

RESOLUTION NO. 1312

A RESOLUTION OF THE BOARD OF PUBLIC UTILITIES RECOMMENDING THAT THE COUNCIL OF THE CITY OF SANTA ROSA ADOPT A RESOLUTION RESCINDING THE JUNE 29, 2021 DROUGHT EMERGENCY DECLARATION, RESCINDING STAGE 3 OF THE CITY'S WATER SHORTAGE CONTINGENCY PLAN, REMOVING AUTHORIZATION FOR SANTA ROSA WATER TO UTILIZE THE WATER ENTERPRISE FUND CATASTROPHIC RESERVES, AND DIRECTING STAFF TO IMPLEMENT DEMAND REDUCTION ACTIONS CONSISTENT WITH THE REQUIREMENTS OF TITLE 23, SECTION 996(c)(1) OF THE CALIFORNIA CODE OF REGULATIONS FOR THE DURATION THIS EMERGENCY REGULATION IS IN EFFECT

WHEREAS, Santa Rosa Water purchases approximately 94% of its water supply from Sonoma Water, the region's wholesale water supplier; and

WHEREAS, the majority of Sonoma Water's water supply comes from the Russian River; and

WHEREAS, the Governor of the State of California declared a local drought emergency in Sonoma and Mendocino Counties on April 21, 2021; and

WHEREAS, the County of Sonoma declared a local drought emergency on April 27, 2021; and

WHEREAS, as a result of several temporary urgency change petitions filed with the State Water Resources Control Board (State Water Board) over the past two years, Sonoma Water has had to seasonally reduce water diversions by 20% and make corresponding reductions in deliveries to its water contractors, including to the City of Santa Rosa (City); and

WHEREAS, on June 29, 2021, the Council of the City of Santa Rosa adopted Resolution No. RES-2021-125, thereby declaring a drought emergency, adopting Stage 3 of the City's Water Shortage Contingency Plan, directing staff to implement the water conservation program as defined by Stage 3 to realize community-wide water use reduction of 20%, and authorizing Santa Rosa Water to utilize the Water Enterprise Fund Catastrophic Reserve; and

WHEREAS, on March 28, 2022, Governor Newsom issued Executive Order N-7-22, thereby ordering the State Water Board to consider adopting emergency regulations including a requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2); and

WHEREAS, on May 24, 2022, the State Water Board via Resolution No. 2022-0018, adopted Title 23 California Code of Regulations (C.C.R.), Section 996; and

WHEREAS, Title 23 C.C.R. Section 996(c)(1) requires the City to implement all demand reduction actions identified in the City's Water Shortage Contingency Plan for a shortage level of 10% to 20% percent (Level 2); and

WHEREAS, the region recently received substantial rainfall via a series of atmospheric rivers and Lake Sonoma and Lake Mendocino have fully recovered from historically low levels to the point that the water supply pool for each reservoir is full; and

WHEREAS, the water supply outlook is vastly improved such that mandatory reductions in community-wide water use are no longer necessary.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities hereby finds the above recitals to be true and correct and incorporates the recitals herein.

BE IT FURTHER RESOLVED that the Board of Public Utilities recommends the Council of the City of Santa Rosa, by resolution, take the following actions:

1. Rescind the June 29, 2021 drought emergency declaration.
2. Rescind Stage 3 of the City of Santa Rosa's Water Shortage Contingency Plan requiring an up to 20% community-wide water use reduction in water use compared to 2020.
3. Remove authorization for Santa Rosa Water to utilize the Water Enterprise Fund Catastrophic Reserve.
4. Implement demand reduction actions, which actions are listed in Exhibit A attached hereto and incorporated herein by reference, consistent with Title 23 of the California Code of Regulations, Section 996(c)(1) for the duration that this emergency regulation is in effect.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 2nd day of March, 2023.

AYES: (7) GALVIN, ARNONE, BADENFORT, BARTHOLOW, WALSH, WATTS, WRIGHT

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

APPROVED: _____/S/_____
Daniel J. Galvin III, Chair

ATTEST: _____/S/_____
Michelle Montoya, Recording Secretary

APPROVED AS TO FORM:

_____/S/_____
Morgan Biggerstaff, Assistant City Attorney

Exhibit A – Summary Table of Demand Reduction Actions