

ORDINANCE NO. 126

**AN ORDINANCE RESCINDING LEVEL 2 AND AUTHORIZING LEVEL 1 WATER SHORTAGE
RESPONSE OF WATER SHORTAGE CONTINGENCY PLAN**

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MID-PENINSULA WATER DISTRICT

WHEREAS, on March 28, 2022, the Governor issued Executive Order N-7-22, which directed the State Water Resources Control Board (SWRCB) to adopt emergency regulations requiring each urban water supplier that has submitted a Water Shortage Contingency Plan (WSCP) to the California Department of Water Resources to implement, at a minimum, shortage response actions adopted under Section 10632 of the California Water Code for a shortage level of up to 20% (Shortage Level 2); and

WHEREAS, on May 24, 2022, the SWRCB adopted such regulations by SWRCB Resolution No. 2022-0018, Resolution to Adopt an Emergency Regulation to Reduce Demand and Improve Water Conservation, 23 Cal. Code of Regulations § 996 (SWRCB Regulations); and

WHEREAS, in response to the SWRCB Regulations, on June 23, 2022, the Mid-Peninsula Water District (District) adopted Ordinance No 124 implementing Level 2 of the District's WSCP; and

WHEREAS, On February 13, 2023, the Governor issued Executive Order N-3-23, which continued the statewide drought emergency and regulations in effect, but also directed state agencies to provide recommendations on whether any existing provisions in the Governor's drought proclamations and executive orders are no longer needed to mitigate drought conditions; and

WHEREAS, on March 24, 2023, the Governor issued Executive Order N-5-23, which among other actions terminated the portion of Executive Order N-7-22 that prompted the SWRCB to adopt Resolution SWRCB Resolution No. 22-0018, requiring urban water suppliers to implement, at minimum, the demand reduction actions in Level 2 of their WSCPs; and

WHEREAS, the aforementioned SWRCB Resolution No. 22-0018 is anticipated to expire on June 10, 2023; and

WHEREAS, on April 11, 2023, the San Francisco Public Utilities Commission adopted Resolution 23-0073, rescinding SFPUC Resolution No. 21-0177 and thereby ending the local water shortage emergency declaration (Cal. Water Code §§ 350-359) and rescinding implementation of SFPUC's WSCP Level 2 upon the termination, rescission, or amendment of SWRCB Resolution No. 22-0018; and

WHEREAS, staff recommends that the Board of Directors rescind Ordinance Number 124 upon the anticipated termination, rescission, or amendment of the SWRCB Regulations requiring urban water suppliers to implement WSCP Level 2 actions; and

WHEREAS, staff also recommends that the Board of Directors implement Level 1 of the District's WSCP.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Mid-Peninsula Water District as follows:

Section 1: Ordinance Number 124, which implements Level 2 of MPWD's WSCP, shall be rescinded effective upon the termination, rescission, or amendment of the SWRCB Regulations requiring urban water suppliers to implement Water Shortage Contingency Plan Level 2 actions.

Section 2: Concurrent with the rescission of Ordinance Number 124, implements Level 1 of the District's WSCP.

Section 3: Declares that all water use restrictions and enforcement procedures set forth in Ordinance Nos. 111 and 113 shall remain in full force and effect until rescinded or amended by the District.

Section 4 - Effective Date: This Ordinance shall take effect and be in full force as of the date of its enactment.

REGULARLY PASSED AND ADOPTED at a meeting of the Board of Directors of the Mid-

Peninsula Water District duly held on 25th day of May 2023 by the following vote.

AYES: 4 – Vella, Zucca, Schmidt, Wheeler

NOES: --

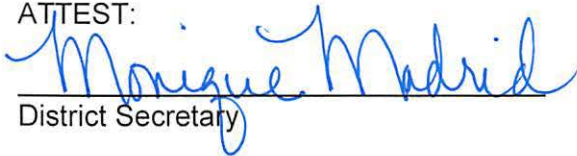
ABSTENTIONS: --

ABSENCES: 1 – Jordan

Board President



ATTEST:



District Secretary