

**CLEARLAKE OAKS COUNTY WATER DISTRICT
AGENDA, CALL AND NOTICE
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

*Clearlake Oaks County Water District- Administration
12952 E. Highway 20, Clearlake Oaks, CA 95423*

July 6, 2021

This meeting will be conducted by Roberts Rule of Order.

Where appropriate or deemed necessary, the Board may take action on any item listed on the agenda, including items listed as information items. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection in the customer service area of the District's Administrative Office at the above address.

The public may address the Board concerning an agenda item either before or during the Board's consideration of that agenda item. The President will call for comments at the appropriate time. Comments will be subject to reasonable time limits of three minutes.

In compliance with the Americans with Disabilities Act, if you have a disability, and you need a disability-related modification or accommodation to participate in this meeting, then please contact Clearlake Oaks County Water District Secretary to the Board at 707-998-3322. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

AGENDA

Call to Order – 1:00 p.m.

Pledge of Allegiance

Roll Call

- Mrs. Margaret Medeiros, President Mr. Stanley Archacki, Vice President Mr. Samuel Boucher, Director,
- Mr. Michael Herman, Director Mr. James Burton, Director

- Mrs. Dianna Mann– General Manager Mrs. Olivia Mann - Secretary to the Board

Public comment on non-agenda items

This is the opportunity for the public to comment on non-agenda items within the Board's jurisdiction. Comments are limited to three (3) minutes

Submission of Prop 218 Public Hearing Notice

New Business

- a. Discussion and consideration of establishing a Water Conservation stage

Action Taken: _____

- b. Discussion and consideration of purchasing a 30 KW generator, not to exceed \$30,000.00

Action Taken: _____

- c. Discussion and approval of Lift Station 10 easements

Action Taken: _____

Adjournment

Time: _____

4-1.110 ENFORCEMENT

Customers shall be notified in writing when the first violation of this article is discovered by the District. The notice shall include a warning that further violations could result in stricter penalties as set forth below:

- (1) Customers who violate this article for a second time within a twelve-month period have committed an infraction punishable by a fine of up to \$100.
- (2) Customers who violate this article for a third time within a twelve-month period an infraction punishable by a fine of up to \$200.
- (3) Customers who violate this article for a fourth time within a twelve-month period have committed an infraction punishable by a fine of up to \$500.
- (4) The District may terminate service to customers who have violated provisions of this article five times within a twelve-month period.
- (5) Customers may appeal enforcement fines to the General Manager, to be reviewed by the Board of Directors at the first Regularly Scheduled Board Meeting following the date of the appeal.

4-1.111 WATER SHORTAGE RESPONSE – DROUGHTS AND EMERGENCIES

The District hereby establishes four levels of escalating response to a water shortage caused by droughts and emergencies. Each stage may be triggered by a declaration from federal or state authorities, or the District to address events that result in a water shortage.

1. Pursuant to Water Code section 376 and Government Code section 6061, the Clearlake Oaks County Water District shall publish in a newspaper of general circulation this resolution adopting a water conservation program within 10 days after its adoption; and
2. This resolution establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes four levels of drought response actions to be implemented in times of shortage, with increasing restrictions on water use in response to worsening drought conditions and decreasing available supplies; and
3. Pursuant to Water Code sections 351 and 352, Clearlake Oaks County Water District will hold a public meeting to discuss any declaration of Drought Response condition, the status of the District's water supply and further actions which need to be taken. Clearlake Oaks County Water District will publish in a newspaper of general circulation notice of the time and place of the public hearing at least seven days prior to the date of hearing, and

4. The four levels of drought response outlined in detail below (items 6-10) will be triggered by the following conditions to meet the specified goals as follows:

Level 1: a) Lake Elevation is at or below +2.00 feet Rumsey on May 1st of the calendar year.
b) The recorded annual rainfall is at or below 20”
c) Clearlake Oaks County Water District’s Board of Directors has declared a Level 1 Drought Response condition.
GOAL: Voluntary measures to achieve 10% reduction in usage.

Level 2: a) Lake Elevation is at or below +1.00 feet Rumsey on May 1st of the calendar year.
b) The recorded annual rainfall is at or below 20”,
c) Emergency conditions related to reduced source, raw water quality, and/or treatment capacity,
d) Clearlake Oaks County Water District’s Board of Directors has declared a Level 2 Drought Response condition.
GOAL: Voluntary measures to achieve 20% reduction in usage

Level 3: a) Emergency conditions related to reduced source, raw water quality, and/or treatment capacity.
GOAL: Mandatory measures to achieve 30% reduction in usage.

Level 4; a) Emergency conditions related to severely reduced source, raw water quality, and/or treatment capacity.
GOAL: Connection moratorium and further mandatory measures to achieve 40% reduction in usage.

5. During a Level 1 Drought Response condition, Clearlake Oaks County Water District will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the following voluntary water conservation practices:

- a. Stop washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards.
- b. Stop water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. Similarly, stop water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- c. Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only.
- d. Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system.
- e. Irrigate nursery and commercial grower’s products before 10 a.m. and after 6 p.m. only. Watering is permitted at any time with a hand-held hose

- equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
- f. Use re-circulated water to operate ornamental fountains.
 - g. Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.
 - h. Serve and refill water in restaurants and other food service establishments only upon request.
 - i. Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.
 - j. Repair all water leaks within five (5) days of notification by the Clearlake Oaks County Water District unless other arrangements are made with the General Manager.
 - k. Use recycled or non-potable water for construction purposes when available.
6. During a Level 2 Drought Response condition, all persons using Clearlake Oaks County Water District water will voluntarily use Level 1 Drought Response water conservation practices during a Level 2 Drought Alert, and will voluntarily use the following additional conservation measures:
- a. Limit residential and commercial landscape irrigation to no more than three assigned days per week on a schedule established by Clearlake Oaks County Water District. During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the Clearlake Oaks County Water District. This section shall not apply to commercial growers or nurseries.
 - b. Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per watering station per day. This provision does not apply to landscape irrigation systems using water efficient devices, including but not limited to: weather based controllers, drip/micro-irrigation systems and stream rotor sprinklers.
 - c. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 6 (b) (1), on the same schedule set forth in section 6 (b) (1) by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation.
 - d. Repair all leaks within seventy-two (72) hours of notification by the Clearlake Oaks County Water District unless other arrangements are made with the General Manager.
 - e. Stop operating ornamental fountains or similar decorative water features unless recycled water is used.

7. During a Level 3 Drought Response condition, all persons using Clearlake Oaks County Water District water shall comply with Level 1 and Level 2 Drought Response conditions and shall also comply with the following additional mandatory conservation measure, along with a revised rate structure to financially discourage non-essential water use:
- a. Limit residential and commercial landscape irrigation to no more than two assigned days per week on a schedule established by the General Manager and posted by the Clearlake Oaks County Water District. During the months of November through May, landscape irrigation is limited to no more than once per week on a schedule established by the General Manager and posted by the Clearlake Oaks County Water District. This section shall not apply to commercial growers or nurseries.
 - b. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by section 7 (b) (1), on the same schedule set forth in section 7 (b) (1) by using a bucket, hand-held hose with a positive shut-off nozzle, or low-volume non-spray irrigation.
 - c. Stop filling or re-filling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a drought response level under this resolution.
 - d. Stop washing vehicles except at commercial carwashes that re-circulate water, or by high pressure/low volume wash systems.
 - e. Repair all leaks within forty-eight (48) hours of notification by the Clearlake Oaks County Water District unless other arrangements are made with the General Manager.
 - f. Tier one and tier 2 water rates subject to 15% and 25% increase respectively.
 - g. Additionally, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates or letters of availability) shall be issued, except under the following circumstances:
 - i. A valid, unexpired building permit has been issued for the project; or
 - ii. The project is necessary to protect the public's health, safety, and welfare; or
 - iii. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of Clearlake Oaks County Water District

This provision shall not be construed to preclude the resetting or turn-on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.



GAVIN NEWSOM
GOVERNOR



JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

July 2, 2021

System No. 1710001

Dianna Mann, General Manager
Clearlake Oaks County Water District
P.O. Box 709
Clearlake Oaks, CA 95423

ORDER NO. 02_03_21R_020 TECHNICAL REPORTING ORDER IN RESPONSE TO EXPECTED WATER SUPPLY SHORTAGE

Dear Dianna Mann:

Enclosed is Order No. 02_03_21R_020 (hereinafter "Order") issued by the State Water Resources Control Board ("State Water Board"), Division of Drinking Water ("Division") to Clearlake Oaks County Water District ("System"). **Please note that there are legally enforceable requirements associated with this Order.**

On May 10, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency in which he found that California is in a second consecutive year of dry conditions, resulting in extreme drought, drought, or near-drought conditions throughout many portions of the State. The Division has identified the System as facing a potential future water shortage. Pursuant to Health and Safety Code section 116530, the Division is issuing the enclosed Order requiring your system to submit to the State Water Board a Weekly Drought Technical Report (Technical Report), with weekly updates, concerning your water supply and drought conservation and contingency plans. These reports will assist with drought response and help ensure the ongoing quality and quantity of the drinking water you provide to your customers.

More information on the drought can be found here:

https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/

If you have any questions or concerns regarding this order, please contact your assigned DDW staff engineer or dwpdist03@waterboards.ca.gov.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov

Dianna Mann

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July 2, 2021

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Newton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Daniel Newton, P.E.
Northern California Branch Chief
Division of Drinking Water
State Water Resources Control Board

Enclosure

CC: Kurt Jensen, Chief Treatment Operator
(k.jensen@clocwd.org)

1710001/Enforcement
210702 Drought Technical Reporting Order Cover Letter_1710001

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order cover letter_.docx

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Clearlake Oaks County Water District

Water System No: 1710001

Attention: Dianna Mann

P.O. Box 709

Clearlake Oaks, CA 95423

Issued: July 2, 2021

**ORDER REQUIRING TECHNICAL REPORTING
IN RESPONSE TO DROUGHT**

The State Water Resources Control Board ("State Water Board"), acting by and through its Division of Drinking Water ("Division"), hereby issues Order No. 02_03_21R_020 ("Order") to Clearlake Oaks County Water District (hereinafter "System"), as set forth below:

FINDINGS AND AUTHORITIES

1. **WHEREAS** on May 10, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency in which he found that California is in a second consecutive year of dry conditions, resulting in extreme drought, drought, or near-drought conditions throughout many portions of the State, and that extreme drought conditions present urgent challenges, including the risk of water shortages in communities; and

2. **WHEREAS** public water systems are required at all times to have source capacity available to meet the public water system's maximum day demand, in accordance with section 64554 of title 22 of the California Code of Regulations; and
3. **WHEREAS** the System is a community water system with 2035 service connections and serves a population of 2359.; and
4. **WHEREAS** the Division has identified the System as facing a potential future water shortage at their surface water; and
5. **WHEREAS** California Health and Safety Code section 116530 authorizes the State Water Board to require a public water system to submit a Technical Report to the board, which may include without limitation: water quality information, physical descriptions of the existing water system, information related to drinking water accessibility, and information related to technical, managerial, and financial capacity and sustainability; and
6. **WHEREAS** California Health and Safety Code section 116530 authorizes the State Water Board to require a public water system to submit a Technical Report in a form and format and at intervals specified by the State Water Board.

DIRECTIVES

THEREFORE, the State Water Board hereby orders that the System comply with the following directives:

1. Within 14 days of date of this Order and every 7 days thereafter, submit a Weekly Drought Technical Report (Technical Report) to the Division, which includes all of the following items:
 - a. For each of the System's active groundwater sources:

- i. The static water level, measured within **seven days** before submitting the report;
 - ii. The well pump depth; and
 - iii. The date of the static water level measurement;
- b. For each of the System's active surface water sources:
 - i. The surface water depth or elevation, measured within **seven days** before submitting the Technical Report;
 - ii. The distance between the top of the intake and the surface water level; and
 - iii. The date of the water level measurement;
- c. The total water production for each of the System's permitted sources for the **seven days** preceding submission of the Technical Report;
- d. The total amount of water used from non-permitted sources, including hauling, that covers the **seven days** preceding submission of the Technical Report;
- e. The projected or approximate date of a water shortage;
- f. The System's drought conservation plans, including but not limited to any existing, planned, or proposed conservation ordinances and rate modification schedules, and existing, planned, or proposed public notifications regarding conservation during the drought;
- g. The System's drought contingency plans, including the actions the System will take if is unable to supply sufficient drinking water to meet demand and maintain adequate water system pressure, or if the System anticipates an inability to do so in the foreseeable future; and
- h. A description of each emergency source of water available to the System, including interties with other public water systems and how much water is available to the System from the intertie.

2. Submit the Technical Report using the following Weekly Drought Technical Reporting webpage:

<https://drought.waterboards.ca.gov>

The text of the Weekly Drought Technical Reporting webpage – including any further directives – is incorporated by reference and made a part of this Order.

AMENDMENTS TO THIS ORDER

The State Water Board reserves the right to make modifications to this Order as it may deem necessary. Such modifications may be issued as amendments to this Order and shall be effective upon issuance. Modifications to reporting requirements may also be issued as changes to the Weekly Drought Technical Reporting webpage, which are effective on the System's following due date for Technical Reporting.

SEVERABILITY

The directives of this Order are severable, and System shall comply with each and every provision thereof notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California Safe Drinking Water Act authorizes the State Water Board to issue an order or a citation with assessment of administrative penalties, up to a maximum of \$1,000 per day for each violation, to a public water system for violation or continued violation of this Order. The California Safe Drinking Water Act also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the board, and to file a petition in superior court to take enforcement measures, including the imposition of civil penalties, against a public water system that has failed to comply with an order of the board.



Daniel Newton, P.E.
Northern California Branch Chief
State Water Resources Control Board
Division of Drinking Water

July 2, 2021

Date