

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 8/19/2014	(3) CONTACT/PHONE Andrea Montes, Utilities Program Manager (805) 781-1046	
(4) SUBJECT Hearing to adopt an ordinance regulating outdoor water use to Mondays and Thursdays only within applicable County Service Areas (10A-Cayucos, 16-Shandon, 23-Santa Margarita, and 12-Avila Valley), in accordance with the drought emergency water conservation regulations adopted by the State Water Resources Control Board, and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Districts 1, 2, 3 and 5.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Conduct a public hearing to adopt the attached ordinance regulating outdoor water use to Mondays and Thursdays only within applicable County Service Areas. 2. Direct the County Clerk-Recorder to publish, within fifteen (15) days of adoption in a paper of general circulation, a copy of the ordinance and the names of the Board Members who voted for (and any against) the ordinance. 			
(6) FUNDING SOURCE(S) Various CSA's	(7) CURRENT YEAR FINANCIAL IMPACT \$17,500.00 per CSA	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation {X} Hearing (Time Est. <u>30 min.</u>) { } Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS { } Resolutions { } Contracts {X} Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A { } 4/5 Vote Required {x} N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY { } N/A Date: 8/12/14, #2	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) District 1 , District 2 , District 3 , District 5			

Reference: 14AUG19-H-1

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Andrea Montes, Utilities Program Manager
Dean Benedix, Utilities Division Manager

VIA: Mark Hutchinson, Deputy Director of Public Works

DATE: 8/19/2014

SUBJECT: Hearing to adopt an ordinance regulating outdoor water use to Mondays and Thursdays only within applicable County Service Areas (10A-Cayucos, 16-Shandon, 23-Santa Margarita, and 12-Avila Valley), in accordance with the drought emergency water conservation regulations adopted by the State Water Resources Control Board, and finding that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Districts 1, 2, 3 and 5.

RECOMMENDATION

It is recommended that the Board:

1. Conduct a public hearing to adopt the attached ordinance regulating outdoor water use to Mondays and Thursdays only within applicable County Service Areas.
2. Direct the County Clerk-Recorder to publish, within fifteen (15) days of adoption in a paper of general circulation, a copy of the ordinance and the names of the Board Members who voted for (and any against) the ordinance.

DISCUSSION

On August 12, 2014 the Public Works Department introduced the attached ordinance to the Board in response to the ongoing severe drought and the State Water Resources Control Board (SWRCB) adopted emergency regulations to ensure water agencies, their customers and state residents increase water conservation in urban settings.

The recommended action will satisfy the actions required of distributors of a public water supply that are not urban water suppliers¹ under the State Water Board Regulations and will assist with the State's efforts to ensure water agencies, their customers and state residents increase water conservation

¹ The essential difference between a "distributor of a public water supply" and an "urban water supplier" is the number of water connections: the County systems are all below 3,000 connections, so the County is a "distributor" but not an "urban water supplier". Numerous regulatory differences apply to each category.

The emergency regulations state:

“To promote water conservation, each distributor of a public water supply, that is not an urban water supplier per Water Code Section 10617 shall, within thirty (30) days from the effective date of the regulations, take one or more of the following actions:

- 1. Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or*
- 2. Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.”*

The County, as a water purveyor for County Service Area 10A (Cayucos), County Service Area 16 (Shandon), County Service Area 23 (Santa Margarita) and County Service Area 12 (Avila Valley) is a distributor of a public water supply, that is not an urban supplier, and, therefore, must take one or more of the above-described actions.

Because water customers in the county-served area use, on average, less water than the state-wide average, it is clear that additional conservation measures related to retrofit type ordinances are becoming less effective. However, as the drought continues, more water is being used on outdoor landscaping. Because of this condition, and because the State has focused on reducing outdoor waste and irrigation, the proposed ordinance addresses the mandate from this same perspective.

The State has focused on reducing outdoor waste and irrigation; the proposed ordinance addresses the mandate from this same perspective.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached ordinance as to legal form and effect.

The County Environmental Coordinator has approved the attached Notice of Exemption to CEQA.

FINANCIAL CONSIDERATIONS

The cost of public outreach for these water conservation efforts is estimated to be \$17,500 for each County Service Area and will be charged to the appropriate County Service Area and funded by the existing operating budget of each County Service Area. This will fund efforts for this year.

RESULTS

Approval of the recommended action will allow the County to meet the requirements of distributors of a public water supply, that are not urban water suppliers under the State Water Board Regulations, by limiting outdoor water use to Mondays and Thursdays only within County Service Area 10A, County Service Area 16, County Service Area 23 and County Service Area 12. Furthermore, approval of the attached Ordinance will assist with the State’s efforts to ensure water agencies, their customers and state residents increase water conservation.

File: CF 640.140.01

Reference: 19AUG12-C-9

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ATTACHMENTS

1. Vicinity Map
2. Ordinance
3. Notice of Exemption (CEQA)