

RESOLUTION NO: 2014 - 15

**OCEANO COMMUNITY SERVICES DISTRICT, STATE OF CALIFORNIA
A RESOLUTION REGULATING OUTDOOR WATER USE IN ACCORDANCE WITH
THE DROUGHT EMERGENCY WATER CONSERVATION REGULATIONS ADOPTED
BY THE STATE WATER RESOURCES CONTROL BOARD ON JULY 15, 2014 PER
RESOLUTION NO. 2014-0038 AND SET FORTH IN CALIFORNIA CODE OF
REGULATIONS, TITLE 23, SECTIONS 863, 864 AND 865 AND OTHER WATER
EMERGENCY REGULATIONS**

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. On July 15, 2014, per Resolution No. 2014-0038, the State Water Resources Control Board adopted Emergency Water Conservation Regulations set forth in California Code of Regulations, Title 23, Sections 863, 864 and 865, effective on or around August 1, 2014.
- D. Subsection (e) of Section 865 of the Emergency Water Conservation Regulations requires each distributor of a public water supply, that is not an Urban water supplier, to either limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two (2) days per week or 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.
- E. The District finds that developing an outdoor irrigation that is limited to 46 hours per week, which is less than 48 hours per week based on two days a week, can achieve a comparable level of conservation through the following measures:
 - a. By timing the application of water to early morning hours,
 - b. By avoiding excessive watering that can occur when only two specific days of watering are allowed, and when water losses can be exasperated due to the porosity of sandy soils,

- c. By irrigating based on the moisture content of the soil and the needs of the landscaping, and
 - d. By authorizing the General Manager to establish watering schedules for the District that can further limit the days in which a specific property may irrigate ornamental landscapes and turf.
- F. The District also 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.
- G. Furthermore, the District finds that exemptions to the following uses are necessary to mitigate economic impacts:
- a. De minimis use of less than 1 unit (748 gallons) per bi-monthly billing period for potted plants, raised flower beds and other miscellaneous landscaping use associated with businesses that provide goods and services to the general public.
 - b. Landscaping nursery operations.
 - c. Agricultural operations.
- H. This Resolution is exempt from Section 21000 et seq. of the California Public Resource Code (California Environmental Quality Act) pursuant to Section 21080(b)(1) of the California Environmental Quality Act, and Guidelines Section 15268 because adoption of the Resolution is non-discretionary, and therefore, ministerial.

Section 2. Restrictions on Outdoor Water Use.

The following water restrictions shall remain in effect for as long as the Drought Emergency Water Conservation Regulations adopted by the State Water Resources Control Board on July 15, 2014 per Resolution No. 2014-0038 and set forth in California

Code of Regulations, Title 23, Sections 863, 864 and 865 are in effect, including any extension thereof:

- A. Irrigation of ornamental landscapes or turf with potable water by customers within Oceano Community Services District is permitted only in accordance with the following schedule:

Day of Week	Hours of Allowed Irrigation
Sunday	6:00 am – 2:00 pm
Monday	4:00 am – 10:00 am
Tuesday	4:00 am – 10:00 am
Wednesday	4:00 am – 10:00 am
Thursday	4:00 am – 10:00 am
Friday	4:00 am – 10:00 am
Saturday	6:00 am – 2:00 pm

- B. The General Manager is authorized to establish watering schedules for the District that can further limit the days in which a specific property may irrigate ornamental landscapes and turf.

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

The following exemptions to this resolution are granted:

- a. De minimis use of less than 1 unit (748 gallons) per bi-monthly billing period for potted plants, raised flower beds and other miscellaneous landscaping use associated with businesses that provide goods and services to the general public,
- b. Landscaping nursery operations
- c. Agricultural operations
- d. Exemptions granted by General Manager on case by case basis after making findings of fact justifying any such exemption.
 1. In those cases where an exemption is approved that the General Manager shall report out to the Board of Directors at the next board meeting.
 2. For those exemptions that were requested and denied, that the individual applicant or property owner shall have the right to appeal to the Board of Directors.

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.

Introduced at a regular meeting of the Board of Directors held on the 8th day of October, 2014, and passed and adopted by the Board of Directors of the Oceano Community Services District, State of California on the 8th day of Oct, 2014, by the following roll call vote, to-wit: Motion by Vice President Lucey, a second by Director White

AYES: Vice President Lucey, Directors White Angello & Blackburn,
President Guerrero

NOES: None

ABSENT: None



President of the Board of Directors of
the Oceano Community Services
District, State of California

ATTEST

:



Clerk of the Board of Directors,
Oceano Community Services District,
State of California

By: _____
(SEAL.)

APPROVED AS TO FORM AND LEGAL EFFECT:

JEFFREY A. MINNERY

District Counsel



By: _____

District Counsel

Dated: September 24 2014