

**REGULAR BOARD MEETING AGENDA**  
May 19 2015 2:00 PM  
Saddle Creek Lodge, Members Lounge  
1001 Saddle Creek Drive, Copperopolis, CA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. CHANGES TO ORDER OF AGENDA

**5. PUBLIC COMMENT** (Each speaker is limited to two (2) minutes)

Members of the public appreciated for taking the time to attend this meeting and provide comments on matters of District business. Any member of the public may address the Board relating to any matter within the Board's jurisdiction. This need not be related to any item on the agenda; however, the Board cannot act on an item unless it was noticed on the agenda.

**6. CONSENT CALENDAR**

Consent Calendar items are considered routine and will be acted upon by one motion. There will be no separate discussion on these items unless a member of the Board, Staff or a member of the Public requests specific items be set aside for separate discussion.

- a. Review of monthly financial report and approval of bills and claims for the month of April 2015.
- b. Approval of the minutes of the Regular Board Meeting of April 21, 2015.

**7. OLD BUSINESS**

- a. Review of Calaveras County Water District's new mandatory water conservation regulations, report from the District's Ad-hoc Committee on Median Turf Elimination and consideration of actions to produce adequate water use reduction.

**8. NEW BUSINESS**

- a. Consideration of a Memorandum of Agreement with the Tuolumne County Resource Conservation District and/or Calaveras County Water District for water conservation program assistance such as customer outreach, education, scheduling workshops, coordinating residential water use evaluation services and facilitating community meetings.

**9. STAFF REPORTS:**

Brief reports will be provided by District staff to inform the Board and public on the status of general operational and administrative matters. No action will be taken by the Board during Reports, however items discussed may be recommended for discussion and action on a future meeting agenda.

- a. Site Manager
- b. General Manager

**10. DIRECTORS REPORTS:**

Brief reports will be provided by District Board members to inform on matters of general interest. No action will be taken by the Board during Reports, however items discussed may be recommended for discussion and action on a future meeting agenda.

**11. CLOSED SESSION** - Pursuant to California Government Code Section 54956.9 (d)(4) *Conference with Legal Counsel, Anticipated Litigation (one case)*

**12. ADJOURNMENT**

Agenda Materials: May be viewed on the bulletin boards outside the Saddle Creek Pro Shop, on the Sports Club Bulletin Board and at the CSD Website on the Saturday proceeding each meeting date. Materials will also be available at the meeting.

Americans with Disabilities Act Compliance: If you require special assistance to participate in Board Meetings, please contact the CSD Clerk at (209) 785-0100. Advance notification will enable the District to make reasonable arrangements to insure accessibility.



*Saddle Creek Community Services District*

# ***Treasurer's Report***

*April 30, 2015*

File Copy

Reviewed and Accepted May 19, 2015

Approved by:

Saddle Creek Community Services District

**BALANCE SHEET**

As of April 30, 2015

<b>ASSETS</b>	<b>TOTAL</b>
<b>Current Assets</b>	
Bank Accounts	
1000 Umpqua Bank Checking	325,529.14
1020 Cash - Fund 2188	192.97
1080 Umpqua Bank CD Accounts	
1081 CD #7405	25,811.32
1082 CD #46165	25,137.86
1083 CD #46207	25,137.85
1084 CD #46249	25,101.47
1085 CD #46124	25,101.46
Total 1080 Umpqua Bank CD Accounts	<u>\$ 126,289.96</u>
Total Bank Accounts	<u>\$ 452,012.07</u>
<b>Total Current Assets</b>	<u>\$ 452,012.07</u>
<b>Fixed Assets</b>	
1500 Capital Assets	
1501 Equipment	267,138.76
1503 Roads	2,360,462.00
1504 Easements	10,344,000.00
1505 Buildings	79,000.00
Total 1500 Capital Assets	<u>\$ 13,050,600.76</u>
1600 Accumulated Depreciation	
1601 Equipment	(184,679.03)
1603 Roads	(616,865.62)
1605 Buildings	(16,590.00)
Total 1600 Accumulated Depreciation	<u>(818,134.65)</u>
<b>Total Fixed Assets</b>	<u>\$ 12,232,466.11</u>
<b>TOTAL ASSETS</b>	<u><u>\$ 12,684,478.18</u></u>
<b>LIABILITIES AND EQUITY</b>	
<b>Liabilities</b>	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	5,603.49
Total Accounts Payable	<u>\$ 5,603.49</u>
Credit Cards	
2040 CSDA Bank of the West MC	3,472.72
2060 CSD Visa - MLB	749.73
Total Credit Cards	<u>\$ 4,222.45</u>
Other Current Liabilities	
2100 Payroll Liabilities	(339.09)
2150 Accrued Payroll	11,612.58
2201 Sales Tax Adjustment	0.87
Board of Equalization Payable	40.48
Total Other Current Liabilities	<u>\$ 11,314.84</u>
Total Current Liabilities	<u>\$ 21,140.78</u>
<b>Total Liabilities</b>	<u>\$ 21,140.78</u>
<b>Equity</b>	
3800 Developer Capital Contributions	12,198,795.62
3900 Retained Earnings	652,029.95
Net Income	(187,488.17)
<b>Total Equity</b>	<u>\$ 12,663,337.40</u>
<b>TOTAL LIABILITIES AND EQUITY</b>	<u><u>\$ 12,684,478.18</u></u>

Wednesday, May 13, 2015 PDT  
Prepared by Dolores Baker

SADDLE CREEK COMMUNITY SERVICES DISTRICT  
**BUDGET AND PROFIT & LOSS REPORT**  
*April 2015*

	Current Year - 2015				Prior Year - 2014			
	Approved BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget	Adjusted BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget
<b>EXPENSES</b>								
<b>Operating Expenses</b>								
OE01 Audit Expense	\$ 7,500	\$ -	\$ -	0%	\$ 7,500	\$ -	\$ -	0%
OE02 Accounting & Bookkeeping	\$ 500	\$ 31	\$ 31	6%	\$ 6,000	\$ 375	\$ 3,138	52%
OE03 On-line Back-up/Notary Fees/Bonds	\$ 351	\$ -	\$ 326	93%	\$ 1,000	\$ -	\$ 326	33%
OE04 Legal Expenses	\$ 1,500	\$ -	\$ -	0%	\$ 1,500	\$ -	\$ -	0%
OE05 Management Fees	\$ 57,000	\$ 4,750	\$ 19,000	33%	\$ -	\$ -	\$ -	
OE06 Insurance (Property Loss/Liability)	\$ 8,000	\$ 544	\$ 544	7%	\$ 8,000	\$ 42	\$ 42	1%
OE07 Miscellaneous/Contingency	\$ 2,000	\$ -	\$ 196	10%	\$ 5,000	\$ -	\$ -	0%
OE08 Professional Development (Travel/Training)	\$ 6,000	\$ 1,610	\$ 3,327	55%	\$ 5,000	\$ 498	\$ 3,410	68%
OE09 Dues, Certifications & Subscriptions	\$ 4,000	\$ 360	\$ 2,676	67%	\$ 4,000	\$ 500	\$ 761	19%
OE10 Uniform Expenses	\$ 2,200	\$ 375	\$ 720	33%	\$ 1,600	\$ 1,196	\$ 1,862	116%
OE11 Electric Power/Water/Sewer	\$ 6,000	\$ 504	\$ 1,234	21%	\$ 5,000	\$ 208	\$ 1,474	29%
OE12 Telephone/Pager Service	\$ 5,000	\$ 257	\$ 1,311	26%	\$ 5,000	\$ 347	\$ 1,399	28%
OE13 Internet Service	\$ 1,200	\$ 90	\$ 360	30%	\$ 1,200	\$ 75	\$ 300	25%
OE14 Office Supplies/Postage	\$ 5,000	\$ 551	\$ 1,470	29%	\$ 4,500	\$ 500	\$ 2,406	53%
OE15 Office Equipment Repair/Replacement	\$ 3,000	\$ 131	\$ 478	16%	\$ 2,300	\$ 489	\$ 1,788	78%
OE16 Gate Maintenance & Opener Purchase	\$ 4,000	\$ 435	\$ 1,050	26%	\$ 4,000	\$ 125	\$ 125	3%
OE17 Street & Main Gate Lighting Maint/Repair	\$ 13,500	\$ -	\$ 4,800	36%	\$ 13,500	\$ -	\$ 5,516	41%
OE18 Landscape Supplies & Repairs	\$ 21,000	\$ 2,346	\$ 16,407	78%	\$ 21,000	\$ 5,307	\$ 18,047	86%
OE19 Landscape Equipment Repair/Replacement	\$ 10,000	\$ 3,580	\$ 11,377	114%	\$ 16,500	\$ 2,365	\$ 13,459	82%
OE21 Landscape Equipment Gas & Oil	\$ 7,000	\$ 910	\$ 2,289	33%	\$ 7,000	\$ -	\$ -	0%
OE22-1 Mosquito Control Products	\$ 14,513	\$ 40	\$ 2,121	15%	\$ 13,500	\$ -	\$ 1,016	8%
OE22-2 Mosquito Abatement Monitoring & Testing	\$ 3,000	\$ 159	\$ 1,153	38%	\$ 3,000	\$ -	\$ -	0%
OE22-3 Mosquito Abatement Vehicles Gas & Oil	\$ 13,000	\$ -	\$ 2,803	22%	\$ 13,000	\$ 2,398	\$ 810	6%
OE22-4 Mosquito Abatement Equipment Maintenance	\$ 5,890	\$ 72	\$ 2,622	45%	\$ 5,000	\$ -	\$ 5,320	106%
OE26 County Fees/LAFCO	\$ 6,000	\$ 91	\$ 91	2%	\$ 6,500	\$ -	\$ -	0%
OE30 Reimbursable Maint/Repair Expense (2)	\$ 10,000	\$ 8,367	\$ 8,732	87%	\$ -	\$ -	\$ 2038	
OE31 Records Management Services	\$ 2,400	\$ -	\$ -	0%	\$ -	\$ -	\$ -	
<b>Total Operational Expenses:</b>	<b>\$ 219,554</b>	<b>\$ 25,203</b>	<b>\$ 85,118</b>	<b>39%</b>	<b>\$ 160,600</b>	<b>\$ 14,425</b>	<b>\$ 63,237</b>	<b>39%</b>
<b>Personnel Expenses</b>								
PE01 Worker Compensation Insurance	\$ 14,241	\$ -	\$ 2,581	18%	\$ 16,000	\$ -	\$ 2,564	16%
PE02 Health Insurance	\$ 60,000	\$ 4,105	\$ 15,601	26%	\$ 58,780	\$ 3,845	\$ 16,151	27%
PE03 Payroll Taxes	\$ 23,972	\$ 2,871	\$ 7,909	33%	\$ 28,000	\$ 2,025	\$ 7,921	28%
PE04 Processing Fees	\$ 1,400	\$ 179	\$ 522	37%	\$ 1,400	\$ 115	\$ 468	33%
PE05 Directors Stipend	\$ 6,000	\$ -	\$ -	0%	\$ 6,000	\$ 0	\$ 0	0%
PE06 Employee Wages	\$ 264,558	\$ 32,678	\$ 84,779	32%	\$ 310,000	\$ 23,398	\$ 85,440	28%
<b>Total Personnel Expenses:</b>	<b>\$ 370,171</b>	<b>\$ 39,833</b>	<b>\$ 111,392</b>	<b>30%</b>	<b>\$ 420,180</b>	<b>\$ 29,383</b>	<b>\$ 112,544</b>	<b>28%</b>

SADDLE CREEK COMMUNITY SERVICES DISTRICT  
**BUDGET AND PROFIT & LOSS REPORT**  
 April 2015

	Current Year - 2015				Prior Year - 2014			
	Approved BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget	Adjusted BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget
<b>Capital Outlay</b>								
CO04 2015 Chevrolet Silverado (2014)					\$ 30,799			
CO04 (2) Workman MDX Cart (2014)					\$ 22,768			
CO04 Workman HD w/Bed (2014)	\$ -				\$ 17,499	\$ -		
<b>Total Capital Outlay:</b>	\$ -	\$ -	\$ -		\$ 71,066	\$ -	\$ -	
 <b>TOTAL EXPENSES</b>	<b>\$ 589,725</b>	<b>\$ 65,036</b>	<b>\$ 196,510</b>	<b>33%</b>	<b>\$ 651,846</b>	<b>\$ 43,808</b>	<b>\$ 175,781</b>	<b>27%</b>

<b>INCOME</b>
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**Assessment Income**

Payment No. 1:  
 Payment No. 2:  
 Payment No. 3:

<b>Total Assessment Income</b>	<b>\$ 572,275</b>	<b>\$ -</b>	<b>\$ -</b>
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(2) Reimbursement Income/Receivable

SDRMA Gate Repairs	\$ 6,723	\$ 6,723			
SDRMA Gate repairs	\$ 1,472	\$ 1,472			
G. Hebard - Personal portion Lodging/Meals	\$ 248	\$ 248			
Castle & Cooke Tractor/Equipment Repairs			Mar 12, 2014	\$ 2,038	
<b>Total Reimbursement Income</b>	<b>\$ 10,000</b>	<b>\$ 8,443</b>	<b>\$ 8,442</b>	<b>\$ 2,038</b>	

Note: (5/8/15) \$365.00 rec'd from Castle & Cooke

**Miscellaneous Income**

Castle & Cooke Weed Abatement	\$ -	\$ -			
Lot Owners Weed Abatement					
IN03 Lot Owners Gate Openers/Cards			205	Jan - April	\$ 167
IN05 Umpqua Bank CD Interest		33	90	Jan - April	\$ 103
IN06 Calaveras County Interest Received		284	284	Jan - April	\$ 154
Various Other Miscellaneous				Jan - April	\$ 1
<b>Total Miscellaneous Income</b>	<b>\$ 8,000</b>	<b>\$ 318</b>	<b>\$ 580</b>		
<b>TOTAL INCOME</b>	<b>\$ 590,275</b>	<b>\$ 8,761</b>	<b>\$ 9,022</b>		<b>\$ 425</b>

<b>Net Income</b>	<b>\$ 550</b>	<b>\$ (56,275)</b>	<b>\$ (187,488)</b>
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**Saddle Creek Comm Srvs District**  
**Check Detail**  
 For the Month of April 2015

Date	Num	Name	Amount
04/01/2015	1760	MLB Visa	(319.96)
04/01/2015	1759	Kampa Community Solutions, LLC	(4,750.00)
04/02/2015		Intuit Full Service Payroll	(117.00)
04/03/2015	DD	DOLORES C BAKER	(201.17)
04/03/2015	DD	Mark A. Dunlop	(1,101.19)
04/03/2015	DD	Gregory Hebard	(2,192.47)
04/03/2015	DD	HERNAN M HERNANDEZ	(1,101.18)
04/03/2015	DD	Ralph M. McGeorge	(1,494.27)
04/03/2015	DD	MICHELE L MENZIES	(47.81)
04/03/2015	DD	BRADLEY D NICKELL	(993.27)
04/03/2015	1763	CODY L PONDER	(1,071.25)
04/03/2015	DD	PHYLLIS J RICHARDS	(50.86)
04/06/2015	1761	California State Disbursement Unit	(103.00)
04/08/2015		CA EDD	(469.55)
04/08/2015		IRS	(3,080.22)
	10723		
	14736		
04/17/2015	991	PG&E - 7193	(218.65)
04/20/2015		CA EDD	(1,228.24)
04/20/2015	DD	DOLORES C BAKER	(338.97)
04/20/2015	DD	Mark A. Dunlop	(1,007.04)
04/20/2015	DD	Gregory Hebard	(2,192.46)

**Saddle Creek Comm Srvs District**  
**Check Detail**  
For the Month of April 2015

Date	Num	Name	Amount
04/20/2015	DD	HERNAN M HERNANDEZ	(1,017.59)
04/20/2015	DD	Ralph M. McGeorge	(1,494.27)
04/20/2015	DD	MICHELE L MENZIES	(59.13)
04/20/2015	DD	BRADLEY D NICKELL	(1,077.49)
04/20/2015	DD	CODY L PONDER	(972.12)
04/21/2015	1773	California State Disbursement Unit	(118.50)
04/21/2015	1764	SDRMA-Prop/Liability Insurance	(543.92)
04/21/2015	1765	Valley Entry Systems, Inc.	(360.00)
04/21/2015	1766	Stockton Honda Yamaha	(1,688.41)
04/21/2015	1767	Hernan Hernandez .	(59.80)
04/21/2015	1768	SC Fuels	(1,547.35)
04/21/2015	1769	DOLORES BAKER	(61.98)
04/21/2015	1770	SDRMA-Health Ins.	(4,105.50)
04/21/2015	1771	California Department of Public Health	(360.00)
04/21/2015	1772	Ralph McGeorge	(59.80)
04/21/2015	1777	CSDA Bank of the West	(30,114.15)
04/24/2015		CA EDD	(455.50)
04/24/2015		IRS	(3,021.45)
		<b>Total</b>	<u><u>(69,195.52)</u></u>



**Saddle Creek Comm Srvs District**  
**Statement of Cash Flows**

For the 4 Months Ending April 30, 2015

	Umpqua Bank Checking	Calaveras Co Fund 2188	Umpqua Bank CD #7405	Umpqua Bank CD #7405	Umpqua Bank CD #7405	Umpqua Bank CD #7405	Umpqua Bank CD #7405	YTD Total
<b>OPERATING ACTIVITIES</b>								
<b>Net Income</b>	<b>124,210.00</b>	<b>(311,788.54)</b>	<b>22.75</b>	<b>18.80</b>	<b>18.79</b>	<b>15.02</b>	<b>15.01</b>	<b>(187,488.17)</b>
Adjustments to reconcile Net Income to Net Cash provided by Operations:								
1200 Accounts Receivable	0.00							0.00
2000 Accounts Payable	-3,839.44							-3,839.44
2040 CSDA Bank of the West MC	3,472.72							3,472.72
2060 CSD Visa - MLB	-4,497.65							-4,497.65
2100 Payroll Liabilities	-1,212.40							-1,212.40
2110 Wage Garnishments Payable	0.00							0.00
2150 Accrued Payroll	1,835.25							1,835.25
2201 Sales Tax Adjustment								0.87
Board of Equilization Payable	15.36							15.36
<b>Net cash provided by operating activities</b>	<b>119,983.84</b>	<b>(311,788.54)</b>	<b>22.75</b>	<b>18.80</b>	<b>18.79</b>	<b>15.02</b>	<b>15.01</b>	<b>(191,713.46)</b>
Net cash increase for period	119,983.84	(311,788.54)	22.75	18.80	18.79	15.02	15.01	(191,713.46)
<b>Cash at beginning of period</b>	<b>205,544.43</b>	<b>311,981.51</b>	<b>25,788.57</b>	<b>25,119.06</b>	<b>25,119.06</b>	<b>25,086.45</b>	<b>25,086.45</b>	<b>643,725.53</b>
<b>Cash at end of period</b>	<b>325,528.27</b>	<b>192.97</b>	<b>25,811.32</b>	<b>25,137.86</b>	<b>25,137.85</b>	<b>25,101.47</b>	<b>25,101.46</b>	<b>452,012.07</b>

Prepared by: Dolores Baker

Thursday, May 14, 2015 12:07:08 PM PDT GMT-7

SADDLE CREEK COMMUNITY SERVICES DISTRICT  
MINUTES FOR THE MEETING OF THE BOARD OF DIRECTORS  
April 21, 2015

**CALL TO ORDER:**

The Saddle Creek Community Services District (CSD) Board of Directors held their monthly meeting on Tuesday April 21, 2015. President Robinson called the meeting to order at 2:00 PM in the Members Sports Center and led Directors and staff in the Pledge of Allegiance.

**ROLL CALL:** Roll call indicated the following directors were present

President:	Charlie Robinson
Vice President	Sue Russ
Director	Lawrence Hoffman
Director	Kent Lazarus

Staff:	The following staff members were present:	
	General Manager/	Peter Kampa
	Treasurer	
	Site Manager:	Greg Hebard
	Clerk	Michele Menzies

Public: Pat Smythe, Golf Course Maintenance Superintendent

**PLEDGE OF ALLEGIANCE**

**CHANGES TO THE ORDER OF AGENDA:**

None suggested.

**PUBLIC COMMENT:**

None

**CONSENT CALENDAR:**

- a. Review of monthly financial report and approval of bills and claims for the month of March 2015.

- b. Approval of the minutes of the Regular Board Meeting of March 17, 2015.  
Motion by Director Lazarus and Second by Director Hoffman to move approval of expenditures incurred by the district during the month of March, and approval of the minutes with changes as mentioned.  
Motion passed unanimously.

**OLD BUSINESS:**

None

**NE BUSINESS:**

- a. GM Kampa gave report on the status and projections for water supply to support Saddle Creek CSD, Castle & Cooke and Golf Course operations and permit compliance.  
GM Kampa said that due to the increased water conservation requirements this year, compliance with CCWD restrictions will be more difficult and we are working diligently now to develop water conservation plans and actions. Kampa stated that an assessment report may need to be prepared by an engineering firm to determine the long term impacts of CCWD's rescission of the NPDES permit, which currently allows use of treated wastewater effluent to fill the District wetland ponds.
- b. GM Kampa reviewed the Governor's proclamation related to water conservation and provided a report on the implementation process and the likely effects on our community look/operations.  
GM Kampa and Greg Hebard will get together with CCWD to have meeting regarding overall water supply and recommend the Board President appoint an Ad-Hoc Committee to review median and turf options to meet the new requirements. May 5<sup>th</sup> & 6<sup>th</sup> is the State Water Board hearing at which the new regulations will be adopted. President Robinson agreed to appoint an Ad-hoc committee to consider options for the necessary median turf elimination.
- c. GM Kampa reviewed the scope of work and community benefits available through the \$3 million grant received by the Tuolumne Stanislaus Integrated Regional Water Management Region, including possible local water conservation and greywater workshops, reimbursements for water saving home improvements and greywater reuse. Kampa stated that this grant will be available to help community residents make improvements to their property to reduce water consumption. The District can assist in helping move this money into the community.
- d. Approval of a resolution adopting standard agreements to be used by the District in contracting for consulting services and construction work.  
We usually contract less than \$15,000 per year.  
GM Kampa will check to see if we need the Equal Opportunity language

in both contracts and make the changes if necessary. Kampa explained that these agreements are only a template, and modifications will be made for specific needs and projects.

Motion by Director Russ and Second by Director Hoffman to move approval of resolution adopting standard agreements to be used by the District in contracting for consulting services and construction work.

Motion passed unanimously.

**STAFF REPORTS:**

Site Manager: Greg advised the Board of some street lights out. Still have an outstanding bill for transfer box and lights will be fixed once those bills come in so he can check his budget. Also out of bound pins have been relocated.

**DIRECTORS REPORTS:**

President Robinson – None

V/President Russ – None

Secretary Albertson – None

Director Hoffman-

No longer serving on H.O.A.

Director Lazarus - None

**AD JOURNMENT** – Having no further business, President Robinson adjourned the meeting at 3:23 PM. CSD's next board meeting date is June 16, 2015.

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Michele Menzies, CSD Clerk

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Peter Kampa, General Manager

APPROVED BY:

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Charlie Robinson, Board President

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Sue Russ, V/President

# Saddle Creek Community Services District

## Regular Meeting of May 19, 2015

### AGENDA SUPPORTING DATA

#### 7. OLD BUSINESS

- a. Review of Calaveras County Water District's new mandatory water conservation regulations, report from the District's Ad-hoc Committee on Median Turf Elimination and consideration of actions to produce adequate water use reduction.

#### **Background**

On May 6, 2015 the State Water Resources Control Board adopted the final emergency regulation for drought related water conservation. The regulation is attached for your reference. The state placed responsibility for implementation of these new water conservation mandates on the local water providers; in our case CCWD. In response to the state's action, CCWD adopted on May 15, 2015 the attached water conservation requirements, which are effective immediately.

The purpose of this agenda item is to fully understand the water conservation requirements of CCWD as they relate to the Saddle Creek CSD operation, and also as they relate to the effects on community aesthetics and cost, which will be a concern of Castle & Cooke. There will also be obvious impacts on the golf course operation, which will in turn create an impact on how water is delivered to the CSD managed wetland ponds. The golf course has developed a water conservation plan to ensure compliance with the CCWD restrictions, and the Castle & Cooke will achieve compliance with the requirements, through water service connections and irrigation systems managed by the CSD, by continuing the watering schedule reduction practiced last year, in which we achieved well over 35% water use reduction. In addition the mandatory elimination of ornamental turf in medians will result in huge water savings.

Eliminating all ornamental turf in the community medians will result in a huge change to community appearance. A full transition of plantings to drought tolerant and installation of rock gardens and other pleasing features, as well as the conversion of all irrigation to drip and microspray will cost many thousands of dollars but could result in improved community appeal, which could be a very attractive investment for Castle & Cooke. Simply allowing the turf to die and not planning to replace the turf with some form of groundcover will result in unsightly appearance and increased dust production during summer and erosion/dirty streets to be cleaned in the winter. Grants will soon be available to implement the required turf elimination, irrigation upgrades and planting conversions to drought tolerant.

Considering the community impact and cost of any form of improvements, President Robinson appointed an ad-hoc committee to meet before the May 19 Board meeting to discuss potential options for the renovation of the turf-free medians. The committee will report out during this meeting and we will also discuss other planning activities and actions necessary to ensure that we do not set ourselves up for increased maintenance costs, and/or we consider all community impacts.

#### **Recommendation**

No specific recommended action at this time.

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2015-0032**

**TO ADOPT AN EMERGENCY REGULATION FOR  
STATEWIDE URBAN WATER CONSERVATION**

**WHEREAS:**

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an executive order (April 2014 Proclamation) to strengthen the State's ability to manage water and habitat effectively in drought conditions, and called on all Californians to redouble their efforts to conserve water. The April 2014 Proclamation finds that the continuous severe drought conditions present urgent challenges across the State, including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity, if drought conditions continue into 2015. The April 2014 Proclamation also suspends the environmental review required by the California Environmental Quality Act to allow the emergency regulation and other actions to take place as quickly as possible;
2. The April 2014 Proclamation refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a drought State of Emergency to exist in California due to severe drought conditions (January 2014 Proclamation). The January 2014 Proclamation finds that dry conditions and lack of precipitation present urgent problems to drinking water supplies and cultivation of crops, which put farmers' long-term investments at risk. The conditions also threaten the survival of animals and plants that rely on California's rivers, including many species in danger of extinction. The January 2014 Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. On December 22, 2014, in light of the continued lack of rain, Governor Brown issued [Executive Order B-28-14](#), which extends the California Environmental Quality Act suspension through May 31, 2016 for Water Code section 13247 and certain activities identified in the January 2014 and April 2014 proclamations;
4. On April 1, 2015, Governor Brown issued a new Executive Order that directs the State Water Board to impose restrictions on urban water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems; along with other directives;
5. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";

6. On July 15, 2014, the State Water Board adopted an emergency regulation to support water conservation ([Resolution No. 2014-0038](#)), and that regulation became effective July 28, 2014 upon approval by the Office of Administrative Law (OAL);
7. On March 17, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation ([Resolution No. 2015-0013](#)), which became effective March 27, 2015 upon approval by OAL;
8. The current emergency regulation has supported Californians' water conservation efforts, with over 125 billion gallons saved from August 2014 through March 2015; however, statewide water use is only nine percent less than the same months in 2013. Achieving a 25 percent reduction in use will require even greater conservation efforts across the state. In particular, many communities must dramatically reduce their outdoor water use;
9. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes will survive while receiving a decreased amount of water;
10. Although urban water suppliers have placed restrictions on outdoor watering, the State Water Board continues to receive reports of excessive outdoor water use;
11. Water conservation is the easiest, most efficient and most cost-effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available later in the season or next year, reducing the likelihood of even more severe water shortages should the drought continue;
12. Education and enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
13. Public information and awareness is critical to achieving conservation goals, and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>);
14. Many California communities are facing social and economic hardship due to this drought. The rest of us can make adjustments to our water use, including landscape choices that conserve even more water;
15. The California Constitution declares, at article X, section 2, that the water resources of the state must be put to beneficial use in a manner that is reasonable and not wasteful. Relevant to the current drought conditions, the California Supreme Court has clarified that "what may be a reasonable beneficial use, where water is present in excess of all needs, would not be a reasonable beneficial use in an area of great scarcity and great need. What is a beneficial use at one time may, because of changed conditions, become a waste of water at a later time." (*Tulare Dist. v. Lindsay Strathmore Dist.* (1935) 3 Cal.2d 489, 567.) In support of water conservation, the legislature has, through Water Code section 1011, deemed reductions in water use due to conservation as equivalent

to reasonable beneficial use of that water. Accordingly, this regulation is in furtherance of article X, section 2 during this drought emergency. This temporary emergency regulation is not to be used in any future administrative or judicial proceedings as evidence or finding of waste and unreasonable use of any individual water user or water supplier subject to this regulation, and are not to affect or otherwise limit any rights to water conserved under applicable law, including without limitation, water conserved consistent with Water Code section 1011;

16. Directive two of the Governor's April 1, 2015 Executive Order directs the State Water Board to consider the relative per capita usage of each urban water supplier's service area and require that areas with high per capita use achieve proportionally greater reductions than areas with low per capita use;
17. On April 7, 2015, the State Water Board issued a draft framework proposing increasing levels of required water reduction based upon residential per capita per day use (R-GPCD) for the proposed regulation, and solicited public comments. The Board received over 300 comments on the framework, primarily relating to the levels of required water reduction;
18. On April 18, the State Water Board issued draft regulatory language for public comment based on the April 7 framework and the comments received. The draft regulatory language reflected careful consideration of all comments including those directed at the levels of required reduction. Again, the Board received close to 300 comments;
19. On April 28, 2015, the State Water Board issued a final version of draft regulatory language for comment, followed on April 29 by a formal public notice that it would consider the adoption of the emergency regulation at the Board's regularly-scheduled May 5 and 6, 2015 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
20. As discussed above, the State Water Board is adopting the emergency regulation because of the continuing emergency drought conditions, the need for prompt action to prevent the waste and unreasonable use of water and to promote conservation, and the specific actions called for in the Governor's April 1, 2015 Executive Order; and
21. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain the enforcement discretion in enforcing the regulation to the extent authorized. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 866 and re-adopts sections 863, 864, and 865, as appended to this resolution as an emergency regulation;



2. State Water Board staff will submit the regulation to OAL for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or the Executive Director's designee may make such changes;
4. This regulation shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulation due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulation and its effect. These updates shall include information regarding the progress of the Building Standards Commission, Department of Housing and Community Development, and other state agencies in the adoption and implementation of emergency regulations or other requirements that implement increased outdoor irrigation efficiency for new construction. These regulations and other requirements will extend existing efficiency standards for new construction to the outdoor environment and ensure that California's new homes are constructed to meet the growing demand with the most efficient standards;
6. The State Water Board directs staff to condition funding upon compliance with the emergency regulation, to the extent feasible;
7. The State Water Board directs staff to work with DWR and the Save Our Water campaign to disseminate information regarding the emergency regulation; and
8. The State Water Board directs staff to update the electronic reporting portal to include data fields for the new reporting required by the emergency regulation.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board shall work with DWR, the Public Utilities Commission, and other agencies to support urban water suppliers' actions to implement rates and pricing structures to incent additional conservation, as required by directive eight in the Governor's April 1, 2015 Executive Order. The Fourth District Court of Appeal's recent Decision in *Capistrano Taxpayer Association Inc. v. City of San Juan Capistrano* (G048969) does not foreclose the use of conservation-oriented rate structures;
10. The State Water Board calls upon water suppliers to:
  - a. ensure that adequate personnel and financial resources exist to implement conservation requirements not only for 2015, but also for another year of drought should it occur. Water suppliers that face budget shortfalls due to reduced sales should take immediate steps to raise necessary revenues in a way that actively promotes continued conservation;
  - b. expedite implementation of new conservation programs by minimizing internal review periods and utilizing emergency authorities, as appropriate;

- c. consider the relative water use and conservation practices of their customers and target those with higher water use to achieve proportionally greater reductions than those with low use;
  - d. minimize financial impacts to low-income customers;
  - e. preserve safe indoor water supplies in areas with very low R-GPCD and where necessary to protect public health and safety;
  - f. promote low-water use methods of preserving appropriate defensible space in fire-prone areas, consistent with local fire district requirements;
  - g. educate customers on the preservation of trees;
  - h. promote on-site reuse of water; and
  - i. promptly notify staff of the supplier's need for an alternate method of compliance pursuant to resolved paragraph 16.
11. The State Water Board calls upon all businesses within California's travel and tourism sectors to inform visitors of California's dire drought situation and actions visitors should take to conserve water;
  12. The State Water Board commends wholesale water agencies that have set aggressive conservation targets for their retail water suppliers;
  13. The State Water Board commends water suppliers that have made investments to boost drought-resistant supplies, such as advanced treated recycled water and desalination. Those investments help to make communities more resilient in the face of drought;
  14. The State Water Board commends the many water suppliers that have already surpassed their 20x2020 conservation targets. Long-term conservation efforts are critical to maintaining economic and social well-being, especially in light of the impacts of climate change on California's hydrology;
  15. During this drought emergency, heightened conservation that extends urban resilience is necessary. The State Water Board's focus is primarily on immediate reductions in outdoor water use. Some short-term conservation efforts, such as landscape conversions and installation of efficient appliances, will also support long-term conservation objectives, and are encouraged wherever possible;
  16. The State Water Board recognizes that some commercial and industrial customers, while accounting for a significant portion of total use in a service area, have already taken steps to significantly reduce their water consumption and cannot further reduce their use without substantial impacts. However, the Board also recognizes that in many areas there are significant opportunities for reductions in water use by industries and commercial enterprises that have yet to take action, especially those with large areas of non-functional turf. The Board directs staff to respond promptly upon receipt of any request for alternate enforceable methods of compliance. If the supplier believes the conservation standard is unachievable due to firm commercial and industrial water use

and residential use reductions that would affect public health and safety, it should provide any supporting information or documentation for an alternate method of compliance; and

17. Some water suppliers have called for further refinement of the tiers to reflect a range of factors that contribute to water use, including but not limited to temperature, lot size, and income. Others have called for an approach that provides greater recognition for early investments in conservation, the development of local, drought resistant water supplies, and health and safety needs. These suggestions and many others are important considerations in the development of a more comprehensive, and long term, conservation framework. The State Water Board directs staff to work with stakeholders on a thoughtful process to devise options for extended and expanded emergency regulations should the drought continue into 2016.

### CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 5, 2015.

AYE: Chair Felicia Marcus  
Vice Chair Frances Spivy-Weber  
Board Member Tam M. Doduc  
Board Member Steven Moore  
Board Member Dorene D'Adamo

NAY: None

ABSENT: None

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board

# ADOPTED TEXT OF EMERGENCY REGULATION

## Article 22.5. Drought Emergency Water Conservation.

### Sec. 863. Findings of Drought Emergency.

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) On April 1, 2015, the Governor issued an Executive Order that, in part, directs the State Board to impose restrictions on water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February, 2016; require commercial, industrial, and institutional users to implement water efficiency measures; prohibit irrigation with potable water of ornamental turf in public street medians; and prohibit irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or microspray systems;

(4) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(5) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(6) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, and 275, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

### Sec. 864. End-User Requirements in Promotion of Water Conservation.

(a) To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;

(5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;

(6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;

(7) The irrigation with potable water of ornamental turf on public street medians; and

(8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

(b) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

(c) Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply, any portion of which is from a source other than a water supplier subject to section 865, shall either:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or

(2) Reduce potable water usage supplied by sources other than a water supplier by 25 percent for the months of June 2015 through February 2016 as compared to the amount used from those sources for the same months in 2013.

(d) The taking of any action prohibited in subdivision (a) or the failure to take any action required in subdivisions (b) or (c), is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, and 10617, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

#### Sec. 865. Mandatory Actions by Water Suppliers.

(a) As used in this section:

(1) "Distributor of a public water supply" has the same meaning as under section 350 of the Water Code, except it does not refer to such distributors when they are functioning solely in a wholesale capacity, but does apply to distributors when they are functioning in a retail capacity.

(2) "R-GPCD" means residential gallons per capita per day.

- (3) "Total potable water production" means all potable water that enters into a water supplier's distribution system, excluding water placed into storage and not withdrawn for use during the reporting period, or water exported outside the supplier's service area.
- (4) "Urban water supplier" means a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b) In furtherance of the promotion of water conservation each urban water supplier shall:

(1) Provide prompt notice to a customer whenever the supplier obtains information that indicates that a leak may exist within the end-user's exclusive control.

(2) Prepare and submit to the State Water Resources Control Board by the 15<sup>th</sup> of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. The monitoring report shall specify the population served by the urban water supplier, the percentage of water produced that is used for the residential sector, descriptive statistics on water conservation compliance and enforcement efforts, and the number of days that outdoor irrigation is allowed, and monthly commercial, industrial and institutional sector use. The monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves.

(c)(1) To prevent the waste and unreasonable use of water and to meet the requirements of the Governor's April 1, 2015 Executive Order, each urban water supplier shall reduce its total potable water production by the percentage identified as its conservation standard in this subdivision. Each urban water supplier's conservation standard considers its service area's relative per capita water usage.

(2) Each urban water supplier whose source of supply does not include groundwater or water imported from outside the hydrologic region in which the water supplier is located, and that has a minimum of four years' reserved supply available may, submit to the Executive Director for approval a request that, in lieu of the reduction that would otherwise be required under paragraphs (3) through (10), the urban water supplier shall reduce its total potable water production by 4 percent for each month as compared to the amount used in the same month in 2013. Any such request shall be accompanied by information showing that the supplier's sources of supply do not include groundwater or water imported from outside the hydrologic region and that the supplier has a minimum of four years' reserved supply available.

(3) Each urban water supplier whose average July-September 2014 R-GPCD was less than 65 shall reduce its total potable water production by 8 percent for each month as compared to the amount used in the same month in 2013.

(4) Each urban water supplier whose average July-September 2014 R-GPCD was 65 or more but less than 80 shall reduce its total potable water production by 12 percent for each month as compared to the amount used in the same month in 2013.

(5) Each urban water supplier whose average July-September 2014 R-GPCD was 80 or more but less than 95 shall reduce its total potable water production by 16 percent for each month as compared to the amount used in the same month in 2013.

(6) Each urban water supplier whose average July-September 2014 R-GPCD was 95 or more but less than 110 shall reduce its total potable water production by 20 percent for each month as compared to the amount used in the same month in 2013.

(7) Each urban water supplier whose average July-September 2014 R-GPCD was 110 or more but less than 130 shall reduce its total potable water production by 24 percent for each month as compared to the amount used in the same month in 2013.

(8) Each urban water supplier whose average July-September 2014 R-GPCD was 130 or more but less than 170 shall reduce its total potable water production by 28 percent for each month as compared to the amount used in the same month in 2013.

(9) Each urban water supplier whose average July-September 2014 R-GPCD was 170 or more but less than 215 shall reduce its total potable water production by 32 percent for each month as compared to the amount used in the same month in 2013.

(10) Each urban water supplier whose average July-September 2014 R-GPCD was 215 or more shall reduce its total potable water production by 36 percent for each month as compared to the amount used in the same month in 2013.

(d)(1) Beginning June 1, 2015, each urban water supplier shall comply with the conservation standard specified in subdivision (c).

(2) Compliance with the requirements of this subdivision shall be measured monthly and assessed on a cumulative basis.

(e)(1) Each urban water supplier that provides potable water for commercial agricultural use meeting the definition of Government Code section 51201, subdivision (b), may subtract the amount of water provided for commercial agricultural use from its potable water production total, provided that any urban water supplier that subtracts any water provided for commercial agricultural use from its total potable water production shall:

(A) Impose reductions determined locally appropriate by the urban water supplier, after considering the applicable urban water supplier conservation standard specified in subdivision (c), for commercial agricultural users meeting the definition of Government Code section 51201, subdivision (b) served by the supplier;

(B) Report its total potable water production pursuant to subdivision (b)(2) of this section, the total amount of water supplied for commercial agricultural use, and shall identify the reduction imposed on its commercial agricultural users and each recipient of potable water for commercial agricultural use;

(C) Certify that the agricultural uses it serves meet the definition of Government Code section 51201, subdivision (b); and

(D) Comply with the Agricultural Water Management Plan requirement of paragraph 12 of the April 1, 2015 Executive Order for all commercial agricultural water served by the supplier that is subtracted from its total potable water production.

(2) Submitting any information pursuant to subdivision (e)(1)(B) or (C) of this section that is found to be materially false by the board is a violation of this regulation, punishable by civil liability of up to five hundred dollars (\$500) for each day in which the violation occurs. Every day that the error goes uncorrected constitutes a separate violation. Civil liability for the violation is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f)(1) To prevent waste and unreasonable use of water and to promote water conservation, each distributor of a public water supply that is not an urban water supplier shall take one or more of the following actions:

(A) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(B) Reduce by 25 percent reduction its total potable water production relative to the amount produced in 2013.

(2) Each distributor of a public water supply that is not an urban water supplier shall submit a report by December 15, 2015, on a form provided by the Board, that either confirms compliance with subdivision (f)(1)(A) or identifies total potable water production, by month, from June through November, 2015, and total potable water production, by month, for June through November 2013.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 102, 104, 105, 275, 350, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.

#### Sec. 866. Additional Conservation Tools.

(a)(1) To prevent the waste and unreasonable use of water and to promote conservation, when a water supplier does not meet its conservation standard required by section 865 the Executive Director, or the Executive Director's designee, may issue conservation orders requiring additional actions by the supplier to come into compliance with its conservation standard.

(2) A decision or order issued under this article by the board or an officer or employee of the board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the California Water Code.

(b) The Executive Director, or his designee, may issue an informational order requiring water suppliers, or commercial, industrial or institutional properties that receive any portion of their supply from a source other than a water supplier subject to section 865, to submit additional information relating to water production, water use or water conservation. The failure to provide the information requested within 30 days or any additional time extension granted is a violation subject to civil liability of up to \$500 per day for each day the violation continues pursuant to Water Code section 1846.

Authority: Section 1058.5, Water Code.

References: Cal. Const., Art., X § 2; Sections 100, 102, 104, 105, 174, 186, 187, 275, 350, 1051, 1122, 1123, 1825, 1846, 10617 and 10632, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463.



# CCWD Drought Restrictions

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1. Expand the Water Conservation Program efforts through public outreach, education, conservation incentives and partnering with local agencies to heighten awareness of the extreme drought, inform the public of measures residential and commercial customers can take to reduce indoor and outdoor water use and curtail wasteful water use.

2. Water leaks in customer-owned plumbing must be stopped or repaired by customers within 72 hours of being notified by CCWD staff.

3. All outdoor irrigation is prohibited between the hours of 9:00 a.m. and 7:00 p.m.

4. Ornamental landscape irrigation with potable water is limited to two days per week according to the following schedule:

- Tuesdays and Saturdays – odd-numbered addresses.
- Wednesdays and Sundays – even-numbered addresses.
- No outdoor watering on Mondays, Thursdays & Fridays

Edible gardens and orchards used as a food supply and newly planted native and other drought-tolerant landscaping may be irrigated one additional day per week at the discretion of property owners.

5. Excessive irrigation that allows water to flow or spray onto adjacent properties, streets or other right-of-ways is prohibited and considered a waste.

6. Washing down sidewalks, driveways, parking areas, building exteriors, tennis courts, patios or other hard surface areas is prohibited, except to alleviate immediate safety or sanitation hazards.

7. Irrigating outdoors during, and within 48 hours after, measurable rainfall is prohibited.

8. Watering of ornamental turf on public street medians is prohibited.
9. Using a hose without an automatic shut-off valve to wash vehicles, boats or trailers is prohibited (these items may only be washed on approved ornamental landscape irrigation days – see #4).
10. Use of potable water in decorative fountains and recreational ponds is prohibited unless the water is recirculated.
11. Filling of new or existing pools is prohibited; however, the topping off of existing pools and spas is allowed. The District encourages pool and spa owners to use covers to prevent evaporative losses.
12. Restaurants and other food establishments shall only serve and refill water for patrons upon request. Restaurant owners are encouraged to use table cards to help convey the conservation message.
13. Hotels and motels must offer their guests the option to not have their linens and towels laundered daily and must prominently display this option in each guest room.
14. Water for irrigation of commercial landscapes, schools and parks shall be reduced by 35%.
15. Water deliveries for golf course irrigation shall be as follows:
  - a. Where raw water from CCWD is only source for irrigation, water deliveries will be reduced by 50% to allow for irrigation of greens and tees only.
  - b. Where both treated effluent and raw water from CCWD are used for irrigation, raw water deliveries will be reduced by 35%.
  - c. Where potable water from CCWD is only source for irrigation, water deliveries will be reduced by 50% to allow for irrigation of greens and tees only. If other existing sources are available for irrigation, such as groundwater, no potable water will be delivered for irrigation.
16. If available, treated effluent will be used for dust control as per state regulations (if a dust control permit is issued by the State).

17. No new irrigation meters will be approved.

18. Line flushing will not be performed, except when necessary to comply with state and federal public health and safety requirements for operation of permitted potable water systems.

19. CCWD customers must adhere to all other applicable water conservation requirements mandated by the State of California, including the Governor, the State Water Resources Control Board, and the State Legislature.

20. CCWD staff are authorized to investigate alleged violations of this Ordinance, to make determinations as to whether a violation has occurred, and to issue warning notices and administrative fines under this Ordinance.



Board of Directors: President Charles Robinson, Vice-President Sue Russ  
Director Ken Albertson, Director Larry Hoffman, Director Kent Lazarus  
(209) 785-0100 www.saddlecreekcsd.org

## *MEETING SUMMARY REPORT*

To: CSD Board of Directors  
From: General Manager Peter Kampa  
CC: Greg Hebard, Site Manager  
RE: Summary of 4-30-15 water meeting with CCWD

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As requested, the purpose of this memo is to brief the Board on the outcome of the important water meeting held between the CSD, CCWD, Golf Course and Castle & Cooke on April 30, 2015 at the CCWD office in San Andreas.

Meeting attendees were as follows:

CCWD: Bill Perley Operations Manager, Dave Eggerton GM, Joel Metzger PR

Castle & Cooke: Rick Morgan, Pat Smyth, Scott Thayer

CSD: Pete Kampa GM, Ralph McGeorge Superintendent

The tone of the meeting was very cooperative and cordial, and I believe there was good communication and understanding on the part of CCWD. The following primary topics were discussed and actions are listed at the end of this memo.

1. The State Water Board, Water Conservation Regulations
  - a. CCWD expects the regulations will be adopted requiring a 32% reduction in CCWD customer consumption. CCWD clarified that the state is only adopting mandatory reductions for treated water use, not untreated water or treated wastewater such as the golf course uses. CCWD is understandably proposing to adopt the same water use reduction percentages for raw water users, and there is NO restriction on the use of treated wastewater use.
  - b. The restriction requiring the elimination of turf medians was discussed and Mr. Perley appeared to be of the opinion that all turf grass in medians (between road lanes) and adjacent to the road were subject to the restriction. Kampa clarified that some of the grasses were planted on sloped areas to reduce erosion and are not ornamental turf requiring removal.
  - c. The high reduction percentage required of CCWD by the state will force higher levels of restrictions than last year. Violators could pay the cost of any fines charged to CCWD.
  - d. We briefly discussed some of the planned methods for compliance with the mandates including reduced golf course watering, eliminating the irrigation on some medians and reducing others to trees only, irrigation system upgrades and automation.
  - e. We requested the option for C&C, golf course and CSD water consumption to be treated as one connection for the purpose of compliance, therefore water saved in the medians could be used in the wetland ponds or for irrigating critical areas where we cannot yet make irrigation upgrades due to lack of funding. CCWD was receptive.

- f. CCWD relayed that the state is preparing guidelines for issuing subsidy funding for irrigation upgrades, turf buyback and other water conservation activities. We will work closely with CCWD to take full advantage of these subsidies if applicable.
- 0. Wetlands Operational concerns/filling ponds – Mr. Perley continued to state to the group that the CSD was NOT required to put water in the ponds during the summer. Kampa clarified that a specified water level is required by the permits and maintenance plan, and that we will try to determine the process for operating the pond with less water. We discussed possibly hiring a consultant (which would be at the expense of Castle & Cooke) to further clarify and interpret the water quality basin operational requirements, and to begin building the documentation required for formal relief from the Army Corps of Engineers.
- 0. CCWD confirmed that the current pump at Tulloch does not have the capacity to deliver adequate water to meet golf course irrigation and pond filling water demands. CCWD has ordered the pump and expects its delivery very soon. We once again conveyed our desire for this pump to be installed ASAP and before the heat of the summer as this was the same story given to us by CCWD last year.
- 1. NPDES permit rescission – CCWD has applied to the Regional Water Quality Control Board to eliminate the state permit which currently allows treated wastewater to be discharged into the wetland ponds and Little John Creek. CCWD is of the opinion that such discharges are no longer necessary due to the large amount of golf course irrigation (sprayfield) currently in place, the ongoing cost of the permit, and millions of dollars necessary to build a new wastewater treatment plant to meet the water quality requirements of the NPDES permit. We asked straight up if the permit is rescinded, does CCWD assure that a reliable water supply will be available at all times? CCWD responded in the affirmative, once the new pump is in place. Kampa made it clear that he is of the opinion that rescinding the NPDES permit eliminates one of our two sources of water for the wetlands, which will certainly affect supply reliability. Mr. Perley then clearly stated his understanding that the 2005 agreement executed among the parties prohibited the CSD from using treated wastewater in the wetlands, and “the CSD continues to violate that agreement and use the water”. Kampa stated that the CSD does not use the water. The CSD does not divert the water, or tell CCWD or the golf course which water it wants, lake of wastewater. Kampa stated that the CSD is only responsible to ensure that the golf course diverts enough water into the ponds to keep them at the required operating level. The golf course makes the decision on which water to divert and when. Kampa clarified that if the ponds are to be operated at a level lower than required by the Maintenance Plan, the golf course and C&C would take on all responsibility for any adverse action related to permit compliance.
- 2. Residential Water Conservation – Kampa informed the meeting that as a public agency, we are in a position to be of assistance to CCWD in providing information, education, water conservation workshops and other activities intended to help our community reduce its water consumption. Metzger is to contact Kampa for a sidebar discussion on the possibilities and attendees expressed appreciation.

## Action Items:

- A. CSD, Castle & Cooke and the Golf Course are to develop a community-wide water conservation plan; with the intent to aggregate the usage from all services of the entities (not individual residential lots) to come up with the most advantageous methods to reduce water consumption in the required amounts. A skeleton outline of such a plan is to be delivered to CCWD before May 13.
- B. Determine if the process used by Greenhorn Creek to reduce water delivered to their wetlands is applicable.
- C. Hire a consultant to perform a specified scope of work to determine if the wetland ponds can be operated at a lower water level, develop a map specifically showing the ponds with the mandatory water level requirements, and supporting documentation needed to support operation of the ponds at the lower level during this extreme drought.
- D. Generate a letter to CCWD thanking for the meeting, and stating specific agreements and any concerns, such as:
  - a. Finishing the installation of the new water pump at Tulloch at the earliest possible convenience
  - b. Restating the CCWD acknowledgement that they have assured us a reliable, adequate water supply will be delivered from Lake Tulloch in amounts adequate to meet irrigation and wetland pond filling requirements
  - c. Adopting regulations that provide CCWD flexibility to recognize water responsibilities and odd infrastructure such as ours and the golf course; allowing the aggregating of water demands and reductions in a community if possible and beneficial to the community.
  - d. Restate our offer to assist our community in water use reduction

# Saddle Creek Community Services District

## Regular Meeting of May 19, 2015

### AGENDA SUPPORTING DATA

#### 8. NEW BUSINESS

- a. Consideration of a Memorandum of Agreement with the Tuolumne County Resource Conservation District and/or Calaveras County Water District for water conservation program assistance such as customer outreach, education, scheduling workshops, coordinating residential water use evaluation services and facilitating community meetings.

#### **Background**

Saddle Creek community members will undoubtedly be struggling with the requirements to reduce water consumption by 35% and with very little effort on the part of the CSD, it may be possible for us to help facilitate some solutions delivered locally to our residents. I have had preliminary discussions with both CCWD and the Tuolumne County Resource Conservation District (TCRCD) regarding a formal role for the CSD in delivering local water conservation solutions; and both entities were appreciative of the offer and opportunity to work together during this terrible drought.

The purpose of this agenda item is to discuss the level at which the District is interested in becoming involved in the water conservation effort, and seek direction in the development of memorandum of agreement which will more clearly detail our role.

#### **Recommendation**

Discuss the District's role in local water conservation activities and direct the General Manager to develop a memorandum of Understanding for presentation to CCWD and the TCRCD.