

CASITAS MUNICIPAL WATER DISTRICT

RESOLUTION NO. 2022-30

RESOLUTION DECLARING A BAN ON IRRIGATION OF NON-FUNCTIONAL TURF FOR ALL COMMERCIAL, INDUSTRIAL & INSTITUTIONAL CUSTOMERS

WHEREAS, on April 26, 2016 the Board of Directors of the Casitas Municipal Water District (Casitas) adopted Resolution 16-09 declaring that a Stage 3 water supply condition at Lake Casitas, and

WHEREAS, Casitas is currently enforcing water waste prohibitions under Ordinance 2022-01 adopted on January 26, 2022 by the Casitas Board of Directors; and

WHEREAS, on April 21, May 10, July 8, and October 19, 2021, Governor Newsom issued proclamations that a state of emergency exists statewide due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment; and

WHEREAS, on March 28, 2022, Governor Newsom signed an Executive Order directing the State Water Resources Control Board (SWRCB) to consider adopting emergency regulations to increase water conservation. The Executive Order includes a request that the SWRCB require urban water suppliers to implement Level 2 of their water shortage contingency plans, and establish a ban on the irrigation of non-functional turf by entities in the commercial, industrial, and institutional sectors; and

WHEREAS, on May 24, 2022, the SWRCB adopted Resolution No. 2022-0018 as an emergency water regulation amending California Code of Regulations, Title 23, Section 996, and the Office of Administrative Law gave it final approval on June 10, 2022; and

WHEREAS, SWRCB expects water suppliers to communicate the emergency regulations to their customers and the SWRCB is authorizing local water supplies to enforce the regulation; and

WHEREAS, Article X, Section 2 of the California Constitution and Section 100 of the California Water Code declare that the general welfare requires water resources be put to beneficial use, therefore, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof; and

WHEREAS, Casitas has the power to perform all acts necessary to fully carry out the provisions this resolution consistent with Section 71640 and Sections 10608 through 10656 of the California Water Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Casitas Municipal Water District as follows:

- 1) The District has made a finding that the Governor of California has declared an emergency exists caused by drought, or other threatened or existing water shortage.
- 2) All terms and water use prohibitions herein shall be consistent with definitions under California Code of Regulations, Title 23, Sections 491 and 996.
- 3) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites. The following exceptions apply:
 - a. The use of water is not prohibited necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.
 - b. A request for continued irrigation of non-functional turf may be approved where the turf is a low water use plant with plant factor of 0.3 or less, and actual use is less than 40% of reference evapotranspiration.
- 4) Enforcement of violations, penalties and appeals relating to Section 2 shall be consistent with existing Ordinance 2022-01 adopted by the Casitas Board of Directors on January 26, 2022 establishing water waste prohibitions.
- 5) The Casitas Board of Directors hereby directs staff to:
 - a. Communicate the emergency water conservation regulation of a ban on all non-functional turf to all Commercial, Industrial and Institutional account customers.
 - b. Continue to offer water conservation programs and support to all Casitas customers, including on-site assessments for water leaks and feedback on increasing water use efficiency.
- 6) This resolution shall remain in effect until June 10, 2023 unless the SWRCB determines that it is no longer necessary due to changed conditions or unless the SWRCB renews the regulation due to continued drought conditions.

ADOPTED this 14th day of September, 2022.



Brian Brennan, President
Casitas Municipal Water District

ATTEST:



Neil Cole, Secretary
Casitas Municipal Water District