



## Legislation Text

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**File #:** 22-0020, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Erick Lee, Public Works Director

Lou Vargas, Utilities Manager

Nicholle Petroff, Management Analyst

**SUBJECT:**

Consideration of a Resolution Declaring a Stage 1 Water Shortage and Imposing Drought Restrictions in Accordance with Municipal Code Section 7.44 to Preserve State and Local Water Supplies (Public Works Director Lee).

**ADOPT RESOLUTION NO. 22-0011**

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**RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution No. 22-0011 declaring a Stage 1 Water Shortage and imposing drought restrictions in accordance with Municipal Code Section 7.44 to preserve state and local water supplies.

**FISCAL IMPLICATIONS:**

There are no fiscal implications associated with the recommended action. If Resolution No. 22-0011 is adopted, staff will conduct public outreach via utility bill inserts and web/social media messaging. The funds necessary to print water billing inserts for all of the City's active water service accounts are available in the Fiscal Year (FY) 2021-2022 Budget. The City has approximately 13,500 dwellings that receive water service.

Additionally, staff will be reviewing the programmatic needs of the water conservation program. If additional funds are necessary to improve the program's efficacy, they will be requested and considered as part of the FY 2022/23 budget process.

**BACKGROUND:**

California is contending with significant drought, including stressed ecosystems, diminished reservoirs, and impacted farms. A combination of low precipitation and high temperatures have left the State's reservoirs with significant deficiencies.

On October 19, 2021, Governor Newsom amended his Proclamation of a State of Emergency due to the drought to include the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Francisco, and Ventura, such that the drought state of emergency is now in effect

statewide. The Proclamation also encouraged counties to voluntarily reduce water use by fifteen percent and directed local water suppliers to enact their urban Water Shortage Contingency Plans at a level appropriate to local conditions that takes into account the possibility of a third consecutive dry year. On November 9, 2021, Metropolitan Water District of Southern California (MWD) declared a Regional Drought Emergency and called on all member agencies to increase conservation measures. Consequently, on November 22, 2021, West Basin Municipal Water District escalated its Water Shortage Contingency Plan from level one to level three.

The City currently imports 96% of its water supply from MWD, via West Basin Municipal Water District. Although MWD has prepared for droughts and has sufficient reserves to meet member needs in 2022, it is also depends heavily on imported water. One major source of MWD water is the Colorado River system. In July 2021, the U.S. Bureau of Reclamation announced that Lake Mead, the reservoir formed by the Hoover Dam on the Colorado River, hit its lowest water levels ever, and reached a record low at 35% of its capacity. This announcement triggered mandatory allocation plans for recipients of water from the Colorado River, which provides water to millions of people in cities like San Diego, Las Vegas, Phoenix, and Los Angeles, and to farmlands throughout the southwest. On August 16, 2021, the Bureau of Reclamation announced that water allocations would be cut over the next year. This condition will affect water supply to Southern California cities in 2022.

Another source of MWD's water supply is the State Water Project (SWP), which brings water from the Sacramento Delta to cities throughout California. In an average year, the SWP accounts for about 30% of Southern California's water supply. On December 1, 2021, and in anticipation of a third dry year with reservoirs at or near historic lows, the Department of Water Resources (DWR) announced that water agencies should expect a zero percent allocation from the SWP in 2022. While the heavy rainfalls that the state experienced in recent weeks have certainly impacted our water supply in a positive way, it is not enough to reverse the years-long trend of statewide drought.

## **DISCUSSION:**

Following the Proclamation of a State of Emergency issued by Governor Newsom on October 19, 2021 and actions taken by the City's water wholesalers, staff recommends that City Council declare a Stage 1 Water Shortage and impose the drought restrictions set forth in Municipal Code Section 7.44.030.A as follows:

**A. "Stage 1 Water Shortage.** Upon declaration of a stage 1 water shortage, the following restrictions shall apply to the use of water from the City's water system:

1. Landscape irrigation using potable water shall be limited to no more than fifteen (15) minutes per watering zone per watering day.
2. Landscape watering with potable water shall be limited to three (3) times per week between:
  - a. 6:00 p.m. on Monday and 9:00 a.m. the following Tuesday;
  - b. 6:00 p.m. on Wednesday and 9:00 a.m. the following Thursday; and
  - c. 6:00 p.m. on Saturday and 9:00 a.m. the following Sunday.
3. This subsection shall not apply to any drip irrigation system, irrigation system

maintenance, leak repair or new planting of low water usage plants or if reclaimed water is utilized as permitted by law.”

If imposed by the City Council, the Stage 1 Water Shortage restrictions will become effective immediately upon resolution adoption and will remain in effect until the City Council determines that a water supply shortage no longer exists, or elevates its declaration of a water shortage to a higher stage.

#### Additional Information

Upon further review and analysis of the City’s Water Shortage Contingency Plan (WSCP), which is included in Chapter 8 of the City’s Urban Water Management Plan (UWMP) and was adopted on November 2, 2021, staff identified discrepancies between the City’s current ordinance relating to drought restrictions and the restrictions that are identified in the WSCP. Staff will be working to amend the WSCP to ensure it is consistent and conforms with the City’s ordinance on drought restrictions. This plan amendment will be presented to the City Council for consideration in the spring of 2022 before it is submitted to state regulators.

This discrepancy has no bearing on the action that staff recommends the City Council take to declare a Stage 1 Water Shortage at this time, as the City Council would be imposing restrictions that are in the current ordinance relating to drought restrictions and were properly established at a duly noticed public hearing.

#### **PUBLIC OUTREACH:**

A public hearing notification was published in The Daily Breeze on December 31, 2021 and The Beach Reporter on January 6, 2022, inviting public oral and written comments on this item. Additionally, on December 16, 2021, Public Works joined West Basin Municipal Water District’s Super -Cali-Frugalistic campaign, which calls for residents to be prudent with water use.

#### **ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

#### **LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

#### **ATTACHMENT:**

1. Resolution No. 22-0011
2. Municipal Code Section 7.44.30
3. PowerPoint Presentation