



RESOLUTION NO. 273

**RESOLUTION OF THE BOARD OF DIRECTORS
OF LA PUENTE VALLEY COUNTY WATER DISTRICT
RESCINDING RESOLUTION NO. 240 AND DECLARING WATER
USE EFFICIENCY PRACTICES AND WATER CONSERVATION MEASURES**

WHEREAS, the La Puente Valley County Water District ("District") is a water district empowered to provide water service within its boundaries; and

WHEREAS, the District adopted Resolution No. 240 on June 27, 2016, Updating the Emergency Conservation Restrictions consistent with the Governor of California's Executive Order No. B-37-16 issued on May 9, 2016 and with regulations imposed by the State Water Resources Control Board ("SWRCB"); and

WHEREAS, communities across California are experiencing more frequent, prolonged, and severe impacts of climate change including catastrophic wildfires, extreme heat and unprecedentedly dry conditions that threaten the health of our people, habitat for species and our economy; and

WHEREAS, drought conditions present urgent challenges, including the risk of drinking water shortages in communities, greatly increased wildfire activity, diminished water for agricultural production, adverse impacts on fisheries, and additional water scarcity if drought conditions continue into next year; and

WHEREAS, during the 2012-2016 drought, Californians did their part to conserve water, with many taking permanent actions that continue to yield benefits; per capita residential water use statewide declined 21 percent between the years 2013 and 2016, and has remained on average 16 percent below 2013 levels as of 2020; and

WHEREAS, the Main San Gabriel Groundwater Basin (the "Basin"), which the District relies upon as its primary source of water to meet its customers' needs, remains close to its historic low level, which is far below the preferred operating range for the Basin; and

WHEREAS, on July 8, 2021, Governor Gavin Newsom issued Executive Order No. N-10-21 directing actions on all Californians to voluntarily reduce their water use by 15 percent from their 2020 levels; and

WHEREAS, on October 19, 2021, Governor Newsom issued a Proclamation of a State of Emergency that proclaimed that eight southern California counties, including Los Angeles County, are experiencing severe drought conditions; and

WHEREAS, Governor Newsom's October 19 Proclamation directs, as applicable, local water suppliers to execute their Water Shortage Contingency Plans at levels appropriate to local conditions that

take into account the possibility of a third consecutive dry year; and authorizes the SWRCB to adopt emergency regulations to prohibit certain wasteful water practices; and

WHEREAS, following the making of findings as required by law in accordance with Water Code Section 375, the District has the power and authority to adopt mandatory water conservation measures within its boundaries;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the La Puente Valley County Water District as follows:

Section 1: Rescission of Resolution 240. The Board of Directors of the La Puente Valley County Water District hereby rescinds Resolution 240 adopted on June 27, 2016.

Section 2: Purpose. The purpose of this Resolution is to establish guidelines for water use efficiency practices and water conservation measures that will reduce the overall water consumption within the service boundaries of La Puente Valley County Water District ("District"). These guidelines will enable effective water supply planning and budgeting to ensure the reasonable, reliable, and beneficial use of available water resources by all District customers, with all intents and purposes concentrated on minimizing the hardships of limited water supplies, maximizing the efficient use of available water supplies, and preventing the overall waste of available water supplies.

This Resolution establishes permanent water waste and conservations standards intended to alter behavior related to water use efficiency at all times and further establishes four levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies.

Section 2: Authorization. Resolution 240 is rescinded. Resolution 273 is adopted by the Board of Directors and will become effective immediately. The officers and representatives of the District are hereby authorized and directed to immediately implement the applicable provisions of this Resolution upon the effective date thereof.

Section 3: Application. The provisions of this Resolution shall apply to all customers, consumers, persons, and properties in use of any potable water resources within the defined service boundaries of the District.

Exemptions:

- A. Water necessary for water system or fire suppression system testing and maintenance, or fire suppression and other similar emergency service affecting public health and safety.
- B. Water necessary to protect public health and safety as determined in the sole discretion of the District.
- C. The use of water by commercial nurseries and commercial growers to sustain plants, trees, shrubs, crops or other vegetation intended for commercial use.

Section 4: Water Use Efficiency Practices and Water Conservation Measures.

• **Chapter 1- General Provisions**

- 1.01. The District will continue to offer educational materials, to promote best practices for water conservation, and to support the use of water conserving household fixtures to its users and customers in efforts of encouraging water use efficiency practices and preventing the waste of available water resources. This Resolution sets forth water use efficiency practices and water conservation measures that shall be implemented and followed by all applicable users within the service boundaries of the District.

- **Chapter 2 - Permanent Water Use Efficiency Practices and Water Conservation Measures**

2.01. To prevent the waste and unreasonable use of water and to promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

2.01.1. **Limited Hours for Watering and Irrigating:** Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material shall be prohibited between the hours of 9:00 AM and 5:00 PM.

2.01.2. **Prohibited Periods for Watering and Irrigating:** The application of potable water to outdoor landscapes shall be prohibited during and within 48 hours after measurable rainfall.

2.01.3. **Prohibited Water Flows and Irrigation Runoff:** Allowing irrigation water to runoff from landscaped areas, lawns, vegetated areas, and plant materials into or onto adjoining sidewalks, streets, and/or other paved areas due to incorrectly directed or improperly maintained sprinklers, or excessive watering shall be prohibited.

2.01.4. **Prohibited Washing Down of Hard Surfaces and Paved Areas:** The application of potable water to driveways and sidewalks shall be prohibited.

2.01.5. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All applicable users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All applicable users are required to repair leaks, breaks, and/or malfunctions when they are discovered, but not more than seven (7) days after receiving notice from the District.

2.01.6. **Limited Practices for Washing Motorized Vehicles and Non-Motorized Equipment:** The use of a hose that dispenses potable water to wash a motor vehicle shall be prohibited, except when the hose is fitted with a shut-off nozzle or an automatic shut off valve.

2.01.7. **Prohibited Installation of Non-Re-circulating Equipment in Commercial Car Wash and Laundromat Systems:** Installation of non-re-circulating water systems at new commercial washes and new commercial Laundromat facilities shall be prohibited.

2.01.8. **Prohibited Use of Non-Re-circulating Equipment for Water Fountains and Decorative Water Features:** The use of potable water in a fountain or other decorative water feature shall be prohibited except where the water is part of a re-circulating system.

2.01.9. **Offered Option for Declining Daily Linen Services at Lodging Establishments:** To promote water conservation, operators of hotels

and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using language that is easily understood.

2.01.10. **Restricted Service for Drinking Water at Eating or Drinking Establishments:** Serving drinking water other than upon request shall be prohibited in eating and drinking establishments, including by not limited to restaurants, hotels, cafes, cafeterias, bars or other public places where food or drinks are served and/or purchased.

2.01.11. **Prohibited Installation of Single Pass Cooling Systems:** Installation of single pass cooling systems in new commercial buildings requesting new water utility service shall be prohibited.

- **Chapter 3 - Water Supply Emergencies, Water Use Restrictions, and Water Conservation Actions**

3.01. The District shall monitor and evaluate the continued groundwater levels in the Basin and the estimated water demand of its applicable users. In the event the Basin's groundwater levels continue to decline, the General Manager shall recommend that the Board of Directors consider making a determination that a Water Supply Emergency exists. Based on the severity of the conditions and amount of available water supplies, the Board of Directors may declare a Stage 1, Stage 2, Stage 3, or Stage 4 Water Supply Emergency as outlined within this Chapter.

3.02. **Stage 1 Water Supply Emergency:** When the Board of Directors declares a Stage 1 Water Supply Emergency, the District shall immediately notify all applicable users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures defined within Chapter 2 - §2.01.1 to §2.01.11 of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and actions shall be provided by mail and one or more of the following methods - Posting the information to the District website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the District.

3.02.1. **Limited Days and Hours for Watering and Irrigating without Use of Drip Irrigation Systems:** Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation system shall be limited to three (3) times per week and shall be prohibited between the hours of 9:00 AM and 5:00 PM.

3.02.2. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All applicable users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All applicable users are required to repair leaks, breaks, and/or malfunctions when they are

discovered, but not more than five (5) days after receiving notice from the District.

3.02.3. **Coordinated Efforts and Resources to Reduce Potable Water Use of Residential Properties:** The District will provide educational material and develop, coordinate, and implement water conservation programs in conjunction with the Upper San Gabriel Valley Municipal Water District and the Main San Gabriel Basin Watermaster for residential users. These resources, including but not limited to usable water saving household fixtures, obtainable water saving household appliance rebates, and offered drought tolerant landscape and turf removal incentives, will be made available to assist residential properties in attaining the overall potable water usage reduction targets set by the State Water Resources Control Board and/or the Governor of the State of California.

3.02.4. **Coordinated Efforts and Resources to Reduce Potable Water Use of Commercial, Industrial, and Institutional Properties:** The District will provide educational material and develop, coordinate, and implement water conservation programs in conjunction with the Upper San Gabriel Valley Municipal Water District for commercial, industrial, and institutional users. These resources, including but not limited to obtainable weather-based irrigation controller rebates and offered drought tolerant landscape and turf removal incentives, will be made available to assist commercial, industrial, and institutional properties in attaining the overall potable water usage reduction targets set by the State Water Resources Control Board and/or the Governor of the State of California.

3.03. **Stage 2 Water Supply Emergency:** When the Board of Directors declares a Stage 2 Water Supply Emergency, the District shall immediately notify all applicable users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures defined within Chapter 2 - §2.01.1 to §2.01.11 and the water use restrictions and water conservation actions defined within Chapter 3 - §3.02.1 to §3.02.4 of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and actions shall be provided by mail and one or more of the following methods - Posting the information to the District website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the District.

3.03.1. **Limited Days and Hours for Watering and Irrigating without Use of Drip Irrigation Systems:** Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation system shall be limited to two (2) times per week and shall be prohibited between the hours of 9:00 AM and 5:00 PM.

3.03.2. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:** All applicable users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property,

including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All applicable users are required to repair leaks, breaks, and/or malfunctions when they are discovered, but not more than seventy-two (72) hours after receiving notice from the District.

3.04. Stage 3 Water Supply Emergency: When the Board of Directors declares a Stage 3 Water Supply Emergency, the District shall immediately notify all applicable users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures defined within Chapter 2 - §2.01.1 to §2.01.11 and the water use restrictions and water conservation actions defined within Chapter 3 - §3.02.1 to §3.02.4 and §3.03.1 to §3.03.2 of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and actions shall be provided by mail and one or more of the following methods - Posting the information to the District website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the District.

3.04.1. Limited Days and Hours for Watering and Irrigating without Use of Drip Irrigation Systems: Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material without the use of a drip irrigation system shall be limited to one (1) time per week and shall be prohibited between the hours of 9:00 AM and 5:00 PM.

3.04.2. Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions: All applicable users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All applicable users are required to repair leaks, breaks, and/or malfunctions when they are discovered, but not more than forty-eight (48) hours after receiving notice from the District.

3.04.3. Limited Filling of Swimming Pools, Spas, Hot Tubs, and Jacuzzis: Filling of swimming pools, spas, hot tubs, and/or Jacuzzis of any kind whether in-ground or above-ground structures, shall be prohibited except where required to maintain the integrity of the pool structure.

3.05. Stage 4 Water Supply Emergency: When the Board of Directors declares a Stage 4 Water Supply Emergency, the District shall immediately notify all applicable users that the following water use restrictions and water conservation actions are to be implemented and followed in addition to the water use efficiency practices and water conservation measures defined within Chapter 2 - §2.01.1 to §2.01.11 and the water use restrictions and water conservation actions defined within Chapter 3 - §3.02.1 to §3.02.4, §3.03.1 to §3.03.2, and §3.04.1 to §3.04.3 of this Resolution. Wherever two of the practices, measures, restrictions, and/or actions are similar, the stricter of the two shall take precedence. Public notification of the practices, measures, restrictions, and

actions shall be provided by mail and one or more of the following methods - Posting the information to the District website, publishing the information in community newsletters, and/or printing information in other publications servicing the service boundaries of the District.

3.05.1. **Prohibited Watering and Irrigating with Drip Irrigation Systems:**

Watering outdoors for the purposes of irrigating landscape, lawns, vegetated areas, and plant material with the use of a drip irrigation system shall be prohibited.

3.05.2. **Obligated Responsibilities for Water Leaks, Breaks, or Malfunctions:**

All applicable users shall prevent, repair, and eliminate all leaks, breaks, and/or malfunctions of water served to their property, including but not limited to, water served through plumbing fixtures, indoor pipelines, outdoor pipelines, irrigation fixtures, irrigation controllers, and other water service equipment. All applicable users are required to repair leaks, breaks, and/or malfunctions when they are discovered, but not more than twenty-four (24) hours after receiving notice from the District.

3.05.3. **Prohibited Washing of Motorized Vehicles and Non-Motorized Equipment:**

Washing of any motorized vehicle or non-motorized equipment, including but not limited to automobiles, trucks, vans, buses, motorcycles, boats or other motorized and non-motorized equipment, shall be prohibited except when done at commercial car wash facilities.

• **Chapter 4 - Compliance Monitoring and Enforcement of Water Use Restrictions and Water Conservation Actions**

4.01. The compliance monitoring and enforcement of the water use efficiency practices and water conservation measures defined within Chapter 2 - §2.01.1 to §2.01.11 and the water use restrictions and water conservation actions defined within Chapter 3 - §3.02.1 to §3.02.4, §3.03.1 to §3.03.2, §3.04.1 to §3.04.3, and §3.05.1 to §3.05.3 of this Resolution shall be administered initially on an educational basis as follows:

4.01.1. **First Violation:** Users will have the opportunity to work closely with representatives of the District to obtain useful information and material pertaining to appropriate water use efficiency practices and water conservation measures.

4.01.2. **Second Violation:** Users who have already been provided information and material pertaining to appropriate water use efficiency practices and water conservation measures from a District representative within 6 months of a first violation will be issued a written warning outlining the need for action to implement appropriate corrective measures.

4.02. The compliance monitoring and enforcement of the water use restrictions and water conservation actions defined within Chapter 3 - §3.02.1 to §3.02.4, §3.03.1 to §3.03.2, §3.04.1 to §3.04.3, and §3.05.1 to §3.05.3 of this Resolution for users who continue to violate the Resolution once the District has provided information and material pertaining to appropriate water use efficiency practices and water conservation measures, and within 12 months of the District issuing a written warning outlining the need for action to implement appropriate corrective measures, would be subject to

monetary penalties according to the following schedule, which would be added to the regular customer billing statement and payable based on the due date assigned for collection of the recurring water utility service rates:

- 4.02.1. **Third Violation:** Users who commit a third violation within a 12-month period will be subject to a \$100.00 penalty.
- 4.02.2. **Fourth Violation:** Users who commit a fourth violation within a 12-month period will be subject to a \$200.00 penalty.
- 4.02.3. **Fifth Violation:** Users who commit a fifth violation within a 12-month period will be subject to a \$200.00 penalty and may have their water utility service terminated.

Section 8: Appeal. Decisions made by the District under the regulations set forth in this Resolution may be appealed by customers in accordance with the procedures set forth in the District’s Rules and Regulations.

Section 9: Severability. If any portion of this Resolution is found to be unconstitutional or invalid, the District hereby declares that it would have enacted the remainder of this Resolution regardless of the absence of any such valid part.

Section 10: Effective Date. This Resolution shall take effect October 25, 2021 and shall supersede Resolution No. 240.

BE IT FURTHER RESOLVED, that the Board of Directors find that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code §21080(b)(4) and (8);

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the La Puente Valley County Water District held on October 25, 2021.

William R. Rojas
President of the Board

ATTEST:

Roy Frausto
Board Secretary