

**APPENDIX 7-C**  
**Resolution for MWDOC Water Shortage Contingency Plan in 1991**

RESOLUTION NO. 1433

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

RESOLUTION DECLARING EXISTENCE OF WATER SHORTAGE EMERGENCY  
PROHIBITING WASTE OF WATER AND IMPLEMENTING MEASURES  
TO PRESERVE AND ALLOCATE AVAILABLE WATER SUPPLIES

REAFFIRMED SECTION 2-8 BY RES. NO. 1458, 3/18/92

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TABLE OF CONTENTS

|   | <u>PAGE</u> |
|---|-------------|
| Recitals  | 1           |
| Section 1. Findings                                   | 3           |
| Section 2. Purpose                                    | 4           |
| Section 3. Declaration of Threatened Water Shortage   | 4           |
| Section 4. Retail Agency Mandatory Conservation Plans | 4           |
| Section 5. Basic Water Conservation Provisions        | 5           |
| 5.1 General Prohibition Against Waste of Water        | 5           |
| 5.2 Washing of Paved Areas                            | 5           |
| 5.3 Washing of Vehicles                               | 5           |
| 5.4 Operation and Filling of Fountains, Etc.          | 6           |
| 5.5 Restaurants                                       | 6           |
| 5.6 Leaks   | 6           |
| 5.7 Irrigation of Landscapes                          | 6           |
| 5.8 Prohibition of Runoff                             | 6           |
| 5.9 Fire Hydrants                                     | 6           |
| 5.10 Swimming Pools and Spas                          | 7           |
| Section 6. Maximizing Use of Groundwater              | 7           |
| Section 7. Reclaimed Water                            | 7           |
| Section 8. Metropolitan Programs                      | 7           |

|             |   |   |
|-------------|---|---|
| Section 9.  | Modification of Incentives and Penalties Under IICP | 8 |
| Section 10. | CEQA Exemption                                      | 8 |
| Section 11. | Effective Date                                      | 8 |

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RECITALS

WHEREAS, Municipal Water District of Orange County ("MWDOC") acquires all of the imported water supply which it distributes to the retail agencies within its service area from Metropolitan Water District of Southern California ("Metropolitan") and MWDOC is the sole supplier of imported water within its service area; and

WHEREAS, current drought conditions throughout the State of California have created an unprecedented shortage in the water supplies available to Metropolitan; and

WHEREAS, the Department of Water Resources, which operates the State Water Project, has suspended all deliveries of water to agricultural contractors from the State Water Project and has indicated that it will approve only ten percent (10%) of the requested municipal and industrial deliveries from the State Water Project for 1991; and

WHEREAS, if the drought continues into 1992 and beyond, even more severe regional water shortages would result; and

WHEREAS, the Governor has directed all communities within the State to adopt rationing plans and has directed the Department of Water Resources to monitor water use; and

WHEREAS, in response to the drought, Metropolitan has adopted an Incremental Interruption and Conservation Program ("IICP"),

*Financing*

under which Metropolitan has called for its member agencies to substantially reduce their water consumption; and,

WHEREAS, Metropolitan has adopted Resolution No. 8312, effective March 12, 1991, urging every public agency and water retailer within Metropolitan's service area to adopt and enforce water conservation plans, undertake public information programs, and take measures to maximize the use of reclaimed water ~~and take measures to maximize the use of reclaimed water~~ and groundwater as alternatives to imported water, and has restricted participation in Metropolitan's Conservation Credits Program and Local Project Program to entities which have adopted mandatory conservation programs; and

WHEREAS, there have been discussions at Metropolitan about modifying the incentives and penalties under the IICP to differentiate between agencies having mandatory water rationing plans and those which do not, and creating increasing penalties (surcharges) for repeated failures to meet the conservation targets under the IICP; and

WHEREAS, it is necessary to have in place an effective water conservation program which may be implemented quickly in the event of a water shortage emergency to conserve the supplies of water available for public use and to insure the greatest beneficial use to the public, with particular regard to domestic use, sanitation and fire protection; and

WHEREAS, MWDOC is authorized to adopt regulations and restrictions on delivery and consumption of water supplied for

public use within its service area in order to conserve the water supply for the greatest public benefit upon a finding and declaration by the Board of Directors that a water shortage emergency exists (California Water Code §§350-357 and §§71640-71641);

NOW, THEREFORE, be it resolved by the Board of Directors of Municipal Water District of Orange County as follows:

SECTION 1.        FINDINGS.

1.1 In response to severe reductions in supplies of State Project Water to Metropolitan, Metropolitan has called for a thirty percent (30%) reduction in deliveries of non-interruptible, firm supplies of water to its member agencies, including MWDOC, commencing April 1, 1991.

1.2 As a result of Metropolitan's cutbacks, the ordinary demands and requirements of water consumers within MWDOC for imported water cannot be fully satisfied with Metropolitan's supplies and, if the drought continues, additional cutbacks may be declared.

1.3 MWDOC is currently experiencing a water shortage.

1.4 The general welfare of water users within MWDOC requires that water delivered by MWDOC be put to the maximum beneficial use and that waste, unreasonable use, and unreasonable methods of use of water be prohibited and that conservation of water be practiced to conserve supplies for the greatest public benefit.

SECTION 2. PURPOSE.

The purpose of this Resolution is to establish a policy to prohibit waste of water within MWDOC's service area, and to promote adoption of water conservation plans by retail agencies, which may be implemented without delay during an existing or threatened water shortage in order to minimize the adverse effects of the water shortage on water users.

SECTION 3. DECLARATION OF THREATENED WATER SHORTAGE.

The Board of Directors of Municipal Water District of Orange County hereby finds and declares that there currently exists within MWDOC a threatened water shortage. This declaration is made pursuant to California Water Code §71642.

SECTION 4. RETAIL AGENCY MANDATORY CONSERVATION PLANS.

MWDOC calls upon each retail water agency within its service area to adopt and enforce regulations prohibiting waste of water. MWDOC further calls upon each retail water agency to develop and adopt (but not necessarily implement) a mandatory water conservation plan by ordinance, resolution or order, which may be implemented and enforced without delay, upon a determination by the retail agency's governing board, based upon an evaluation of the resources available to it, that a water shortage is threatened or exists. Such water conservation plans should be designed to achieve a reduction in total water use from all sources by a minimum of twenty percent (20%) of normal usage (i.e., usage for the same period in the 1989-90 base year adjusted to reflect growth).

SECTION 5.        BASIC WATER CONSERVATION PROVISIONS.

Each retail agency's or supplier's water conservation plan and water waste restrictions should, at a minimum, contain substantially the following provisions. These provisions may be modified to accommodate local needs with the goal that the conservation plan should be implemented at a level reasonably calculated to achieve the reduction in water use deemed appropriate by the retail water agency based upon an evaluation of the resources available to it.

5.1 General Prohibition Against Waste of Water. No person shall cause or allow the waste of water. All water users shall observe practices for reducing waste of water such as turning off water while brushing teeth and shaving, running only full loads in dishwashers and washing machines, avoidance of unnecessary toilet flushing, and frequent checking for, and prompt repair of, all plumbing and irrigation leaks.

5.2 Washing of Paved Areas. Water shall not be used for washing down sidewalks, walkways, driveways, parking areas or other paved surfaces, except as is required to alleviate immediate fire or sanitation hazards.

5.3 Washing of Vehicles. Washing of motor vehicles, trailers, boats and other types of mobile equipment shall be done only with a bucket or hose equipped with a positive shutoff nozzle for quick rinses, except that washing may be done at the immediate premises of a commercial car wash or with reclaimed wastewater. Where the health, safety and

welfare of the public requires frequent cleaning of a specific vehicle such as garbage trucks and vehicles used to transport food and perishables, this provision shall not apply.

5.4 Operation and Filling of Fountains, Etc. No water shall be used to clean, fill, operate or maintain levels in decorative fountains, ponds, lakes or other similar aesthetic structures unless only reclaimed water is used or the water is recirculated.

5.5 Restaurants. No restaurant, hotel, cafe, cafeteria or other public place where food is sold, served or offered for sale, shall serve drinking water to any customer unless expressly requested.

5.6 Leaks. All leaks from indoor and outdoor plumbing fixtures shall be promptly repaired.

5.7 Irrigation of Landscape. No lawn, landscape or other turf area shall be watered more often than every other day nor between the hours of 10:00 AM and 5:00 PM.

5.8 Prohibition of Runoff. No person shall cause or allow water to run off landscape areas or spray onto adjoining streets, gutters, sidewalks, storm drains or other paved areas.

5.9 Fire Hydrants. The use of water from fire hydrants shall be limited to fire-fighting and related activities and other uses of water by municipalities shall be limited to activities necessary to maintain the public health, safety and welfare.

5.10 Swimming Pools and Spas. Filling of swimming pools and spas is prohibited except between the hours of 6:00 PM and 10:00 AM, and only once in any five-day period.

SECTION 6. MAXIMIZING USE OF GROUNDWATER.

MWDOC urges retail agencies and groundwater basin agencies within its service area to seek aggressively means to maximize opportunities for increased use of groundwater in storage and to allow imported water to be transferred to partially mitigate the impact of water shortages to non-basin areas.

SECTION 7. RECLAIMED WATER.

Retail agencies are urged to develop and expand reclaimed water production and distribution facilities for beneficial use and to implement policies to require or encourage use of reclaimed water for permitted beneficial uses to the fullest extent possible in such a way that conservation of potable supplies will be maximized.

SECTION 8. METROPOLITAN PROGRAMS.

MWDOC hereby adopts and will pass through to all retail agencies Metropolitan's policy as established by Metropolitan Resolution No. 8312, that no retail agency shall be eligible to apply for participation in Metropolitan's Local Project Program or Conservation Credits Program, and no entity that currently participates in those Programs shall benefit from any increased Metropolitan contributions, unless it adopts a mandatory water conservation program and otherwise makes a good faith effort to comply with the provisions of Metropolitan Resolution No. 8312, as

determined by Metropolitan.

SECTION 9. MODIFICATION OF INCENTIVES AND PENALTIES UNDER IICP.

MWDOC adopts and hereby implements Metropolitan's IICP, including the incentive payments and penalties referred to in MWDOC's Resolution No. 1418. Any modification of the IICP by Metropolitan or declaration of the implementation of a different stage of the IICP shall be automatically incorporated into MWDOC's program for implementation of the IICP without further action of the Board of Directors. The General Manager shall, as soon as possible, give notice to all retail agencies within MWDOC of any change of modification of the IICP.

SECTION 10. CEQA EXEMPTION.

The Board of Directors finds that the adoption of this Resolution is exempt from the California Environmental Quality Act as an action necessary to prevent or mitigate an emergency (California Public Resources Code §21080(b)(4) and California Code of Regulations Title 14, §15269(c)).

SECTION 11. EFFECTIVE DATE.

This Resolution shall become effective immediately upon the date of adoption.

Adopted this 3rd day of April, 1991 by the following roll call vote:

AYES: Directors Clark, Davenport, Hartge, Witt  
NOES: None  
ABSTAIN: None  
ABSENT: Director Huntley

I certify that this is a true, full and correct copy of Resolution No. 1433 adopted by the Board of Directors of Municipal Water District of Orange County.

  
Lorraine M. Cross, Secretary  
Municipal Water District of  
Orange County

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