

RESOLUTION NO. 2021-12

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SAN BENITO COUNTY WATER DISTRICT
IMPLEMENTING THE DISTRICT'S WATER SHORTAGE CONTINGENCY PLAN
STAGE 1 (ONE) VOLUNTARY CONSERVATION**

The San Benito County Water District Board of Directors does hereby resolve as follows:

PURSUANT to California Water Code Section 350 et seq., the Board of Directors has conducted duly noticed public hearings to establish the criteria under which a water shortage may be declared.

WHEREAS,

The District is a water purveyor to the City of Hollister and the Sunnyslope County Water District for municipal purposes and to agricultural customers in San Benito County for irrigation purposes; and

WHEREAS,

Much of California experienced dry conditions the past two years. In May 2021, early warm temperatures and extremely dry soils depleted the expected runoff water from the Sierra-Cascade snowpack, resulting in historic and unanticipated reductions in the amount of water flowing to major reservoirs, which impacts our imported water supply.

WHEREAS,

The Governor of the State of California, in accordance with the authority vested in him by the state Constitution and statutes, including the California Emergency Services Act, and in particular, section 8625 of the California Government Code proclaimed a State of Emergency to exist in the State of California due to current drought conditions; and 41 counties are now under a drought state of emergency, representing 30 percent of the state's population. The drought emergency proclamation included San Benito County.

WHEREAS,

The District receives water from the Central Valley Project (CVP) as a federal contractor and it has been projected by the Bureau of Reclamation that south of the Delta contractors will receive a zero allocation for agricultural water users and Municipal and Industrial (M&I) customers will only receive 25% of historical allocations this year;

WHEREAS,

The demand for water service is not expected to lessen;

WHEREAS,

As stated in the Hollister Urban Area Water Management Plan 2020, when the combined total amount of water supply available to the District from all sources falls at or below the Stage I triggering levels, the District will implement the Hollister

Urban Area Water Shortage Contingency Plan. The water supply would not be adequate to meet the ordinary demands and requirements of water consumers without depleting the District's water supply to the extent that there may be insufficient water for human consumption, sanitation, fire protection, and environmental requirements. These conditions are likely to exist until precipitation and inflow dramatically increases.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Benito County Water District that a water shortage emergency condition exists that threatens the adequacy of the water supply, until the water supply is deemed adequate. The Board of Directors hereby implements the following interim Water Shortage Contingency Plan.

1. Interim Overuse Policies Applicable to Agricultural and M&I San Felipe Customers (Contract and Small Parcel): Overuse of water will result in a reduction of water available to other users who are entitled to their allocation and will require that the District locate and purchase water on the open market to compensate for the overused water. If an Agricultural or M&I customer overuses their applicable water allocation, the District shall discontinue water service by closing the customer's valve. The customer will be billed their applicable water rate and power rate for usage in addition to a minimum regulatory conservation charge up to \$2,000/Acre-Foot). This charge is not imposed upon a parcel as an incident of property ownership but is a regulatory charge on water users who choose to overuse water allocations. The charge is intended to recover the District's costs for locating and purchasing water in the open market to back-fill the District's supplies so that other District customers' allocations will not be impacted.

2. Changing Account Service Type: Customers will not be allowed to change account service type between contract and small parcel or between contract Ag and contract M & I. However, the District has the discretion to authorize changing of account service type when such is deemed justified under the circumstances.

3. Voluntary Conservation: While the conditions at present warrant a Stage II action, the District is initially implementing a Stage I voluntary conservation action with a Demand Reduction Goal up to 15 percent. As the District continues to monitor the water supply and conditions, the Board may choose to modify the action level.

4. Miscellaneous: Any and all provisions of the Water User's Handbook that are in conflict with the provisions of this Resolution are hereby suspended during the term of this interim Resolution. This Resolution shall be reviewed periodically but not later than January 26, 2022, to determine whether a water shortage condition and emergency exists and whether the policies set forth herein

should continue in effect. In the event a court of law determines that any provision of this Resolution is invalid, such determination shall not invalidate the remaining provisions of this Resolution.

BE IT FURTHER RESOLVED that the Board of Directors shall periodically conduct proceedings to determine additional restrictions and regulations which may be necessary to safeguard the adequacy of the water supply for domestic, sanitation, fire protection, and environmental requirements.

BE IT FURTHER RESOLVED that the President of the Board is authorized to sign this Resolution on behalf of this Board and District.

PASSED AND ADOPTED by the Board of Directors of the San Benito County Water District this day 30th of June 2021, by the following vote:

AYES: DIRECTORS: Williams, Tonascia, Flores, Shelton & Tobias

NOES: DIRECTORS: None

ABSENT: DIRECTORS: None

ABSTAIN: DIRECTORS: None

/s/Doug Williams
Doug Williams
President

ATTEST: /s/Sara Singleton
Sara Singleton
Assistant Manager