



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**C-3**

For the meeting of: April 5, 2016

Date: March 22, 2016  
To: Board of Supervisors  
From: Supervisor Ryan Sundberg  
Subject: Consider adopting a Resolution concerning Drought Emergency Conservation Regulations from the State Water Resources Control Board

RECOMMENDATION(S): That the Board of Supervisors adopt the attached Resolution concerning drought emergency conservation regulations from the State Water Resources Control Board.

SOURCE OF FUNDING: N/A

DISCUSSION: On April 14, 2016, the Board of Supervisors took action to send a letter to the State Water Resources Control Board with comments in response to the Governor's Statewide Mandatory Water Reduction Order. At the time, the Board requested an exemption based on evidence that the majority of Humboldt County Municipal water agencies had sufficient water supplies from a local source that had not been affected by the drought conditions.

As the State Water Resources Control Board will once again be considering the extension of these mandatory water regulations through October, 2016, the Humboldt Bay Municipal Water District is requesting that the Board of Supervisors send a resolution in support of rescinding the statewide drought emergency water conservation regulations, noting that drought conditions no longer persist in Humboldt County.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: N/A

Prepared by Kathy Hayes

Signature Ryan Sundberg

REVIEW: Auditor \_\_\_\_\_ County Counsel \_\_\_\_\_ Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:  
 Consent  
 Departmental  
 Public Hearing  
 Other

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**  
Upon motion of Supervisor Fennell / Seconded by Supervisor Bass  
Ayes Sundberg, Fennell, Lovelace, Bohn, Bass  
Nays \_\_\_\_\_  
Abstain \_\_\_\_\_  
Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: April 5, 2016  
By: Kathy Hayes  
Kathy Hayes, Clerk of the Board

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS: Proposed Resolution.

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

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RESOLUTION NO. 16-38

**RESOLUTION CONCERNING DROUGHT EMERGENCY CONSERVATION  
REGULATIONS FROM THE STATE WATER RESOURCES CONTROL BOARD**

**WHEREAS**, on April 1, 2015, Governor Jerry Brown issued Executive Order B-29-15, which required in part that the State Water Resources Control Board impose restrictions to achieve a 25% reduction in urban potable water use by February 29, 2016, compared to usage in 2013; and

**WHEREAS**, on May 5, 2015, the State Water Resources Control Board adopted drought emergency conservation regulations to implement the Governor's mandate, including a range of reductions by urban water suppliers which depended on their residential per capita water usage in 2014; and

**WHEREAS**, the water conservation regulations required the Humboldt Bay Municipal Water District, the Cities of Arcata and Eureka and the McKinleyville Community Services District to achieve a 4% reduction in water use, the Humboldt Community Services District to achieve a 12% reduction in water use, the City of Fortuna to achieve a 24% reduction in water use, and other water suppliers in Humboldt to achieve either a 25% reduction in water use or limit outdoor irrigation to no more than two days per week; and

**WHEREAS**, precipitation, water storage and river flow levels in Humboldt County in May, 2015, were adequate to avoid the need to otherwise implement any provisions of water shortage contingency plans; and

**WHEREAS**, water agencies in Humboldt County did collectively comply with the water conservation regulations, reducing potable use through January, 2016 by 3.3% more than was required of them by the regulations; and

**WHEREAS**, on November 13, 2015, Governor Brown issued Executive Order B-36-15, which specified in part that, should drought conditions persist through January, 2016, the State Water Resources Control Board would continue through October 31, 2016 restrictions to achieve statewide reductions in potable water usage, including modifications to address potable and non-potable water, and to incorporate insights gained from existing restrictions; and

**WHEREAS**, the State Water Resources Control Board issued a notice of proposed rulemaking on January 22, 2016, to extend the conservation regulations until October 31, 2016; and

**WHEREAS**, on January 28, 2016 the Humboldt Bay Municipal Water District and its municipal customers, as well Garberville Sanitary District submitted comments to the State Water Resources Control Board noting that drought conditions no longer persist in Humboldt County and requesting that conservation regulations only apply to those areas still in drought; and

**WHEREAS**, on February 5, 2016, the State Water Resources Control Board adopted an extension of the conservation regulations until October 31, 2016, which contained only one minor change in the provisions relevant to Humboldt County water agencies - reducing the conservation requirement for the City of Fortuna from 24% to 20% - although the regulations did provide reductions in conservation requirements for water agencies in warmer and drier parts of the state, for those that recently implemented recycled water or desalination projects, and for those that had experienced population growth since 2013; and

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

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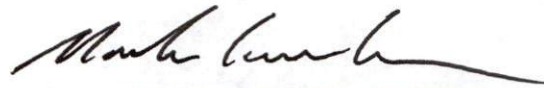
RESOLUTION NO. 16-38

**WHEREAS**, on April 20, 2016, the State Water Resources Control Board will conduct a public workshop on potential modifications to the conservation regulations to address hydrologic conditions through March, and will consider changes to the regulations on May 3, 2016; and

**WHEREAS**, rainfall in Eureka is 132% of average as of March 30, 2016, and the Mad River and Eel River have flooded multiple times since November 1, 2015, and the U.S. Department of Agriculture Drought Monitor classifies Humboldt County as having no drought conditions.

**NOW, THEREFORE, BE IT RESOLVED**, that due to the lack of any drought conditions in Humboldt County, the Board of Supervisors of Humboldt County requests that the State Water Resources Control Board rescind the application of drought emergency conservation regulations to any water supply agency located within Humboldt County.

Dated: April 5, 2016



MARK LOVELACE, Chair  
Humboldt County Board of Supervisors

Adopted on motion by Supervisor Fennell, seconded by Supervisor Bass, and the following vote:

AYES: Supervisors Sundberg, Fennell, Lovelace, Bohn, Bass

NAYS: Supervisors --

ABSENT: Supervisors --

ABSTAIN: Supervisors --

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.



By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California