community Services District (District):

- A. The District is a distributor of a public water supply within its boundaries.
- B. The District is not an “Urban water supplier” as defined in Water Code Section 10617, as it does not provide water for municipal purposes to more than 3,000 customers and does not provide more than 3,000 acre-feet of water annually.
- C. The District finds that in its role and authority as the distributor of a public water supply within its boundaries, no other persons should distribute or appropriate water obtained from the District or pumped through wells and facilities that are not owned by the District but which exist within the boundaries of the District, with the following exceptions:
 - a. With the expressed written consent of the District
 - b. For those property owners that have specific rights to do so as established by the Santa Maria Groundwater Basin adjudication and associated judicial determinations.
 - c. The water systems serving the town of Halcyon for use in Halcyon.
 - d. Other historical uses established with approved and documented permits.
- D. The following waste of water is prohibited:
 - a. Hosing off sidewalks, driveways and other hardscapes;
 - b. Washing automobiles with hoses not equipped with a shut-off nozzle;
 - c. Using non-recirculated water in a fountain or other decorative water feature;
 - d. Watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and
 - e. Irrigating ornamental turf on public street medians.

Section 2 – “Restrictions on Outdoor Water Use” is hereby rescinded.

Section 3 - Prohibition against the Distribution or Appropriation of Water.

No person shall distribute or appropriate water obtained from the District or pumped through wells and facilities that are not owned by the District but which exist within the boundaries of the District, with the following exceptions:

- a. With the expressed written consent of the District
- b. For those property owners that have specific rights to do so as established by the Santa Maria Groundwater Basin adjudication and associated judicial determinations.
- c. The water systems serving the town of Halcyon for use within Halcyon.
- d. Other historical uses established with approved and documented permits.

Section 4 - "Exemptions" is hereby rescinded.

Section 5 - Enforcement.

A violation of this Resolution is a violation of a restriction authorized by and imposed in accordance with the rules and regulations set forth in Section 1 of this Resolution and constitutes a violation of controls during emergencies and/or a violation of the control of maximum usage limits identified in the Resolutions set forth in Section 1 of this Resolution. In the event of a violation of this Resolution, the District may, in its discretion and in addition to all other remedies, take such enforcement actions and impose such fees as are authorized in the rules and regulations, Resolutions and/or contracts set forth in Section 1 of this Resolution and applicable to the customers of the District.

Section 6 - Effective Date.

This Resolution shall take effect and be in full force and effect thirty (30) days after its passage and before the expiration of fifteen (15) days after passage of this Resolution, it shall be published once with the names of the members of the Board of Directors voting for and against the Resolution in a newspaper of general circulation published in the Community of Oceano, State of California.

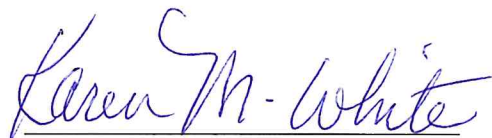
PASSED AND ADOPTED by the Board of Directors of the Oceano Community Services District on July 26, 2017 by the following vote:

AYES: Director Coalwell, Director Angello, Vice President Austin, President White

NOES: None

ABSTAIN: None

ABSENT: Director Brunet



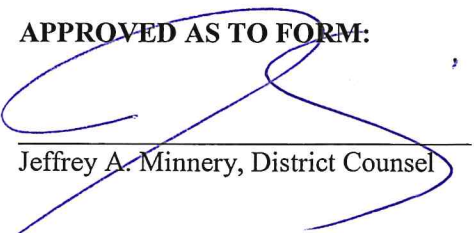
President, Board of Directors
of the Oceano Community Services District

ATTEST:



Board Secretary of the
Oceano Community Services

APPROVED AS TO FORM:



Jeffrey A. Minnery, District Counsel