



309 Campus Drive, Arvin, CA 93203

(*) REGULAR MEETING AGENDA OF THE REGULAR MEETING OF ARVIN COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

Monday, October 4, 2021 6:00 P.M.

Zoom Meeting Online:

https://us02web.zoom.us/j/9808042989?pwd=bFRha25tL0NlY3lFb1dDbUo3dUtrQT09

Meeting ID: 980 804 2989

Passcode: 9Ap9yf

Zoom Meeting by Phone

One tap mobile:

+1 (669) 900-6833

Dial by your location

+1 (669) 900-6833

Meeting ID: 980 804 2989

Passcode: 134912

Call Meeting to Order

Board President Alvarez

Roll Call:

- Maria Alvarez President
Aurelio Reyna Vice President
Rafael Gallardo Board Director
Cynthia Moran Board Director
Maria Pantoja Board Director

Staff

- Raul Barraza, Jr. General Manager
Alan Peake District Counsel
Dee Jaspar District Engineer

This meeting is held in accordance with the Brown Act. Individuals may address the Board on any matter listed on this agenda, excluding closed session. Members of the public desiring to address the Board must request recognition from the Board President. Presentation by members of the public is limited to two minutes each per agenda item.

Flag Salute: Board and audience salute flag.

1. Public Comment

This portion of the meeting is set aside for members of the public to address any matter not on this agenda and over which the Board has jurisdiction. Comments are limited to 2 minutes for each person and 15 minutes on each subject.

2. Consent Calendar

The Consent Calendar consists of items that in staff's opinion are routine and non-controversial. These items are approved in one motion unless a Board Member or member of the public removes a particular item.

a. Approval of Regular Meeting Minutes for September 20, 2021

b. Accounts Payable for September 2021

Motion: _____

Director _____, seconded Director _____

Roll Call: BD Gallardo ___ BD Moran ___ BD Pantoja ___ VP Reyna ___ BP Alvarez ___

3. Board to discuss and take possible action re: Approval of the Arvin CSD's Water Shortage Contingency Plan 2020

Motion: _____

Director _____, seconded Director _____

Roll Call: BD Gallardo ___ BD Moran ___ BD Pantoja ___ VP Reyna ___ BP Alvarez ___

4. Introduction and First Reading of An Ordinance of the Arvin Community Services District Adopting a Drought Response Conservation Program

Motion: _____

Director _____, seconded Director _____

Roll Call: BD Gallardo ___ BD Moran ___ BD Pantoja ___ VP Reyna ___ BP Alvarez ___

5. Board to discuss and take possible action re: Approving request to apply for funds from the COVID-19 Fiscal Relief for Special Districts

Motion: _____

Director _____, seconded Director _____

Roll Call: BD Gallardo ___ BD Moran ___ BD Pantoja ___ VP Reyna ___ BP Alvarez ___

6. Board to discuss and take action re: Letter of Support for Arvin-Edison Water Storage District's Application for USBR Water SMART Drought Response Program NOFO R22AS00020- DiGiorgio Unit Drought Resiliency Pipeline Project

Motion: _____

Director _____, seconded Director _____

Roll Call: BD Gallardo ___ BD Moran ___ BD Pantoja ___ VP Reyna ___ BP Alvarez ___

7. Board to discuss and take action re: Meeting with EPA related to the Arsenic Mitigation Project Phase II Completion

Motion: _____

Director _____, seconded Director _____

Roll Call: BD Gallardo ___ BD Moran ___ BD Pantoja ___ VP Reyna ___ BP Alvarez ___

8. Board to discuss and take possible action re: COVID 19 Prevention Plan

Motion: _____

Director _____, seconded Director _____

Roll Call: BD Gallardo ___ BD Moran ___ BD Pantoja ___ VP Reyna ___ BP Alvarez ___

9. Staff Comments:

- a. General Manager
- b. Legal Counsel
- c. District Engineer

10. Board Member Comments:

This portion of the meeting is set aside to provide the Board with an opportunity to bring any new matters to the attention of the District. However, while no action can be taken on any matter discussed during this portion of the meeting, a Board Member may request that a subject be placed on an upcoming agenda. This portion of the meeting also allows the Board to get a brief update on any matter addressed at a previous meeting.

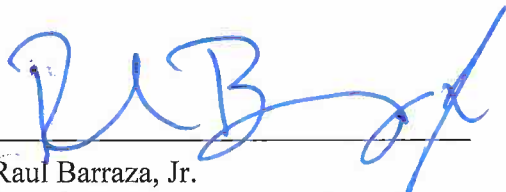
- a. Director Gallardo
- b. Director Moran
- c. Director Pantoja
- d. Vice President Reyna
- e. President Alvarez

11. Adjournment:

Director _____, seconded Director _____

Roll Call: BD Gallardo __ BD Moran __ BD Pantoja __ VP Reyna __ BP Alvarez __

I hereby certify under perjury under the laws of the State of California that the foregoing agenda was posted on the Arvin Community Services office window and website not less than 72 hours prior to the meeting dated October 4, 2021.



Raul Barraza, Jr.
Board Secretary/General Manager

AMERICANS with DISABILITIES ACT: In compliance with the ADA, if you need special assistance to participate in a District meeting or other services offered by the District, please contact the District Board Secretary's office (661) 854-2127. Notification of at least 24 hours prior to the meeting or time when services are needed will assist the District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or services.

() Some or all board members might attend electronically.*



MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS
ARVIN COMMUNITY SERVICES DISTRICT
September 20, 2021

The Board of Directors of the Arvin Community Services District duly met at a Regular Board Meeting held on Monday, September 20, 2021, at 6:00 p.m. at 309 Campus Dr., Arvin, CA 93203.

The meeting was called to order by President Alvarez at 6:01 PM

Directors Present: Alvarez, Reyna, Gallardo, Moran, Pantoja

Others Present: General Manager/Board Secretary- Raul Barraza, Jr.; Legal Counsel- Alan Peake; District Engineer Dee Jasparr.

Pledge of allegiance: The Pledge was led by President Alvarez.

Agenda Item #1 Public Comment

No public comment.

Agenda Item #2.: Consent Calendar

a. **Approval of Regular Minutes for August 16, 2021**

b. **Accounts Payable for August/September 2021**

After reviewing and discussing (2.a.) and (item 2.b.) a motion was made by Director Gallardo to approve the consent calendar items 2.a. and 2.b. Motion was seconded by Director Moran.

AYES: Gallardo, Moran, Pantoja, Reyna, Alvarez

Agenda Item #3: Board to discuss and take possible action re: Resolution 04-2021: Declaring Certain Parcels of Land Owned by the Arvin Community Services District as either Surplus Land or Exempt Surplus Land

General Manager introduced Resolution 04-2021 which will allow the District to formally declare certain Arvin CSD properties as surplus land. The District most recently completed the abandonment of the old well sites and has no future use for those parcels listed in Exhibit 1. After a few questions regarding the process from the board of directors, a motion was made by Vice President Reyna and seconded by Director Pantoja to approve Resolution 04-2021.

AYES: Gallardo, Moran, Pantoja, Reyna, Alvarez

Agenda Item #4: Public hearing and Possible Adoption of District's Urban Water Management Plan 2020

Public Hearing was opened by President Alvarez at 6:10 PM. The General Manger introduced the UWMP 2020 which staff would be updating from the UWMP 2015. The District Engineer summarized the plan for the directors in a presentation which outlined the goal for each chapter. After a few questions from the board regarding water pumped, how the 2020 data compared to 2015 data, and how we are planning for future droughts. Public Hearing was closed at 6:43 PM. A motion was made by Vice President Reyna and seconded by Director Pantoja to approve the UWMP 2020.

AYES: Gallardo, Moran, Pantoja, Reyna, Alvarez

Agenda Item #5: Board to discuss and take possible action re: Approval of the Arvin CSD's Water Shortage Contingency Plan 2020

General Manager informed the board of directors that this item was being tabled to for the Engineer to complete and fix some of differences with Arvin CSD's Drought Contingency plan, as they need to align.



Agenda Item #6: Board to discuss and take action re: Meeting with EPA related to the Arsenic Mitigation Project Phase II Completion

General Manager is waiting to hear back from EPA officers for a confirmation of their date and time visit. So far, the date they have chosen to visit is Tuesday, October 12th at 5:30 PM at Blend Tank Site. The plan is to have a couple of drawings from the project, a tent, some chairs, and a podium with a microphone and speakers. Should receive final confirmation for the last week of September. No action required at this time.

Agenda Item #7: Board to discuss and take possible action re: Approval of Resolution 05-2021 to continue to have board meetings held by teleconference due to ongoing State of Emergency related to COVID-19.

General Manager and Legal Counsel presented resolution to the Board of Directors to have them decide if they would like to continue the board meetings to be held by teleconference due to the State of Emergency related to COVID-19. All of the Board Directors discussed the health concerns associated with COVID-19 and its most recent Delta strain. The directors felt that the board meetings have been operating well and would like to continue them over teleconferencing to minimize risk concerns due to the small size of the conference board room. A motion was made by Vice President Reyna to approve Resolution 05-2021 and seconded by Director Pantoja.

AYES: Gallardo, Moran, Pantoja, Reyna, Alvarez

Agenda Item #8: Board to discuss and take possible action re: COVID-19 Prevention Plan

General Manager stated that he would like to continue having the office close at 4:00 PM until COVID infection numbers decrease and staff finds it safe to reopen full time office hours. Online transactions have minimized the amount of foot traffic in the office by 1,200 customers so far for the month of September. No action required.

Agenda Item #9: Staff Comments

General Manger: No comments.

Legal Counsel: No comments.

District Engineer: Well No. 18 is having casing set. Looks like average arsenic is about 4.5ppb and it will produce about 1500gpm from 730ft to 880ft in depth.

Agenda Item #10: Board Member Comments:

- a. **Director Gallardo:** No comments.
- b. **Director Moran:** No comments.
- c. **Director Pantoja:** No comments.
- d. **Vice President Reyna:** No comments.
- e. **President Alvarez:** No comments

Item #11: Adjournment

Motion was made by Vice President Reyna and seconded by Director Moran to adjourn meeting at 7:07 p.m.

AYES: Gallardo, Moran, Pantoja, Reyna, Alvarez

Submitted by:

Attest:

Raul Barraza, Jr.

Maria M. Alvarez

Raul Barraza, Jr.
Board Secretary/General Manager

Maria M. Alvarez
Board President

Report Criteria:

Summary report type printed

Check Number	Check Issue Date	Name	Invoice Number	Description	Seq	Invoice Date	Invoice Amount	Check Amount
0	10/01/2021	ARAMARK	5030000374	Uniforms/Laundry	1	09/15/2021	344.10	344.10
0	10/01/2021		5030003648	Uniforms/Laundry	1	09/01/2021	190.10	190.10
0	10/01/2021		5030003694	Uniforms/Laundry	1	09/08/2021	235.94	235.94
0	10/01/2021		5030003789	Uniforms/Laundry	1	09/22/2021	227.88	227.88
0	10/01/2021		5030003835	Uniforms/Laundry	1	09/29/2021	227.88	227.88
27349	09/23/2021	Argo Chemical	2109110	hypochlorite solution	1	09/14/2021	5,043.67	5,043.67
27350	09/23/2021	AT&T Cell Phone	2872468381	Telephone expenses	1	09/09/2021	615.00	615.00
0	10/01/2021	BC Laboratories Inc	B427331	Water Samples	1	09/01/2021	80.00	80.00
0	10/01/2021		B427473	Water Samples	1	09/01/2021	11.00	11.00
0	10/01/2021		B427611	Water Samples	1	09/03/2021	48.00	48.00
0	10/01/2021		B427612	Water Samples	1	09/03/2021	24.00	24.00
0	10/01/2021		B427866	Water Samples	1	09/09/2021	450.00	450.00
0	10/01/2021		B428187	Water Samples	1	09/13/2021	11.00	11.00
0	10/01/2021		B428188	Water Samples	1	09/13/2021	80.00	80.00
0	10/01/2021		B428240	Water Samples	1	09/13/2021	150.00	150.00
0	10/01/2021		B428308	Water Samples	1	09/14/2021	30.00	30.00
0	10/01/2021		B428609	Water Samples	1	09/16/2021	55.00	55.00
0	10/01/2021		B429017	Water Samples	1	09/16/2021	24.00	24.00
0	10/01/2021	Bright House Networks - 3	9/20/21-10/1	Telephone Expense	1	09/21/2021	389.90	389.90
0	10/01/2021	Bright House Networks - 8	09/23/21-10/	Telephone Expense	1	09/25/2021	212.95	212.95
27324	09/20/2021	Construction Laborers Trus	109556-06/0	Shortage	3	09/10/2021	2,752.12	2,752.12
27351	09/23/2021	Corbin Willits-Momsoftware	000C109151	CORBIN WILLITS - MOMS	1	09/15/2021	286.96	286.96
27352	09/23/2021	Core & Main LP	P577530	SHOP MATERIALS	1	09/15/2021	1,708.13	1,708.13
27352	09/23/2021		P583878	SHOP MATERIALS	1	09/15/2021	759.57	759.57
27352	09/23/2021		P593255	SHOP MATERIALS	1	09/15/2021	171.60	171.60
0	10/01/2021		P643843	SHOP MATERIALS	1	09/24/2021	669.67	669.67
0	10/01/2021		P659323	SHOP MATERIALS	1	09/24/2021	262.76	262.76
0	10/01/2021	CS & Associates Inc.	P2AM-20191	CS& ASSOCIATES INC.	1	09/24/2021	1,400.00	1,400.00
27353	09/23/2021	Dee Jaspar And Associates	21-08004	ARSENIC MITIGATION PH	1	08/30/2021	17,751.65	17,751.65
2936	09/22/2021	DEPOSIT REFUND	12616002	DEPOSIT REFUND	1	09/20/2021	125.00	125.00
Multiple	09/23/2021		4422002	Deposit Refund	3	09/07/2021	70.55	70.55
27354	09/23/2021	First Net Built with AT&T	2872996699	Account no 287299669936	1	09/02/2021	5,276.43	5,276.43
0	10/01/2021	GREAT AMERICA FINANC	30186932	Computer Services & Soft	1	09/28/2021	463.10	463.10
27355	09/23/2021	MCMOR Water Services C	20049	MCMOR- WATER SERVIC	1	09/20/2021	480.00	480.00
27356	09/23/2021	Nunes & Nunes CPA Inc.	23842	NUNES & NUNES	1	08/31/2021	4,976.00	4,976.00
27357	09/23/2021	Pacific Tire Services # 18	29145	Tire REPAIR, SENSOR VA	1	09/23/2021	391.24	391.24
27358	09/23/2021	PG&E 0020431397-7 WEL	08/11/21-09/0	0020431397-7 Well no. 10	2	09/10/2021	12,910.59	12,910.59
27359	09/23/2021	PG&E 0781810924-6 well	08/11/21-09/0	0781810924-6 Well 16	1	09/10/2021	24,205.32	24,205.32
0	10/01/2021	PG&E 2395215405-4 847	08/24/21-09/	Utilities	1	09/23/2021	257.56	257.56
0	10/01/2021	PG&E 2529028868-4 WEL	08/25/21-09/	Pumping-Power	1	09/24/2021	15,145.72	15,145.72
27360	09/23/2021	PG&E 3569445887-4 BOO	08/13/21-09/	3569445887-4 Booster Sta	1	09/14/2021	778.25	778.25
27361	09/23/2021	PG&E 4472256989-2 847	08/14/21-09/	4472256989-2 S.DERBY LI	1	09/14/2021	12.90	12.90
0	10/01/2021	PG&E 7360971179-8 WEL	08/11/21-09/0	Pumping-Power	1	09/18/2021	28,680.70	28,680.70
27362	09/23/2021	PG&E 9098150642-2 well	08/11/21-09/0	9098150642-2 Well no 17	1	09/10/2021	21,874.83	21,874.83
27363	09/23/2021	PG&E 9892684436-0 309	08/13/21-09/	9892684436-0 309 Campu	1	09/14/2021	718.20	718.20
0	10/01/2021	Rabobank Visa Card/Mech	08/03/2021 -	R. Barraza: (08/03/21 - 09/	3	09/01/2021	990.82	990.82
0	10/01/2021	Rain For Rent	1654882	RAIN FOR RENT	1	09/21/2021	15,233.77	15,233.77
27364	09/23/2021	Spectrum Enterprise	1098562010	109856201	1	09/14/2021	604.00	604.00
0	10/01/2021	Stinson's	126641-0	STINSON'S OFFICE ORD	1	09/27/2021	246.39	246.39
0	10/01/2021	Streamline	E2A4A25C-0	Account no 406301950588	1	10/01/2021	200.00	200.00
Grand Totals:							167,854.25	167,854.25

**ARVIN COMMUNITY SERVICES DISTRICT
ARVIN, CA**

**2020
WATER SHORTAGE CONTINGENCY PLAN**



Prepared By:

Arvin Community Services District
309 Campus Drive
Arvin, Ca 93203
(661) 854-2127

Dee Jaspar & Associates, Inc.
2730 Unicorn Road #A
Bakersfield, CA 93308
(661) 393-4796

WATER SHORTAGE CONTINGENCY PLAN

1.1 THE PLAN

This Water Shortage Contingency Plan addresses the Arvin Community Services District's (District) policy to reduce water consumption in the community of Arvin during a drought emergency. The District is 100% metered.

The Arvin Community Services District has not experienced a severe water supply shortfall due to a drought in its 63 years of existence because the groundwater resource underlying the District has remained stable as a result of importation of surface water by AEWS. Therefore the District has been able to pump 100% of its water demand in years of drought. An extended drought increases the possibility that the District will have to lower its pumps. However, the supply would remain relatively stable. The District has seven wells, with combined capacity of 7,000 gpm. The eighth well will add another estimated 1,000 gpm to this total in 2022. Currently the wells can deliver 1.5 times the amount of water that is delivered on the maximum day. Booster pumps at the two tank sites add an additional 5,000 gpm of pumping capacity to meet peak hour demands. Emergency generators are stationed at three of the newer wells. The system has capacity to meet water demands.

The issue herein is the ability of the District to meet demands during an extended period of drought. Records of water levels since 1966 show that the AEWS program of groundwater management that was implemented at that time has been effective in stabilizing groundwater levels. The physical risk of an extended drought would be lowering groundwater levels that would reduce the well production somewhat and could possibly effect water quality. However, a majority of the wells (five out of seven) are either brand new or very young. They are deep and have plenty of penetration into the water bearing zones in the underlying aquifer.

The issue of water quality effects is being studied. This will continue over the next five to ten years and will allow the District to better plan for these effects.

The following is the District's plans to deal with a water shortage in the event of simultaneous dry years and for dealing with a catastrophic event such as the effects of an earthquake

1.2 STAGES OF ACTION

The Plan calls for five stages of action to take place in the event that the State of California and/or the local agency, declares a drought emergency requiring certain levels of water conservation. While the District's water supply will remain relatively constant because

of the availability of ground water, the District is committed to the following water conservation action levels in order to preserve the groundwater resource for the community and its neighbors who also rely on groundwater. The District encourages water conservation as a general practice and views the following actions as steps to be taken in the event of an unusually series of dry years that requires water conservation activities to be implemented over and above the normal water conservation activities.

The District’s appended Ordinance titled Drought Response Conservation Program Ordinance lists in detail the four stages of action that will be implemented in a drought emergency situation. Hereon is listed the five general categories of action and the water conservation goal of each stage. Each successive stage implements the conditions of the previous stage(s) so that the effect is accumulative as the Plan progresses through the stages. Four stages were established in 2015 and these stages are considered valid today. However, they only consider up to a 50% supply shortage. Therefore a fifth stage has been added that considers a supply reduction of greater than 50%.

The following tables are from the District’s 2020 Urban Water Management Plan (UWMP) and are herein titled with table numbers applicable to this document (Tables 1-A, 1-B, etc.). However, the following tables contained herein that are subtitled as “Tables 8” with a suffix, are from the DWR UWMP submittal tables and their titles cannot be changed.

Table 1-A
Stages of Supply Reduction

Stages of Water Shortage Contingency Plan		
Stage	Maximum Percent Supply Reduction	Water Supply Condition
1	10%	Voluntary. Drought Watch. Based on Requirements established by the State or the local agency.
2	25%	Mandatory. Drought Alert. Second year of a drought. Based on State or local agency determination of required reduction.
3	40%	Mandatory. Drought Critical. Third year of a drought. Based on State or local agency determination of required reduction.
4	50%	Mandatory. Drought Emergency. Fourth year of a drought. Based on State or local agency determination of required reduction.
5	> 50%	Mandatory. Extreme Drought Emergency. Fifth year of a drought. Based on State or local agency determination of required reduction.

The plan includes fines for continued violation of the conservation measures, requires that all leaks be repaired in an expeditious manner, restricts filling or re-filling of ornamental ponds, restricts vehicle washing, implements penalties for excessive water use, and at the option of the District’s Board of Directors, places a moratorium on new water services.

The following Table 1-B (Submittal Table 8-1) shows the corresponding Stages applied to Shortage Levels. There is a fair degree of overlap in Table 1-A Stage 3, and Shortage Levels 3 and 4 in Table 1-B (UWMP Table 8-1) below.

Table 1-B
Water Shortage Contingency Plan Levels

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions <i>(Narrative description)</i>
1	Up to 10%	Voluntary. Drought Watch. Based on Requirements established by the State or the local agency.
2	Up to 20%	Mandatory. Drought Alert. Second year of a drought. Based on State or local agency determination of required reduction.
3	Up to 30%	Mandatory. Drought Critical. Third year of a drought. Based on State or local agency determination of required reduction.
4	Up to 40%	Mandatory. Drought Critical. Third year of a drought. Based on State or local agency determination of required reduction.
5	Up to 50%	Mandatory. Drought Emergency. Fourth year of a drought. Based on State or local agency determination of required reduction.
6	>50%	Mandatory. Extreme Drought Emergency. Fifth year of a drought. Based on State or local agency determination of required reduction.
NOTES: Shortage range and level to be determined by local authorities.		

The following Table 1-C (Submittal Table 8-2) is a description of the actions to be taken at the various Shortage Levels.

**Table 1-C
Demand Reduction Actions**

Submittal Table 8-2: Demand Reduction Actions				
Shortage Level	Demand Reduction Actions <i>Drop down list</i> <i>These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>	Penalty, Charge, or Other Enforcement? <i>For Retail Suppliers Only</i> <i>Drop Down List</i>
<i>Add additional rows as needed</i>				
1	Expand Public Information Campaign	5-10%		No
	Increase Water Waste Patrols	5-10%		No
2	Other - Prohibit use of potable water for washing hard surfaces	10-20%		No
	Landscape - Restrict or prohibit runoff from landscape irrigation	10-20%		No
	Landscape - Limit landscape irrigation to specific times	10-20%		No
	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	10-20%		No
	Offer Water Use Surveys	10-20%		No
3	Landscape - Limit landscape irrigation to specific days	20-30%	Limit landscape irrigation to every other day	No
	Water Features - Restrict water use for decorative water features, such as fountains	20-30%		No
	Other - Require automatic shut of hoses	20-30%		No
	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	20-30%		No
4	CII - Restaurants may only serve water upon request	30-40%		Yes
	Landscape - Limit landscape irrigation to specific days	30-40%	Restrict to three days a week	Yes
	Decrease Line Flushing	30-40%		Yes
5	Landscape - Limit landscape irrigation to specific times	40-50%	Restrict to two days a week	Yes
	Moratorium or Net Zero Demand Increase on New Connections	40-50%	Xeriscape required	Yes
	Landscape - Prohibit certain types of landscape irrigation	40-50%	Hoses with automatic shutoffs or buckets used to irrigate	Yes
6	Landscape - Other landscape restriction or prohibition	>50%	Move livestock off property	Yes
	Moratorium or Net Zero Demand Increase on New Connections	>50%	Housing moratorium	Yes
	Moratorium or Net Zero Demand Increase on New Connections	>50%	No annexations to district	Yes
NOTES:				

The following Table 1-D (Submittal Table 8-3) addresses Supply Augmentation Actions that may be taken by water suppliers who have access to neighboring suppliers or have another means of augmenting their water supply. Unfortunately, the District is isolated, about 30 miles from the nearest major municipal supplier, and does not have a surface water supply or treatment plant. There are no opportunities for transfers, exchanges, purchases, rain seeding, nor are there stored emergency supplies other than the District’s 1.5 million gallons of storage.

Table 1-D
Supply Augmentation and Other Actions

Submittal Table 8-3: Supply Augmentation and Other Actions			
Shortage Level	Supply Augmentation Methods and Other Actions by Water Supplier <i>Drop down list</i> <i>These are the only categories that will be accepted by the WUdata online submittal tool</i>	How much is this going to reduce the shortage gap? <i>Include units used (volume type or percentage)</i>	Additional Explanation or Reference <i>(optional)</i>
<i>Add additional rows as needed</i>			
There are not many opportunities to augment the District's supply other than to have enough back up capacity in wells (which the District has). Hauling in water in certified trucks and providing bottled water would be the temporary actions that could be taken. If a catastrophic event were to occur, use of irrigation wells in the vicinity, if tested for acceptable water quality, & approved by the State.			

See Section 1.4.1 below.

The following sections deal with the Impacts on Revenue and Expenses, a Catastrophic Supply Interruption.

1.3 IMPACTS ON REVENUE AND EXPENDITURES

TABLE 1-E
Impacts on Revenue with Implementation of Water Shortage Contingency Plan
Revenue Impacts Based on Water Delivery Reductions

Planned Reduction	Budgeted Revenue	Reduced Revenue	Reduction
0%	\$3,395,645	\$3,395,645	\$0
10%	\$3,395,645	\$3,242,841	\$152,804
25%	\$3,395,645	\$2,899,032	\$496,613
40%	\$3,395,645	\$2,486,461	\$909,184
50%	\$3,395,645	\$2,177,033	\$1,218,612

Discussion

The District will work to reduce power costs by encouraging water use in off peak periods of the day. Power costs will be reduced due to reduced water deliveries. The District will look for opportunities for cost savings by deferring certain maintenance items that can be temporarily deferred with little impact on District operations. District's operations will be streamlined to the extent that it can be while maintaining the integrity of the system.

The above revenue and expenditure impacts are anticipated for each of the Water Reduction Stages in the Water Shortage Contingency Plan. The District conducted a Proposition 218 Rate Study with the intent of increasing water rates to the level that will provide the required amounts of income to balance the District's expenses. This was done in 2016 and rates have been adjusted in accordance with the results of the Rate Study. This has placed the District on firm financial ground.

1.4 CATASTROPHIC SUPPLY INTERRUPTION

1.4.1 Action to Be Undertaken for a Catastrophic Interruption of Water Supplies

The following actions are planned to be implemented in the event of a catastrophic event. The District is preparing an emergency action plan which includes telephone numbers of key personnel, number for emergency responders, a plan for assessing system status and reactivating the system as quickly as possible, and a plan prioritizing the actions that need to be taken during and shortly after an emergency.

- Assess the status of water system / Reactivate as quickly as possible
 - Issue a "Boil Water" notice
 - Isolate broken mains / repair system pipe breaks
 - Assess the condition of water production facilities / repair as necessary / reactivate as quickly as possible / provide water for fire protection / implement emergency system disinfection
 - Utilize District's portable power generators as necessary
- Provide bottled water as necessary
- Contact irrigation well owners in the vicinity of the district and arrange to have the well water tested to domestic water quality standards. Arrange to utilize the well on a temporary basis if the water quality meets domestic water quality standards. Receive authorization from the Department of Drinking Water to utilize the well on an emergency basis.

**ARVIN COMMUNITY SERVICES DISTRICT
ARVIN, CA**

2020 WATER SHORTAGE CONTINGENCY PLAN

APPENDIX

ORDINANCE NO. XX DROUGHT RESPONSE CONSERVATION PROGRAM
WATER CONSERVATION NOTICE

ORDINANCE NO. _____

**AN ORDINANCE OF THE ARVIN COMMUNITY SERVICES
DISTRICT ADOPTING A DROUGHT RESPONSE
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. authorize water suppliers to adopt and enforce a comprehensive water conservation program; and

WHEREAS, adoption and enforcement of a comprehensive water conservation program will allow the District to delay or avoid declaring a water shortage emergency as authorized by California Water Code sections 350 et seq.; and

WHEREAS, the District has adopted a Water Shortage Contingency Plan, which establishes a progressive program for responding to water supply limitations resulting from drought conditions. This Ordinance is intended to be consistent with and to implement the Water Shortage Contingency Plan; and

WHEREAS, the Water Shortage Contingency Plan contains five stages containing actions to be taken to lessen or avoid supply shortages. This Ordinance contains drought response stages that correspond with the Water Shortage Contingency Plan stages; and

WHEREAS the water conservation measures and progressive restrictions on water use and method of use identified by this Ordinance provide certainty to water users and enable the District to control water use, provide water supplies, and plan and implement water management measures in a fair and orderly manner for the benefit of the public.

NOW, THEREFORE, the Board of Directors of Arvin Community Services District does ordain as follows:

SECTION 1.0 DECLARATION OF NECESSITY AND INTENT

(a) This Ordinance establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water, prevent unreasonable method of use of water within the District in order to assure adequate supplies of water to meet the needs of the public, and further the public health, safety, and welfare, recognizing that water is a scarce natural resource that requires careful management not only in times of drought, but at all times.

(b) This Ordinance establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes five stages 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.

(c) Stage 1 condition drought response measures are voluntary and will be reinforced through local public education and awareness measures that may be funded in part by District. During drought response condition Stages 2 through 5, all conservation measures and water-use restrictions are mandatory and become increasingly restrictive in order to attain escalating conservation goals.

(d) During a Drought Response Stage 2 condition or higher, the water conservation measures and water use restrictions established by this Ordinance are mandatory and violations are subject to criminal, civil, and administrative penalties and remedies specified in this Ordinance.

SECTION 2.0 DEFINITIONS

(a) The following words and phrases whenever used in this chapter shall have the meaning defined in this section:

1. “Grower” refers to those engaged in the growing or raising, in conformity with recognized practices of husbandry, for the purpose of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural or floricultural products, and produced: (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market.

2. “District” means the Arvin Community Services District.

3. “WSCP” means the District’s Water Shortage Contingency Plan in existence on the effective date of this Ordinance and as readopted or amended from time to time, or an equivalent plan of the District to manage or allocate supplies during shortages.

4. “Person” means any natural person, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, or any other user of water provided by the District.

SECTION 3.0 APPLICATION

(a) The provisions of this Ordinance apply to any person in the use of any water provided by the District.

(b) This Ordinance is intended solely to further the conservation of water. It is not intended to implement any provision of federal, State, or local statutes, ordinances, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on any stormwater ordinances and stormwater management plans.

(c) Nothing in this Ordinance is intended to affect or limit the ability of the District to declare and respond to an emergency, including an emergency that affects the ability of the District to supply water.

(d) The provisions of this Ordinance do not apply to use of water from private wells or to recycled water.

SECTION 4.0 DROUGHT RESPONSE STAGE 1 – DROUGHT WATCH CONDITION

(a) A Drought Response Stage 1 condition is also referred to as a “Drought Watch” condition. A Stage 1 condition applies when due to drought or other supply reductions, there is a reasonable probability there will be supply shortages and that a consumer demand reduction of up to 10 percent is required in order to ensure that sufficient supplies will be available to meet anticipated demands. The District’s Board of Directors shall declare the existence of a Drought Response Stage 1 and take action to implement the Stage 1 conservation practices identified in this Ordinance.

(b) During a Stage 1 Drought Watch condition, District will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the following water conservation practices. [The same water conservation practices become mandatory if the District’s Board of Directors declares a Stage 2 Drought Alert condition]:

1. Stop washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, roadways, or patios, except when it is necessary to alleviate safety or sanitation hazards.

2. Stop watering unpaved drive approaches, driveways and sidewalks, except when it is necessary to alleviate safety or sanitation hazards.

3. 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, private and public walkways, patios, lots, hardscapes, roadways, or structures.

4. Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only.

5. 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.

6. 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.

7. Use re-circulated water to operate ornamental fountains.

8. 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 (over 95 degrees) when additional water is required due to evaporation.

9. Serve and refill water in restaurants and other food service establishments only upon request.

10. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.

11. Repair all water leaks within seventy two (72) hours of notification by the District unless other arrangements are made with the General Manager.

12. Use recycled or non-potable water for construction purposes when available.

(c) During a Drought Response Stage 2 condition or higher, the conservation practices established in a Drought Response Stage 1 condition become mandatory.

**SECTION 5.0 DROUGHT RESPONSE STAGE 2 – DROUGHT ALERT
CONDITION**

(a) A Drought Response Stage 2 condition is also referred to as a “Drought Alert” condition. A Stage 2 condition applies when caused by drought or other reduction in supplies, a consumer demand reduction of up to 25 percent is required in order to have sufficient supplies available to meet anticipated demands. The District’s Board of Directors shall declare the existence of a Drought Response Stage 2 condition and implement the mandatory Stage 2 conservation measures identified in this Ordinance.

(b) All persons using District water shall comply with Stage 1 Drought Watch water conservation practices during a Stage 2 Drought Alert, and shall also comply with the following additional conservation measures:

1. Limit residential and commercial landscape irrigation to no more than the assigned days per week on a schedule established by the District’s Board of Directors and posted by the District.
2. Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per assigned 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.
3. 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.
4. Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager.
5. Stop operating ornamental fountains or similar decorative water features unless recirculated water is used.

**SECTION 6.0 DROUGHT RESPONSE STAGE 3 – DROUGHT CRITICAL
CONDITION**

(a) A Drought Response Stage 3 condition is also referred to as a “Drought Critical” condition. A Stage 3 condition applies when the District notifies its member agencies that due to increasing cutbacks caused by drought or other reduction of supplies, a consumer demand reduction of up to 40 percent is required in order to have sufficient supplies available to meet anticipated demands. The District’s Board of Directors shall declare the existence of a Drought Response Stage 3 condition and implement the Stage 3 conservation measures identified in this Ordinance.

(b) All persons using District water shall comply with Stage 1 Drought Watch and Stage 2 Drought Alert water conservation practices during a Stage 3 Drought Critical condition and shall also comply with the following additional mandatory conservation measures:

1. Limit residential and commercial landscape irrigation to no more than three (3) assigned days per week on a schedule established by the District's Board of Directors and posted by the District. During the months of December through April, landscape irrigation is limited to no more than twice per week on a schedule established by the District's Board of Directors and posted by the District. This section shall not apply to commercial growers or nurseries.
2. 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.
3. 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 stage under this Ordinance.
4. Stop washing vehicles except at commercial carwashes that recirculate water, or by high pressure/low volume wash systems.
5. Repair all leaks within forty eight (48) hours of notification by the District unless other arrangements are made with the General Manager.

(c) The District may establish a water allocation for property served by the District using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the District establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the District, any person that uses water in excess of the allocation shall be subject to a penalty in an amount established by Resolution for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of this Ordinance.

**SECTION 7.0 DROUGHT RESPONSE STAGE 4 – DROUGHT
EMERGENCY CONDITION**

(a) A Drought Response Stage 4 condition is also referred to as a “Drought Emergency” condition. A Stage 4 condition applies when the District’s Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 which requires a demand reduction of up to 50 percent in order for the District to have maximum supplies available to meet anticipated demands. The District shall declare a Drought Emergency in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with conservation measures required during Stage 1 Drought Watch, Stage 2 Drought Alert, and Stage 3 Drought Critical conditions and shall also comply with the following additional mandatory conservation measures:

1. 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 District has determined that recycled water is available and may be lawfully applied to the use.

A. 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;

B. 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;

C. Maintenance of existing landscaping for erosion control;

D. Maintenance of plant materials identified to be rare or essential to the well being of rare animals;

E. 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);

F. Watering of livestock; and

G. Public works projects and actively irrigated environmental mitigation projects.

2. Repair all water leaks within twenty-four (24) hours of notification by the District unless other arrangements are made with the General Manager.

(c) Upon the declaration of a Drought Response Stage 4 condition, 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:

1. A valid, unexpired building permit has been issued for the project;
or

2. The project is necessary to protect the public's health, safety, and welfare; or

3. 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 District

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.

SECTION 8.0 DROUGHT RESPONSE STAGE 5 – EXTREME DROUGHT EMERGENCY CONDITON

(a) A Drought Response Stage 5 condition is also referred to as a “Extreme Drought Emergency” condition. A Stage 5 condition applies when the District’s Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 which requires a demand reduction of more than 50 percent in order for the District to have maximum supplies available to meet anticipated demands. The District shall declare a Drought Emergency in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with conservation measures required during Stage 1 Drought Watch, Stage 2 Drought Alert, and Stage 3 Drought Critical conditions Stage 4 Drought Emergency conditions and shall also comply with the following additional mandatory conservation measures:

1. Upon the declaration of Drought Response Stage 5 condition, the District will suspend consideration of annexations to its service area.

2. The District may establish a water allocation for property served by the District using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the District establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the District, any person that uses water in excess of the allocation shall be subject to a penalty in an amount established by Resolution for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of this Ordinance.

SECTION 9.0 CORRELATIONS BETWEEN DROUGHT MANAGEMENT PLAN AND DROUGHT RESPONSE STAGE

The drought response stages identified in this Ordinance correspond with the District’s WSCP as identified in the following table:

Drought Response Stages	Use Restrictions	Conservation Target	WSCP Stage
1 - Drought Watch	Voluntary	Up to 10%	Stage 1
2 - Drought Alert	Mandatory	Up to 25%	Stage 2
3 - Drought Critical	Mandatory	Up to 40%	Stage 3
4 - Drought Emergency	Mandatory	Up to 50%	Stage 4
5 - Extreme Drought Emergency	Mandatory	Above 50%	Stage 5

SECTION 10.0 PROCEDURES FOR DETERMINATION AND NOTIFICATION OF DROUGHT RESPONSE STAGE

(a) The existence of a Drought Response Stage 1 condition may be declared by the District’s Board of Directors. The General Manager may publish a notice of the determination of existence of Drought Response Stage 1 condition in one or more newspapers, including a newspaper of general circulation within the District. The District may also post notice of the condition at the District’s Office and/or provide direct notice to its customers.

(b) The existence of Drought Response Stage 2 or Stage 3 conditions may be declared by resolution of the District’s Board of Directors adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation measures applicable to Drought Response Stage 2 or Stage 3 conditions shall take effect on the tenth (10) day after the date the response stage is declared. Within five (5) days following the declaration of the response stage, the District shall publish a copy of the resolution in a newspaper used for publication of official notices.

(c) The existence of a Drought Response Stage 4 or Stage 5 condition may be declared in accordance with the procedures specified in California Water Code sections 351 and 352. The mandatory conservation measures applicable to Drought Response Stage 4 or Stage 5 conditions shall take effect on the tenth (10) day after the date the response stage is declared. Within five (5) days following the declaration of the response stage, the District shall publish a copy of the resolution in a newspaper used for publication of official notices. If the District establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Water allocation shall be effective on the fifth (5) day following the date of mailing or at such later date as specified in the notice.

(d) The District's Board of Directors may declare an end to a Drought Response Stage by the adoption of a resolution at any regular or special meeting held in accordance with State law.

(e) Notwithstanding the foregoing provisions of this section, the District may implement Stages 1, 2 or 3 if required to do so by actions of the State or Federal government by acknowledging such a requirement at a regular or special meeting of the Board of Directors and the applicable mandatory conservation measures shall take place ten (10) days after the Board of Directors acknowledgement of same or as required by law. Notice of the effective date of the required stage shall be published in a newspaper used for publication of official notices by the District

SECTION 11.0 HARSHIP VARIANCE

(a) If, due to unique circumstances, a specific requirement of this Ordinance would result in undue hardship to a person using District water or to property upon which District water is used, that is disproportionate to the impacts to District water users generally or to similar property or classes of water uses, then the person may apply for a variance to the requirements as provided in this section.

(b) The variance may be granted or conditionally granted, only upon a written finding of the existence of facts demonstrating an undue hardship to a person using District water or to property upon which District water is used, that is disproportionate to the impacts to District water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.

1. Application. Application for a variance shall be a form prescribed by District and shall be accompanied by a non-refundable processing fee in an amount set by resolution of the District's Board of Directors.

2. Supporting Documentation. The application shall be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

3. Required Findings for Variance. An application for a variance shall be denied unless the approving authority finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the District, all of the following:

A. That the variance does not constitute a grant of special privilege inconsistent with the limitations upon other District customers.

B. That because of special circumstances applicable to the property or its use, the strict application of this Ordinance would have a disproportionate impact on the property or use that exceeds the impacts to customers generally.

C. That the authorizing of such variance will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this chapter and will not be detrimental to the public interest.

D. That the condition or situation of the subject property or the intended use of the property for which the variance is sought is not common, recurrent or general in nature.

4. Approval Authority. The General Manager shall exercise approval authority and act upon any completed application no later than 15 days after submittal and may approve, conditionally approve, or deny the variance. The applicant requesting the variance shall be promptly notified in writing of any action taken. Unless specified otherwise at the time a variance is approved, the variance applies to the subject property during the term of the mandatory drought response.

5. Appeals to the District's Board of Directors. An applicant may appeal a decision or condition of the General Manager on a variance application to the District's Board of Directors within 10 days of the decision upon written request for a hearing. The request shall state the grounds for the appeal. At a public meeting, the District's Board of Directors shall act as the approval authority and review the appeal de novo by following the regular variance procedure. The decision of the District's Board of Directors is final.

SECTION 12.0 VIOLATIONS AND PENALTIES

(a) Any person, who uses, causes to be used, or permits the use of water in violation of this Ordinance is guilty of an offense punishable as provided herein.

(b) Each day that a violation of this Ordinance occurs is a separate offense.

(c) Administrative fines may be levied for each violation of a provision of this Ordinance as follows:

1. Fifty dollars (\$50) for a first violation.
2. One hundred dollars (\$100) for a second violation of any provision of this Ordinance within one year.
3. Two hundred fifty dollars (\$250) for a third violation any provision of this Ordinance within one year.
4. Five hundred dollars (\$500) for each additional violation of this Ordinance within one year.

(d) Violation of a provision of this Ordinance is subject to enforcement through installation of a flow-restricting device in the meter.

(e) 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.

(f) Willful violations of the mandatory conservation measures and water use restrictions as set forth in Section 7.0 & Section 8.0 and applicable during a Stage 4 Drought Emergency or Stage 5 Extreme Drought Emergency condition may be enforced by discontinuing service to the property at which the violation occurs as provided by Water Code section 356.

(g) All remedies provided for herein shall be cumulative and not exclusive.

SECTION 13.0 EFFECTIVE DATE

This Ordinance is effective thirty days after adoption or as otherwise established by State law.

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PASSED AND ADOPTED this ____ day of _____, 2021 by the following vote:

AYES;

NOES:

ABSTAIN:

ABSENT:

SIGNED AND ADOPTED THIS ____ day of _____, 2021

Maria Alvarez, President of the
Board of Directors

WATER CONSERVATION NOTICE

TO: (Name(s) of owners/responsible parties)

RE: (Address of property)

You are receiving this Notice as you have been identified as wasting water on at least # occasions. (See attached notes)

Good water conservation practices do not allow the following:

- A. The application of 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;
- B. The use of a hose that dispenses 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;
- C. The application of water to driveways and sidewalks; and
- D. The application of water to outdoor landscapes during and within 48 hours after measurable rainfall.

The State of California has mandated goals to reduce the amount of water used by individual customers as well as an overall 20% conservation reduction by the Arvin Community Services District.

Please find enclosed a comparison of your water use for the last _____ years.

Reduce water use and reduce your bill!

Reminder, water is a precious resource, so please use it wisely!!

For further information, contact General Manager, Raul Barraza, Jr. at 661-854-2127.

ORDINANCE NO. 7

**AN ORDINANCE OF THE ARVIN COMMUNITY SERVICES
DISTRICT ADOPTING A DROUGHT RESPONSE
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. authorize water suppliers to adopt and enforce a comprehensive water conservation program; and

WHEREAS, adoption and enforcement of a comprehensive water conservation program will allow the District to delay or avoid declaring a water shortage emergency as authorized by California Water Code sections 350 et seq.; and

WHEREAS, the District has adopted a Water Shortage Contingency Plan, which establishes a progressive program for responding to water supply limitations resulting from drought conditions. This Ordinance is intended to be consistent with and to implement the Water Shortage Contingency Plan; and

WHEREAS, the Water Shortage Contingency Plan contains five stages containing actions to be taken to lessen or avoid supply shortages. This Ordinance contains drought response stages that correspond with the Water Shortage Contingency Plan stages; and

WHEREAS the water conservation measures and progressive restrictions on water use and method of use identified by this Ordinance provide certainty to water users and enable the District to control water use, provide water supplies, and plan and implement water management measures in a fair and orderly manner for the benefit of the public.

NOW, THEREFORE, the Board of Directors of Arvin Community Services District does ordain as follows:

SECTION 1.0 DECLARATION OF NECESSITY AND INTENT

(a) This Ordinance establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water, prevent unreasonable method of use of water within the District in order to assure adequate supplies of water to meet the needs of the public, and further the public health, safety, and welfare, recognizing that water is a scarce natural resource that requires careful management not only in times of drought, but at all times.

(b) This Ordinance establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes five stages 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.

(c) Stage 1 condition drought response measures are voluntary and will be reinforced through local public education and awareness measures that may be funded in part by District. During drought response condition Stages 2 through 5, all conservation measures and water-use restrictions are mandatory and become increasingly restrictive in order to attain escalating conservation goals.

(d) During a Drought Response Stage 2 condition or higher, the water conservation measures and water use restrictions established by this Ordinance are mandatory and violations are subject to criminal, civil, and administrative penalties and remedies specified in this Ordinance.

SECTION 2.0 DEFINITIONS

(a) The following words and phrases whenever used in this chapter shall have the meaning defined in this section:

1. “Grower” refers to those engaged in the growing or raising, in conformity with recognized practices of husbandry, for the purpose of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural or floricultural products, and produced: (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market.

2. “District” means the Arvin Community Services District.

3. “WSCP” means the District’s Water Shortage Contingency Plan in existence on the effective date of this Ordinance and as readopted or amended from time to time, or an equivalent plan of the District to manage or allocate supplies during shortages.

4. “Person” means any natural person, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, or any other user of water provided by the District.

SECTION 3.0 APPLICATION

(a) The provisions of this Ordinance apply to any person in the use of any water provided by the District.

(b) This Ordinance is intended solely to further the conservation of water. It is not intended to implement any provision of federal, State, or local statutes, ordinances, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on any stormwater ordinances and stormwater management plans.

(c) Nothing in this Ordinance is intended to affect or limit the ability of the District to declare and respond to an emergency, including an emergency that affects the ability of the District to supply water.

(d) The provisions of this Ordinance do not apply to use of water from private wells or to recycled water.

SECTION 4.0 DROUGHT RESPONSE STAGE 1 – DROUGHT WATCH CONDITION

(a) A Drought Response Stage 1 condition is also referred to as a “Drought Watch” condition. A Stage 1 condition applies when due to drought or other supply reductions, there is a reasonable probability there will be supply shortages and that a consumer demand reduction of up to 10 percent is required in order to ensure that sufficient supplies will be available to meet anticipated demands. The District’s Board of Directors shall declare the existence of a Drought Response Stage 1 and take action to implement the Stage 1 conservation practices identified in this Ordinance.

(b) During a Stage 1 Drought Watch condition, District will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the following water conservation practices. [The same water conservation practices become mandatory if the District’s Board of Directors declares a Stage 2 Drought Alert condition]:

1. Stop washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, roadways, or patios, except when it is necessary to alleviate safety or sanitation hazards.

2. Stop watering unpaved drive approaches, driveways and sidewalks, except when it is necessary to alleviate safety or sanitation hazards.

3. 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, private and public walkways, patios, lots, hardscapes, roadways, or structures.

4. Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only.

5. 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.

6. 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.

7. Use re-circulated water to operate ornamental fountains.

8. 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 (over 95 degrees) when additional water is required due to evaporation.

9. Serve and refill water in restaurants and other food service establishments only upon request.

10. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.

11. Repair all water leaks within seventy two (72) hours of notification by the District unless other arrangements are made with the General Manager.

12. Use recycled or non-potable water for construction purposes when available.

(c) During a Drought Response Stage 2 condition or higher, the conservation practices established in a Drought Response Stage 1 condition become mandatory.

**SECTION 5.0 DROUGHT RESPONSE STAGE 2 – DROUGHT ALERT
CONDITION**

(a) A Drought Response Stage 2 condition is also referred to as a “Drought Alert” condition. A Stage 2 condition applies when caused by drought or other reduction in supplies, a consumer demand reduction of up to 25 percent is required in order to have sufficient supplies available to meet anticipated demands. The District’s Board of Directors shall declare the existence of a Drought Response Stage 2 condition and implement the mandatory Stage 2 conservation measures identified in this Ordinance.

(b) All persons using District water shall comply with Stage 1 Drought Watch water conservation practices during a Stage 2 Drought Alert, and shall also comply with the following additional conservation measures:

1. Limit residential and commercial landscape irrigation to no more than the assigned days per week on a schedule established by the District’s Board of Directors and posted by the District.
2. Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per assigned 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.
3. 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.
4. Repair all leaks within forty-eight (48) hours of notification by the District unless other arrangements are made with the General Manager.
5. Stop operating ornamental fountains or similar decorative water features unless recirculated water is used.

**SECTION 6.0 DROUGHT RESPONSE STAGE 3 – DROUGHT CRITICAL
CONDITION**

(a) A Drought Response Stage 3 condition is also referred to as a “Drought Critical” condition. A Stage 3 condition applies when the District notifies its member agencies that due to increasing cutbacks caused by drought or other reduction of supplies, a consumer demand reduction of up to 40 percent is required in order to have sufficient supplies available to meet anticipated demands. The District’s Board of Directors shall declare the existence of a Drought Response Stage 3 condition and implement the Stage 3 conservation measures identified in this Ordinance.

(b) All persons using District water shall comply with Stage 1 Drought Watch and Stage 2 Drought Alert water conservation practices during a Stage 3 Drought Critical condition and shall also comply with the following additional mandatory conservation measures:

1. Limit residential and commercial landscape irrigation to no more than three (3) assigned days per week on a schedule established by the District's Board of Directors and posted by the District. During the months of December through April, landscape irrigation is limited to no more than twice per week on a schedule established by the District's Board of Directors and posted by the District. This section shall not apply to commercial growers or nurseries.
2. 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.
3. 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 stage under this Ordinance.
4. Stop washing vehicles except at commercial carwashes that re-circulate water, or by high pressure/low volume wash systems.
5. Repair all leaks within forty eight (48) hours of notification by the District unless other arrangements are made with the General Manager.

(c) The District may establish a water allocation for property served by the District using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the District establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the District, any person that uses water in excess of the allocation shall be subject to a penalty in an amount established by Resolution for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of this Ordinance.

**SECTION 7.0 DROUGHT RESPONSE STAGE 4 – DROUGHT
EMERGENCY CONDITION**

(a) A Drought Response Stage 4 condition is also referred to as a “Drought Emergency” condition. A Stage 4 condition applies when the District’s Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 which requires a demand reduction of up to 50 percent in order for the District to have maximum supplies available to meet anticipated demands. The District shall declare a Drought Emergency in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with conservation measures required during Stage 1 Drought Watch, Stage 2 Drought Alert, and Stage 3 Drought Critical conditions and shall also comply with the following additional mandatory conservation measures:

1. 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 District has determined that recycled water is available and may be lawfully applied to the use.

A. 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;

B. 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;

C. Maintenance of existing landscaping for erosion control;

D. Maintenance of plant materials identified to be rare or essential to the well being of rare animals;

E. 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);

F. Watering of livestock; and

G. Public works projects and actively irrigated environmental mitigation projects.

2. Repair all water leaks within twenty-four (24) hours of notification by the District unless other arrangements are made with the General Manager.

(c) Upon the declaration of a Drought Response Stage 4 condition, 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:

1. A valid, unexpired building permit has been issued for the project;
or
2. The project is necessary to protect the public's health, safety, and welfare; or
3. 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 District

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.

SECTION 8.0 DROUGHT RESPONSE STAGE 5 – EXTREME DROUGHT EMERGENCY CONDITON

(a) A Drought Response Stage 5 condition is also referred to as a “Extreme Drought Emergency” condition. A Stage 5 condition applies when the District’s Board of Directors declares a water shortage emergency pursuant to California Water Code section 350 which requires a demand reduction of more than 50 percent in order for the District to have maximum supplies available to meet anticipated demands. The District shall declare a Drought Emergency in the manner and on the grounds provided in California Water Code section 350.

(b) All persons using District water shall comply with conservation measures required during Stage 1 Drought Watch, Stage 2 Drought Alert, and Stage 3 Drought Critical conditions Stage 4 Drought Emergency conditions and shall also comply with the following additional mandatory conservation measures:

1. Upon the declaration of Drought Response Stage 5 condition, the District will suspend consideration of annexations to its service area.

2. The District may establish a water allocation for property served by the District using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the District establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the District, any person that uses water in excess of the allocation shall be subject to a penalty in an amount established by Resolution for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of this Ordinance.

SECTION 9.0 CORRELATIONS BETWEEN DROUGHT MANAGEMENT PLAN AND DROUGHT RESPONSE STAGE

The drought response stages identified in this Ordinance correspond with the District’s WSCP as identified in the following table:

Drought Response Stages	Use Restrictions	Conservation Target	WSCP Stage
1 - Drought Watch	Voluntary	Up to 10%	Stage 1
2 - Drought Alert	Mandatory	Up to 25%	Stage 2
3 - Drought Critical	Mandatory	Up to 40%	Stage 3
4 - Drought Emergency	Mandatory	Up to 50%	Stage 4
5 - Extreme Drought Emergency	Mandatory	Above 50%	Stage 5

SECTION 10.0 PROCEDURES FOR DETERMINATION AND NOTIFICATION OF DROUGHT RESPONSE STAGE

(a) The existence of a Drought Response Stage 1 condition may be declared by the District’s Board of Directors. The General Manager may publish a notice of the determination of existence of Drought Response Stage 1 condition in one or more newspapers, including a newspaper of general circulation within the District. The District may also post notice of the condition at the District’s Office and/or provide direct notice to its customers.

(b) The existence of Drought Response Stage 2 or Stage 3 conditions may be declared by resolution of the District’s Board of Directors adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation measures applicable to Drought Response Stage 2 or Stage 3 conditions shall take effect on the tenth (10) day after the date the response stage is declared. Within five (5) days following the declaration of the response stage, the District shall publish a copy of the resolution in a newspaper used for publication of official notices.

(c) The existence of a Drought Response Stage 4 or Stage 5 condition may be declared in accordance with the procedures specified in California Water Code sections 351 and 352. The mandatory conservation measures applicable to Drought Response Stage 4 or Stage 5 conditions shall take effect on the tenth (10) day after the date the response stage is declared. Within five (5) days following the declaration of the response stage, the District shall publish a copy of the resolution in a newspaper used for publication of official notices. If the District establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the District customarily mails the billing statement for fees or charges for on-going water service. Water allocation shall be effective on the fifth (5) day following the date of mailing or at such later date as specified in the notice.

(d) The District's Board of Directors may declare an end to a Drought Response Stage by the adoption of a resolution at any regular or special meeting held in accordance with State law.

(e) Notwithstanding the foregoing provisions of this section, the District may implement Stages 1, 2 or 3 if required to do so by actions of the State or Federal government by acknowledging such a requirement at a regular or special meeting of the Board of Directors and the applicable mandatory conservation measures shall take place ten (10) days after the Board of Directors acknowledgement of same or as required by law. Notice of the effective date of the required stage shall be published in a newspaper used for publication of official notices by the District

SECTION 11.0 HARDSHIP VARIANCE

(a) If, due to unique circumstances, a specific requirement of this Ordinance would result in undue hardship to a person using District water or to property upon which District water is used, that is disproportionate to the impacts to District water users generally or to similar property or classes of water uses, then the person may apply for a variance to the requirements as provided in this section.

(b) The variance may be granted or conditionally granted, only upon a written finding of the existence of facts demonstrating an undue hardship to a person using District water or to property upon which District water is used, that is disproportionate to the impacts to District water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.

1. Application. Application for a variance shall be a form prescribed by District and shall be accompanied by a non-refundable processing fee in an amount set by resolution of the District's Board of Directors.

2. Supporting Documentation. The application shall be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.

3. Required Findings for Variance. An application for a variance shall be denied unless the approving authority finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the District, all of the following:

A. That the variance does not constitute a grant of special privilege inconsistent with the limitations upon other District customers.

B. That because of special circumstances applicable to the property or its use, the strict application of this Ordinance would have a disproportionate impact on the property or use that exceeds the impacts to customers generally.

C. That the authorizing of such variance will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the District to effectuate the purpose of this chapter and will not be detrimental to the public interest.

D. That the condition or situation of the subject property or the intended use of the property for which the variance is sought is not common, recurrent or general in nature.

4. Approval Authority. The General Manager shall exercise approval authority and act upon any completed application no later than 15 days after submittal and may approve, conditionally approve, or deny the variance. The applicant requesting the variance shall be promptly notified in writing of any action taken. Unless specified otherwise at the time a variance is approved, the variance applies to the subject property during the term of the mandatory drought response.

5. Appeals to the District's Board of Directors. An applicant may appeal a decision or condition of the General Manager on a variance application to the District's Board of Directors within 10 days of the decision upon written request for a hearing. The request shall state the grounds for the appeal. At a public meeting, the District's Board of Directors shall act as the approval authority and review the appeal de novo by following the regular variance procedure. The decision of the District's Board of Directors is final.

SECTION 12.0 VIOLATIONS AND PENALTIES

- (a) Any person, who uses, causes to be used, or permits the use of water in violation of this Ordinance is guilty of an offense punishable as provided herein.
- (b) Each day that a violation of this Ordinance occurs is a separate offense.
- (c) Administrative fines may be levied for each violation of a provision of this Ordinance as follows:
 - 1. Fifty dollars (\$50) for a first violation.
 - 2. One hundred dollars (\$100) for a second violation of any provision of this Ordinance within one year.
 - 3. Two hundred fifty dollars (\$250) for a third violation any provision of this Ordinance within one year.
 - 4. Five hundred dollars (\$500) for each additional violation of this Ordinance within one year.
- (d) Violation of a provision of this Ordinance is subject to enforcement through installation of a flow-restricting device in the meter.
- (e) 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.
- (f) Willful violations of the mandatory conservation measures and water use restrictions as set forth in Section 7.0 & Section 8.0 and applicable during a Stage 4 Drought Emergency or Stage 5 Extreme Drought Emergency condition may be enforced by discontinuing service to the property at which the violation occurs as provided by Water Code section 356.
- (g) All remedies provided for herein shall be cumulative and not exclusive.

SECTION 13.0 EFFECTIVE DATE

This Ordinance is effective thirty days after adoption or as otherwise established by State law.

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PASSED AND ADOPTED this FOURTH day of OCTOBER, 2021 by the following vote:

AYES;

NOES:

ABSTAIN:

ABSENT:

SIGNED AND ADOPTED THIS FOURTH day of OCTOBER, 2021

Maria Alvarez, President of the
Board of Directors