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GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



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## **LOCAL GOVERNMENT DROUGHT TOOLKIT**

### **OVERVIEW**

After the third consecutive year of extremely dry conditions, California faces one of the worst droughts ever recorded. Precipitation and snowpack are well below normal averages, reservoirs are at very low levels and rivers have severely diminished flows. In January, Governor Brown declared a state of emergency and called on all Californians to reduce their water consumption by 20%. The state took immediate action to conserve all we can, including maintaining water in reservoirs for use later in the year. We are also working to increase water storage, conservation, and recycling to improve our water reliability for years to come.

Californians pull together in times of crisis. Many local governments and agencies around the state have already taken action by calling for or requiring conservation, declaring emergencies and implementing projects to increase resiliency in water management, and communities have already begun coordinating with their neighbors, the state and the federal government.

The Governor's Office of Planning and Research (OPR) created the Local Drought Clearinghouse to provide a point of contact for local governments and agencies dealing with drought. This toolkit, designed to promote Conservation, Coordination and Communication, will be followed by regular updates and additional information on our website and distributed through a local government drought listserve. Please share this memo and the tools and resources included with everyone who might benefit from the information.

### **HOW YOU CAN HELP**

**California needs your help:**

- **Conserve: Reduce water usage by at least 20%**
- **Coordinate: Talk with the state through your county emergency services office**
- **Communicate: Get the latest drought information and share with your residents**

**CONSERVE:** Promote water conservation in your operations, among your residents and with industrial water users. Conservation is an essential part of the state's water management strategy: in past droughts conservation campaigns have achieved significant reductions in water usage. Conservation provides flexibility to allocate drinking water and fire protection services throughout California communities. For more information and water conservation tools, please visit [www.saveourh2o.org](http://www.saveourh2o.org).

State agencies have implemented [water use reduction plans](#) for all state facilities. These plans include immediate water conservation actions, such as a moratorium on watering outdoor landscaping and no new, non-essential landscaping projects at state facilities or on state highways and roads. We encourage local governments to direct their facilities to take such measures.

**COORDINATE:** Keep in touch with the state to coordinate the most comprehensive and effective drought response. Each week, your county emergency services staff and tribal leaders participate in conference calls with the Governor's Office of Emergency Services (Cal OES) to coordinate emergency management and communication and share best practices. Please work with your emergency manager to learn more about this coordination. If you are unsure who your County's emergency liaison to the state is, you can find out [here](#).

Local governments continue to be the source of great ideas to deal with the drought, such as a weekly public service announcement from the County Sheriff or public workshops to teach citizens how to monitor their wells. If you have ideas to share on water conservation, public safety during fire season, or how the state or local governments can alleviate the drought, please share them with us at <http://www.saveourh2o.org/content/share-your-ideas>

**COMMUNICATE:** Get the latest drought information with the Governor's Office [Weekly Drought Update](#). The Office of Planning and Research has also created a [drought website](#) where you can find information about all state efforts. Your residents will conserve more water if they understand the situation and how important conservation is.

## **WHAT TO DO**

**LOCAL DROUGHT EMERGENCIES:** Several Counties and local water districts have already declared a drought emergency. If your local government or water district needs to declare a drought emergency, customizable templates are attached and available in the appendices below. You will also find customizable voluntary conservation resolution templates attached and in the appendices below.

**DRINKING WATER EMERGENCIES:** During the ongoing extreme drought conditions in the state, the California Department of Public Health Drinking Water Program is identifying drinking water systems that may be vulnerable to acute drinking water shortages due to drought, and CDPH continues to monitor and evaluate drinking water systems to determine drinking water systems that may soon be at-risk. Emergency drinking water grants may be available. If you have concerns or questions about your public drinking water systems, please contact the Drinking Water Hotline at 1-855-737-1796, Monday through Friday, 8 AM to 5 PM.

**DOMESTIC WELLS AND SMALL WATER SYSTEMS:** There are a growing number of reports of domestic wells that have run dry and outages in very small systems (fewer than 14 connections). Please ensure that your county is gathering information on dry wells and system outages, including exact locations of outages, and supplying that information to your county office of emergency services. While historically these individual wells and small systems have been under county jurisdiction, the State has established an interagency workgroup on domestic wells to better understand the situation. We will provide an update with tools and resources available to address domestic wells and small system outages.

**LONG TERM PLANNING:** In the long term, your community can take effective actions to conserve water and reduce water scarcity through planning and policy. For example, integrating

best practices like low impact development, efficient landscape irrigation, conservation, use of recycled water and awareness of the effect of development on groundwater recharge can all have a big impact on water quality and supply.

We suggest you explore updating your general plan, specific plan, zoning, and local ordinances to include up to date information and requirements for water conservation, retention and quality. If you haven't already, develop local ordinances related to water conservation and use of recycled water. If your local water agency is an urban water supplier and therefore required to submit an urban water management plan to the California Department of Water Resources, and your agency has not done so already, please help develop the plan and its water shortage contingency plan. Local and state planning and development efforts throughout the state should reflect the ongoing need to conserve water in California. Appendix Four contains planning resources to assist with these efforts. The Institute for Local Government has examples of policies and ordinances and an extensive [Water Conservation Leadership Guide](#).

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### **APPENDIX ONE: State Emergency Drought Declaration and Legislation**

- [State Emergency Drought Declaration](#) (January 17, 2014)
- [Governor Brown Signs Drought Legislation](#) (March 1, 2014)
- [SB 103 Budget Act](#)
- [SB 104 Drought Relief](#)

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### **APPENDIX TWO: Regional Contacts for Agencies and Departments**

- GOVERNOR'S OFFICE OF EMERGENCY SERVICES: [Regional Contacts](#)
- CALIFORNIA WATER BOARDS: [Regional Contacts](#)
- DEPARTMENT OF PUBLIC HEALTH: [District Offices](#)
- CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE: [Regional Contacts](#)
- DEPARTMENT OF WATER RESOURCES: [Field Offices](#)
- CAL FIRE: [Regional Contacts](#)
- DEPARTMENT OF FISH AND WILDLIFE: [Regional Contacts](#)

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### **APPENDIX THREE: Sample Resolution Templates**

1. [Proclamation of a Local Drought Emergency Template for Cities and Counties](#)

2. [Proclamation of a Local Drought Emergency Template for Water Districts or Community Services Districts](#)
3. [Voluntary Water Conservation Resolution Template for Cities and Counties](#)
4. [Voluntary Water Conservation Resolution Template for Water Districts or Community Services Districts](#)

## 1. Proclamation of a Local Drought Emergency Template for Cities and Counties

### PROCLAMATION BY THE BOARD OF SUPERVISORS OF THE COUNTY OF \_\_\_\_\_, STATE OF CALIFORNIA, PROCLAIMING EXISTENCE OF A LOCAL DROUGHT EMERGENCY

**WHEREAS**, California Government Code section 8630 empowers the Board of Supervisors to proclaim the existence of a local drought emergency when \_\_\_\_\_ County is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County; and

**WHEREAS**, California Government Code section 8558(c) states that a “local emergency” means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the County caused by the drought; and

**WHEREAS**, pursuant to \_\_\_\_\_, the \_\_\_\_\_ County Director of Emergency Services *[or some other entity that the county charter or ordinance delegates the power to proclaim an emergency to]* has requested the Board of Supervisors to proclaim the existence of a local emergency; and <sup>1</sup>

**WHEREAS**, on January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to current drought conditions in the state; and

**WHEREAS**, the Governor’s proclamation acknowledged that the State of California is experiencing record dry conditions that have persisted since 2012, with 2014 projected to become the driest year on record; and

**WHEREAS**, the Governor’s proclamation also noted that the snowpack in California’s mountains is alarmingly below the normal average level for this date; and

**WHEREAS**, the Governor’s proclamation called upon all Californians to reduce their water usage by 20 percent; and

**WHEREAS**, the Governor’s proclamation called upon local water suppliers and municipalities to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and

**WHEREAS**, the California Department of Water Resources has predicted that for winter 2013-2014, there will be dry conditions in most of California; and

**WHEREAS**, *[describe the specific water issues presented in your county; for example, the \_\_\_\_\_ River is flowing at 30 percent of its average February flow rate and \_\_\_\_\_ Creek is currently flowing at 25 percent of its average February flow rate;]* and,

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<sup>1</sup> This paragraph is only necessary when the emergency is being proclaimed by someone other than the Board of Supervisors (i.e. local ordinances may allow for emergency services or other delegated authority to declare an emergency.)

**WHEREAS**, [describe impact on the county's economy; for example, loss of tourism/ agriculture/ recreation]; and

**WHEREAS**, [describe any impact on domestic wells if applicable; for example, numerous wells in the \_\_\_\_\_ area have become inoperable due to low groundwater levels, requiring that the wells be replaced which has caused extreme hardship and has forced residents to incur high costs to deepen or replace such wells]; and

**WHEREAS**, persistent drought conditions have negatively impacted and continue to threaten the County's economy; and

**WHEREAS**, conditions of drought exacerbate already perilous fire conditions threatening towns and communities in \_\_\_\_\_ County; and

**WHEREAS**, on January 15, 2014, the Secretary of the United States Department of Agriculture designated 27 California counties, [including Alameda, Alpine, Amador, Calaveras, Contra Costa, El Dorado, Fresno, Inyo, Kings, Kern, Los Angeles, Madera, Mariposa, Merced, Mono, Monterey, Sacramento, San Benito, San Bernardino, San Joaquin, San Luis Obispo, Santa Clara, Santa Barbara, Stanislaus, Tulare, Tuolumne, and Ventura] as natural disaster areas due to drought which makes farm operators in the designated counties eligible to be considered for certain assistance including emergency loans from the U.S. Farm Service Agency for production losses; and

**WHEREAS**, on January 17, 2014, the California State Resources Control Board notified all water rights holders in California that, in the coming months, if dry weather conditions persist, the State Water Board will notify water right holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based upon the priority of their right; and

**WHEREAS**, these conditions are likely to be beyond the services, equipment, personnel and fiscal resources of the County of \_\_\_\_\_.

**NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED** by the Board of Supervisors of the County of \_\_\_\_\_ that for reasons set forth herein, a local drought emergency now exists throughout \_\_\_\_\_ County; and

**BE IT FURTHER RESOLVED** that federal and state agencies are requested to provide financial and other assistance to residents, water suppliers, water rights holders, ranchers, farmers, business owners and local governments in \_\_\_\_\_ County to help them mitigate the persistent drought conditions; and

**BE IT FURTHER RESOLVED** that \_\_\_\_\_ County's water users heed the Governor's request to reduce water usage by 20 percent.

**BE IT FURTHER RESOLVED** that water suppliers and municipalities in \_\_\_\_\_ County heed the Governor's request to implement water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season.

**BE IT FURTHER RESOLVED** that all county water associates, power companies, other involved agencies, utilities, and individuals do whatever they can to equitably allocate the available water to mitigate to the extent possible the hardships resulting from the lack of water during this extended drought period of recovery.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that during the existence of this local drought emergency the powers, functions, and duties of the emergency organization of this County shall be those prescribed by state law, ordinances, and resolutions existing and passed in conjunction with this emergency, and that this emergency shall be deemed to continue to exist until the Board of Supervisors of the County of \_\_\_\_\_, State of California, proclaims its termination. Further, it is directed that this emergency proclamation be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that the Board of Supervisors of the County of \_\_\_\_\_ hereby authorizes the undertaking of all extraordinary police and planning powers in response to this local drought emergency including but not limited to the ability to modify, amend, or issue planning codes, building or safety codes, environmental health codes, and such other codes, orders, and regulations as determined necessary for the duration of the emergency.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that public employees, officers, and governing bodies within the County are hereby granted full immunity to the extent allowed by law for actions undertaken in compliance with this proclamation.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that during the existence of this local drought emergency, the \_\_\_\_\_ County Director of Emergency Services *[or some other entity that the county charter or ordinance delegates the power to proclaim an emergency to]*<sup>2</sup> may request the Board of Supervisors to amend this proclamation of a local drought emergency and, if this Board is not in session to amend this proclamation as necessary and, if this proclamation is amended by the Director of Emergency Services *[or some other entity that the county charter or ordinance delegates the power to proclaim an emergency to]* the Board shall take action to ratify the amendment within \_\_\_\_\_ days thereafter or the amendment shall have no further force or effect.

**BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED** that this Board of Supervisors will review the need for continuing the local drought emergency at least once every \_\_\_\_ days until this Board terminates the local drought emergency. [Note: Government Code section 8630(c) requires the governing board to review the local emergency **at least once every 30 days** until the governing body terminates the local emergency.]

**DECLARED** this \_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
Chairperson, \_\_\_\_\_ County Board of Supervisor

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## **2. Proclamation of a Local Drought Emergency Template for Water Districts or Community Services Districts**

**RESOLUTION NO. \_\_\_\_\_**  
**Adopted by the [BOARD OF DIRECTORS or THE DISTRICT]**  
**[DATE]**  
**FINDING THE EXISTENCE OF A DROUGHT EMERGENCY**

*[for CSDs]* **WHEREAS**, California Government Code section 61100, subdivision (a) incorporates Water Code sections 71000 et seq., including sections 71640 et seq., into the Community Services District Law; and

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<sup>2</sup> This paragraph is only necessary when the emergency is being proclaimed by someone other than the Board of Supervisors (i.e. local ordinances may allow for emergency services or other delegated authority to declare an emergency.)

**WHEREAS**, California Water Code section 71642 authorizes the governing body of a municipal water district to find the existence or threat of a drought emergency or other threatened or existing water shortage, and that finding is prima facie evidence of the fact or matter so found, and such fact or matter shall be presumed to continue unchanged unless and until a contrary finding is made by the board by resolution or ordinance; and

**WHEREAS**, pursuant to Water Code section 71640, the District may restrict the use of district water during the drought emergency or other water shortage condition and may prohibit the wastage of district water or the use of district water during such periods for any purpose other than household uses or other restricted uses as the District determines to be necessary; and

**WHEREAS**, pursuant to Water Code section 71641 and Government Code section 6061, the [District] must publish in a newspaper of general circulation any ordinance setting forth the restrictions, prohibitions, and exclusions determined to be necessary under Water Code section 71640 within 10 days after its adoption; and

**WHEREAS**, on January 17, 2014, the Governor of the State of California proclaimed a state of emergency in the State of California due to drought conditions in the state; and

**WHEREAS**, the Governor's proclamation acknowledged the State of California is experiencing extremely dry conditions that have persisted since 2012, with 2014 projected to become the driest year on record; and

**WHEREAS**, the Governor's proclamation also noted the snowpack in California's mountains is approximately 20 percent of the normal average for this date; and

**WHEREAS**, the Governor's proclamation called upon all Californians to reduce their water usage by 20 percent; and

**WHEREAS**, the Governor's proclamation called upon local urban water suppliers and municipalities to implement any local water shortage contingency plans immediately in order to avoid or forestall outright restrictions that could become necessary later in the drought season; and

**WHEREAS**, on January 17, 2014, the California State Water Resources Control Board notified all water rights holders in California that, in the coming months, if dry weather conditions persist, the State Water Board will notify water rights holders in critically dry watersheds of the requirement to limit or stop diversions of water under their water right, based upon the priority of their right; and

*[INSERT clauses speaking to locally relevant conditions and concerns as needed or desired]*

**NOW, THEREFORE, BE IT RESOLVED** by the [Board of Directors or District], as follows:

1. Pursuant to Water Code section 71642, and for the reasons set forth herein, the [Board or District] finds the existence or threat of a drought emergency or other water shortage condition; and

2. The Board may adopt restriction and prohibitions on the delivery and consumption of water within the service area so that the water supply can be conserved for the greater public benefit; and
3. Pursuant to Water Code section 71641 and Government Code section 6061, the [District] shall publish in a newspaper of general circulation any ordinance setting forth the restrictions, prohibitions, and exclusions determined by the [District] to be necessary under Water Code section 71640; and
4. This emergency or water shortage condition shall be presumed to continue unchanged unless and until a contrary finding is made by the board by resolution or ordinance; and
5. The [District] requests that federal and state agencies provide financial and other assistance to residents, water suppliers, water rights holders, ranchers, farmers, business owners and any local governments who are harmed by the drought emergency in its territorial limits to help them mitigate the effects of the persistent drought conditions.

Passed and adopted this \_\_\_ day of \_\_\_\_\_ 2014, by the following vote:

AYES: \_\_\_\_\_  
 NOES: \_\_\_\_\_  
 ABSTAIN: \_\_\_\_\_  
 ABSENT: \_\_\_\_\_

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### 3. Voluntary Water Conservation Resolution Template for Cities and Counties

**ORDINANCE NO. \_\_\_\_\_**  
**Adopted by the [AGENCY]**  
**[DATE]**  
**ADOPTING A WATER CONSERVATION PROGRAM**

**WHEREAS**, article X, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

**WHEREAS**, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

**WHEREAS**, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

**WHEREAS**, California Water Code sections 375 et seq. empower any public entity which supplies water at retail or wholesale to adopt and enforce a water conservation program to reduce the quantity of water used by those within its service area after holding a public hearing and making appropriate findings of necessity for the adoption of a water conservation program; and

**WHEREAS**, Water Code section 375, subdivision (c) defines “public entity” to include a city, county, special district, water authority, or any other municipal public corporation or district; and

**WHEREAS**, pursuant to Water Code section 376 and Government Code 6061, the [Agency] must publish in a newspaper of general circulation any ordinance or resolution adopting a water conservation program within 10 days after its adoption; and

**WHEREAS**, Water Code section 377 establishes that, from the publication of an ordinance or resolution pursuant to section 376 until the repeal of the ordinance or end of the emergency, it is a misdemeanor punishable by up to 30 days in county jail and/or a fine of up to \$1,000 for any person to violate a requirement of the water conservation program; and

**WHEREAS**, the adoption and enforcement of a comprehensive water conservation program will allow the [Agency] to delay or avoid declaring a water shortage emergency pursuant to Water Code section 350; and

**WHEREAS**, on [date resolution proclaiming or declaring a drought emergency was adopted], the [Agency] [“proclaimed” or “declared”] the existence of a local drought emergency; and

**WHEREAS**, on [date hearing was held], the [Agency] held a public hearing and made appropriate findings of necessity for the adoption of a water conservation program; and

[INSERT clauses speaking to locally relevant conditions and concerns as needed or desired]

**NOW, THEREFORE, BE IT ORDAINED** by the [Agency], as follows:

1. This ordinance is effective immediately upon adoption or as otherwise established by State law; and
2. Pursuant to Water Code section 376 and Government Code section 6061, the [Agency] shall publish in a newspaper of general circulation this ordinance adopting a water conservation program within 10 days after its adoption; and
3. This ordinance establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes four levels of drought response actions to be implemented in times of shortage, with increasing restrictions on water use in response to worsening drought conditions and decreasing available supplies; and  
*[If the four levels of drought response action are not appropriate for your agency, generally consider adopting a water conservation program with any of the following: tiered rate structures that promote conservation; restrictions on the hours of outdoor watering; prohibitions on landscape irrigation runoff; provisions for water efficient landscapes in new construction and landscape retrofits; hotlines or other mechanisms*

*for the public to report inefficient or prohibited water use; restrictions on use of potable water for street cleaning; new or enhanced rebate programs for water saving devices; new or enhanced incentives to maximize the use of recycled water.]*

4. *[Establish procedures for how the level of drought response action will be determined and published to provide notice, including: who makes the determination, how and where to publish notification, when mandatory conservation measures would take effect (e.g., within 5 days after declaration of the response level), and any required notice that must be included in regular billing statements.]*
5. During a Level 1 Drought Response condition, [Agency] will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the following voluntary water conservation practices:
  - a. Stop washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards.
  - b. Stop water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. Similarly, stop water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
  - c. Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only.
  - d. Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system.
  - e. Irrigate nursery and commercial grower's products before 10 a.m. and after 6 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
  - f. Use re-circulated water to operate ornamental fountains.
  - g. Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.
  - h. Serve and refill water in restaurants and other food service establishments only upon request.
  - i. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.
  - j. Repair all water leaks within five (5) days of notification by the [Agency] unless other arrangements are made with the General Manager.
  - k. Use recycled or non-potable water for construction purposes when available.
6. During a Level 2 Drought Response condition, all persons using [Agency] water shall comply with Level 1 Drought Response water conservation practices during a Level 2 Drought Alert, and shall also comply with the following additional mandatory conservation measures:
  - a. Limit residential and commercial landscape irrigation to no more than three assigned days per week on a schedule established by [Agency]. During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and

- posted by the [Agency]. This section shall not apply to commercial growers or nurseries.
- b. Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per day. This provision does not apply to landscape irrigation systems using water efficient devices, including but not limited to: weather based controllers, drip/micro-irrigation systems and stream rotor sprinklers.
  - c. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 5 (b) (1), on the same schedule set forth in section 5 (b) (1) by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation.
  - d. Repair all leaks within seventy-two (72) hours of notification by the [Agency] unless other arrangements are made with the General Manager.
  - e. Stop operating ornamental fountains or similar decorative water features unless recycled water is used.
7. During a Level 3 Drought Response condition, all persons using [Agency] water shall comply with Level 1 and Level 2 Drought Response conditions and shall also comply with the following additional mandatory conservation measures:
- a. Limit residential and commercial landscape irrigation to no more than two assigned days per week on a schedule established by the General Manager and posted by the [Agency]. During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the [Agency]. This section shall not apply to commercial growers or nurseries.
  - b. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 6 (b) (1), on the same schedule set forth in section 6 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation.
  - c. Stop filling or re-filling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level under this ordinance.
  - d. Stop washing vehicles except at commercial carwashes that re-circulate water, or by high pressure/low volume wash systems.
  - e. Repair all leaks within forty-eight (48) hours of notification by the [Agency] unless other arrangements are made with the General Manager.
  - f. Additionally, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates or letters of availability) shall be issued, except under the following circumstances:
    - i. A valid, unexpired building permit has been issued for the project; or
    - ii. The project is necessary to protect the public's health, safety, and welfare; or
    - iii. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of [Agency].

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.

8. During a Level 4 Drought Response condition, all persons using [Agency] water shall comply with Level 1, Level 2, and Level 3 Drought Response conditions and shall also comply with the following additional mandatory conservation measures:
  - a. Stop all landscape irrigation, except crops and landscape products of commercial growers and nurseries. This restriction shall not apply to the following categories of use unless the [Agency] has determined that recycled water is available and may be lawfully applied to the use.
    - i. Maintenance of trees and shrubs that are watered on the same schedule set forth in section 6 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation;
    - ii. Maintenance of existing landscaping necessary for fire protection as specified by the Fire Marshal of the local fire protection agency having jurisdiction over the property to be irrigated;
    - iii. Maintenance of existing landscaping for erosion control;
    - iv. Maintenance of plant materials identified to be rare or essential to the well being of rare animals;
    - v. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week according to the schedule established under section 6 (b) (1);
    - vi. Watering of livestock; and
    - vii. Public works projects and actively irrigated environmental mitigation projects.
  - b. Repair all water leaks within twenty-four (24) hours of notification by the [Agency] unless other arrangements are made with the General Manager.
9. Violation of the requirements of the Water Conservation Program shall constitute a misdemeanor, subject to the following penalties:
  - a. Each violation of this ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding \$1,000, or by both as provided in Water Code section 377.
  - b. Each day that a violation of this ordinance occurs is a separate offense.
  - c. Administrative penalties may be levied for each violation of a provision of this ordinance in accordance with Water Code section 71590.

Passed and adopted this \_\_\_ day of \_\_\_\_\_ 2014, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

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#### 4. Voluntary Water Conservation Resolution Template for Water Districts or Community Services Districts

**ORDINANCE NO. \_\_\_\_\_**  
**Adopted by the [BOARD OF DIRECTORS or THE DISTRICT]**  
**[DATE]**  
**ADOPTING WATER USE RESTRICTIONS**

**WHEREAS**, article X, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

**WHEREAS**, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

**WHEREAS**, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

[for CSDs] **WHEREAS**, California Government Code section 61100, subdivision (a) incorporates Water Code sections 71000 et seq., including section 71640, into the Community Service District Law; and

**WHEREAS**, California Water Code section 71610.5 authorizes the District to undertake a water conservation program to reduce water use and may require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed to reduce water use; and

**WHEREAS**, pursuant to Water Code section 71640, municipal water districts may restrict the use of district water during a drought emergency or other water shortage condition and may prohibit the wastage of district water or the nonessential use of district water during such periods for any purpose other than household uses or other restricted uses as the District determines to be necessary; and

**WHEREAS**, pursuant to Water Code section 71641 and Government Code section 6061, the [District] must publish in a newspaper of general circulation any ordinance setting forth the restrictions, prohibitions, and exclusions determined to be necessary under Water Code section 71640 within 10 days after its adoption, even though the ordinance is effective upon adoption; and

**WHEREAS**, Water Code section 71644 establishes that, from the publication of an ordinance pursuant to section 71641 until the repeal of the ordinance or end of the emergency, it is a misdemeanor punishable by up to 30 days in county jail and/or a fine of up to \$600 for any person to use or apply water from the District contrary to or in violation of any restriction or prohibition; and

**WHEREAS**, the adoption and enforcement of a comprehensive water conservation program will allow the [District] to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.; and

**WHEREAS**, on [date resolution finding a drought emergency or water shortage was adopted], the [District] found the existence or threat of a local drought emergency or water shortage; and,

[INSERT clauses speaking to locally relevant conditions and concerns as needed or desired]

**NOW, THEREFORE, BE IT ORDAINED** by the [Board of Directors or District], as follows:

1. This ordinance is effective upon adoption; and
2. Within ten days the [District] will publish in a newspaper of general circulation this ordinance setting forth the restrictions, prohibitions, and exclusions determined by the [District] to be necessary in the [local newspaper of general circulation]; and
3. The Board hereby requires mandatory water conservation and restricts water use to a maximum of [amount] per day per water connection; and  
[Also consider restrictions requiring a set percentage of reductions; prohibitions on landscape runoff; restrictions on use of potable water for street cleaning, or other non-potable uses; or other conditions in Levels 2 through 4 in the sample ordinance adopting a water conservation program for cities and counties.]
4. The restrictions in this ordinance remain in effect until the ordinance has been repealed or the emergency or threatened emergency has ceased; and
5. Violation of the requirements of this ordinance shall constitute a misdemeanor, subject to the following penalties:
  - a. Each violation of this ordinance may be prosecuted as a misdemeanor punishable by imprisonment in the county jail for not more than thirty (30) days or by a fine not exceeding \$600, or by both as provided in Water Code section 71644.
  - b. Each day that a violation of this ordinance occurs is a separate offense.
  - c. Administrative penalties may be levied for each violation of a provision of this ordinance in accordance with Water Code section 71590.

Passed and adopted this \_\_\_ day of \_\_\_\_\_ 2014, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

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## **APPENDIX FOUR: Drought Information and Resources for Local Governments**

- **Funding Opportunities**
  - [California Department of Public Health Prop 84 Funding](#): Prop 84 funding assistance.
  - [USDA Emergency Funding](#): USDA financial and technical assistance information
  - [Small Business Administration Economic Injury Disaster Loans](#): Federal loans for declared disaster areas.
  - [Funding Wizard](#): Searchable database for grants, incentives and rebates for sustainable projects.
  
- **State of California Announcements and Initiatives**
  - [Governor's Proclamation of Drought Emergency](#): State of Emergency directing state officials to prepare for drought.
  - [State's Water Conservation Campaign](#): Save our Water's statewide program to help Californians reduce water use.
  - [Drought Info You Need to Know](#): Summary of drought news and updates from the Governor's Office of Emergency Services.
  - [Agricultural Drought information](#): Drought information for farmers, farmworkers, and ranchers from the California Department of Food and Agriculture.
  
- **Drought Data and Information**
  - [Current Water Conditions](#): Information on current water conditions in the State from the California Department of Water Resources.
  - [County CA County Drought Designations](#): Drought information listed by County from the USDA.
  
- **State Department and Federal Drought Websites**
  - [California State Water Resources Control Board](#): Information about actions taken by the State Water Board, including actions related to existing water rights.
  - [Natural Resources Drought Info and Actions](#): Secretary for Natural Resources Statement on record low snowpack and need for conservation.
  - [Drinking Water Program](#): Information about the State's drinking water program from the California Department of Public Health.
  - [Disaster and Drought Assistance Information](#): Drought related information from USDA and other federal agencies.
  - [California State Forest and Rangeland Assessment \(CalFire\)](#): Includes Information about how to protect and enhance water quality and quantity through forest management.
  - [California Department of Water Resources](#): Information about the drought, current water conditions, and links to state and federal assistance programs.
  
- **Water Publications and Advisories**
  - **State Policy**
    - [California Water Action Plan](#): Report on state actions for sustainable water management.
  - **Technical Advisories**
    - [The Ahwahnee Water Principles Guidebook \(Local Government Commission\)](#): Clearinghouse for information and resources on co-

management of land and water resources and on water related federal and state laws that impact local government.

- [National Drought Mitigation Center](#): Information on drought mitigation
  - [Water Conservation Leadership Guide: Issues for Local Officials to Consider \(Institute for Local Government\)](#): Water conservation and efficiency resources and policies for agencies and communities.
  - [CEQA and Low Impact Development Stormwater Design Preserving Stormwater Quality and Stream Integrity through California Environmental Quality Act Review](#): Information about low impact development stormwater design and CEQA guidance on incorporation of water-quality control measures in project design.
- [Sustainability Best Practices Framework](#): Options for local action on water and wastewater from the Institute for Local Government's [Water Conservation publication](#):
    - Using Water Efficiently in Agency Facilities and Operations
    - Replace Existing Appliances and Fixtures with Water-Efficient Ones
    - Using Drought Tolerant Plants in Agency Parks, Medians and Landscaping
    - Using Recycled Water for Agency Parks, Medians and Landscaping
    - Updated Water Efficient Landscaping Ordinance for the Community
    - Design Criteria to Reduce Runoff and Promote Groundwater Recharge
    - Dual Plumbing for Recycled Water in New Commercial or Residential Projects
    - Green Building Standards that Include Water Efficiency Requirements
    - Water Audits for Commercial and Residential Property
    - Installing Water Conservation Devices in Existing Residential and Commercial Buildings
  - [US Department of the Interior, Bureau of Reclamation](#): Water Conservation Field Services Program publications for water management.
  - [East Bay Municipal Utility District](#): Water conservation publications and resources.
- **Use Water Efficiently in Agency Facilities and Operations**
    - [Institute for Local Government's Climate Change Program](#): Resources and best practices to conserve water and reduce greenhouse gas emissions.
    - [California Water Science Center](#): United State Geologic Survey scientists cooperative water program
    - [California Department of Water Resources \(DWR\) – Water Use Efficiency](#): Links to water conservation tips from the Department of Water Resources.
    - [California Urban Water Conservation Council Best Management Practices for Commercial, Industrial, and Institutional](#): Best Management Practices to integrate urban water conservation into planning for commercial, industrial and institutional water users.
    - [California Water Association](#): Best Management Practices, water policy legislation, and information on protection and efficient use of water resources.

- [Urban Water Conservation Law \("20 x 2020"\)](#): Information about California's urban water conservation law known as "20 by 2020," including analyses by the League of California Cities and the California State Association of Counties.
- [CoolCalifornia.org](#): Suggestions for local governments to reduce water use.
- **Replace Existing Appliances and Fixtures with Water-Efficient Ones**
  - [U.S. EPA WaterSense Water Conservation Program](#): Allows consumers to find products with the WaterSense label.
  - [Save our Water](#): Additional information on how to save water in California.
  - [Comprehensive list of water districts in California](#): Local water agency resources for water-saving ideas, rebates and other location specific information.
  - [FlexYourPower.com](#): Information on rebates for water saving appliances.
  - [Bay Area Water Supply and Conservation Agency](#): Rebate information for water efficient residential plumbing fixtures and appliances.
- **Use Drought Tolerant Plants in Agency Parks, Medians and Landscaping**
  - [University of California Cooperative Extension](#): Guide to estimating irrigation water needs for landscaping.
  - [California Urban Water Conservation Council Best Management Practices for Landscaping](#): Best Management Practices for landscaping water use.
  - [Santa Clara Valley Water District](#): Information on water-wise gardening.
  - [Environmental Protection Agency](#): overview of water-efficient landscaping.
  - [California Landscape Contractors Association](#): Information on water efficient landscaping.
  - [Bay Area Water Supply and Conservation Agency](#): Information on water wise gardening.
  - [California Department of Water Resources](#): Water use efficiency ideas for residential landscapes.
- **Use Recycled Water for Agency Parks, Medians and Landscaping**
  - [Department of Water Resources](#): Information on recycled water and treating wastewater.
  - [WaterReuse California](#): Information on water reuse facilities and desalination.
  - [Recycled Water Use Manual](#): Rules, regulations, and guidelines on the safe introduction and use of recycled water for landscape irrigation.
- **Water Efficient Landscaping Ordinance**
  - [California Department of Water Resources](#): Examples of water efficient landscape ordinances adopted by local agencies.
  - [California Department of Water Resources](#): Information on California's water efficient landscape ordinance.
  - [Bay Area Water Supply and Conservation Agency](#): Ordinances related to water conservation.
  - [A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California](#): Guide for calculating landscaping water needs.
  - [Smart from the Start](#): Tools and landscape templates for design of water-smart landscapes.
  - [Department of Water Resources list of local agencies with their own water efficient landscape ordinance](#).
  - [CoolCalifornia.org](#): Suggestions for local governments to reduce water use, including a local water conservation ordinance.

- **Design Criteria to Reduce Runoff and Promote Groundwater Recharge**
  - [Ahwahnee Water Principals for Resource Efficient Land Use](#): Stewardship actions for Cities and Counties to reduce costs and improve reliability and quality of water resources.
  - [Achieving Sustainable Site Design through Low Impact Development Practices](#): Overview of water related low-impact development.
  - [Natural Resources Defense Council](#): Resource on low impact development practices.
- **Green Building Standards that Include Water Efficiency Requirements**
  - [California's new green building code](#): Information about California's new green building code, see Chapter 6, page 29, for indoor and outdoor water conservation.
  - [California Green Builder](#): Guidelines and certification systems to build cost-effective, green homes that include water conservation.
- **Water Audits for Commercial and Residential Property**
  - [Institute's Climate Change Program](#): Examples of local agencies that include retrofit requirements at point of sale as part of their green building ordinances.
  - [California Department of Water Resources](#): Information on where to find providers that conduct water efficiency audits.
- **Install Water Conservation Devices in Existing Residential and Commercial Buildings**
  - [California Urban Water Conservation Council Best Management Practices for Residential Water Users](#): Best Management Practices for management of residential water users.
  - [Comprehensive list of water districts in California](#): Local water agency resources for location specific water-saving ideas and rebates.

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## **APPENDIX FIVE: Water Related Educational Resources**

### **I. Education and the Environment Initiative (EEI) Curriculum:**

This is the only environmental curriculum approved by the State Board of Education.

Of the 85 K-12 units available, the following address water issues specifically and teach science and history/social studies content standards. [www.californiaeei.org](http://www.californiaeei.org)

Kindergarten:

K.3.c. A Day in My Life

Second Grade:

2.4.1. From Field to Table

Third Grade:

3.5.1., 3.5.2., 3.5.3. California's Economy Natural Choices

Fifth Grade:

5.3.a. Earth's Water

5.3.b. Changing States- Water, Natural Systems, and Human Communities

5.3.c. Precipitation, People, and the Natural World

5.3.d. Our Water: Sources and Uses

Sixth Grade:

6.2.b. The Dynamic Nature of Rivers

6.6.c. Made from Earth: How Natural Resources Become Things We Use

6.2.1. River Systems and Ancient Peoples

Eighth Grade:

8.8.4. Struggles with Water

High School:

12.2.2., 12.2.7. Sustaining Economies and the Earth's Resources

12.3.1. Government and the Economy: An Environmental Perspective

12.7.6. Making and Implementing Environmental Laws

E.9.c Liquid Gold: California's Water

**II. Project WET (Water Education for Teachers): Excellent hands-on activities for K-12**

<http://www.watereducation.org/doc.asp?id=1008>

**III. The Water Education Foundation-** many resources for all ages:

<http://www.watereducation.org/>

**IV. Department of Water Resources: Educational Resources**

**Water Facts and Fun**-Online catalog and order form (English)

**Conservation Connection** Water and Energy Use in California- A Curriculum. Analyzing water and energy use at home and at school. Student Book

**Conservation Connection** Water and Energy Use In California- A Curriculum. Analyzing water and energy use at home and at school. Teacher's Guide

**V: The San Francisco Public Utilities Commission**

<http://sfwater.org/index.aspx?page=490> 4<sup>th</sup> and 5<sup>th</sup> grade units on water use and conservation

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