



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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RESOLUTION 16/17-27

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT
DECLARING A STAGE TWO CONDITION APPLICABLE TO WATER USAGE
THROUGHOUT THE DISTRICT
PURSUANT TO BEAR VALLEY COMMUNITY SERVICES DISTRICT
CODE CHAPTER 7-4 (WATER CONSERVATION)**

The Board of Directors of the Bear Valley Community Services District resolves as follows:

Section 1. Findings. The Board finds as follows:

- A. On July 15, 2014, the State Water Resource Control Board (State Water Board) adopted a new Article 22.5 of Title 23 of the California Code of Regulations ("CCR"), which added Sections 863, 864, and 865 pertaining to emergency water conservation regulations ("Emergency Regulations").
- B. On April 1, 2015, Governor Brown issued Executive Order B-29-15, which, among other things, directed the State Water Board to impose water conservation measures to achieve a 25 percent reduction in potable urban water usage as compared to amounts used in 2013.
- C. In response to the Executive Order and in anticipation of the State Water Board's update and revision to the Emergency Regulations, on April 23, 2015, the Board of Directors adopted Resolution 14/15-16, which declared a Stage Three Condition and implemented additional corresponding water conservation measures set forth in District Code section 7-4-6(C), in order to achieve the goal of a 25 percent reduction in usage over 2013 levels.
- D. On May 28, 2015, the Board adopted Ordinance 15-241 amending Section 7-4-6(C) of Chapter 7-4 of the District Code pertaining to water conservation measures during Stage Three Drought Conditions, which amendments restricted outdoor irrigation to two days a week and divided the permitted days based on odd and even street addresses.
- E. Through the implementation of these water conservation measures and the diligent efforts of District residents and water customers, the District has between the period of June through November 2015 reduced water consumption by 34.4% over the comparable period in 2013.
- F. On November 13, 2015, the Governor issued an executive order that directed the State Water Board to extend the existing conservation measures under the Emergency Regulations until October 31, 2016, if the State Water Board found that drought conditions had persisted through January 2016.
- G. As of January 2016, the state had experienced some much-needed snow and rainfall, but surface and groundwater storage remains depleted, and the snowpack is about average.

- H. On February 2, 2016, the State Water Board found that the drought conditions which formed the basis of the Governor's previous emergency proclamations, continued to exist, and that the drought conditions will likely continue for the foreseeable future. The State Water Board further found that additional action by both the State Water Board and local water suppliers is necessary to prevent waste and unreasonable use of water, and to further promote conservation. As a result, the State Water Board extended the Emergency Regulations through the adoption of Resolution No. 2016-0007.
- I. In response to the State Water Board's adoption of Resolution No. 2016-0007 and the accompanying extension of the Emergency Regulations, the Board of Directors adopted Resolution 15/16-26 on February 25, 2016, which extended the declaration of the Stage Three Condition and its related conservation measures through November 30, 2016.
- J. On May 9, 2016, the Governor issued a new Executive Order (B-37-16) that found that drought conditions continued to exist, will exist for the foreseeable future, and that additional action by both the State Water Resources Control Board and local water suppliers is necessary. This Executive Order built on the Emergency Regulations to establish longer-term water conservation measures and to continue existing bans on wasteful practices.
- K. On May 18, 2016, the State Water Board adopted of Resolution No. 2016-0029, which while easing some of the statewide water conversation goals in favor of more localized limits, it nevertheless extended the Emergency Regulations, including the bans on certain wasteful practices through February 2017.
- L. Although the District's declaration of a Stage Three Condition has remained in place throughout 2016, water demand has increased each month since June of 2016 over corresponding months in 2015.
- M. In order to ensure the continuation of many of the prohibitions on wasteful water use practices and thereby help ensure the continued availability of adequate supplies of water, the Board desires to reduce the District's declaration of its water supply condition from Stage Three to Stage Two.

Section 2. Declaration of Stage Two Condition. Based on the above findings, the Board hereby declares the existence of a Stage Two Condition throughout the District until this Resolution is repealed or revised. During the duration of the Stage Two Condition, customers are required to follow all water conservation measures listed in District Code section 7-4-6(A) through (B).

Section 3. Water Rates and Surcharges. In accordance with District Code section 7-4-10, the special water conservation rates and surcharges adopted by the Board for a Stage Two Condition will be effective for each applicable customer of the District throughout the duration of the Stage Two Condition effective as of December 1, 2016.

Section 4 Publication and Posting. Pursuant to District Code section 7-4-11, the General Manager is directed to cause notice to be posted of the Stage Two Condition and the continued implementation of the related mandatory water conservation measures under the District Code in three locations accessible to the public within the District, and to also cause notice of the extension of the declaration to be published in the "Tehachapi News" and on the District's website.

Section 5. Effective Date. This resolution will become effective immediately upon adoption.

PASSED, APPROVED AND ADOPTED on November 10, 2016, by the following vote:

AYES: Baron, LaClaire, Ritchie, Grace, Zanutto

NOES: None

ABSENT: None

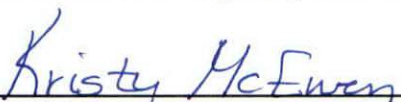
ABSTAIN: None



Rick Zanutto, Board President
Bear Valley Community Services District

ATTEST:

I hereby certify that the above Resolution No. 16/17-27 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on November 10, 2016.



Kristy McEwen
Secretary to the Board of Directors