

ORDINANCE NO. 1

“WATER CONSERVATION PROGRAM” OF THE REDWOOD VALLEY COUNTY WATER DISTRICT

I. PROCEDURE AND DEFINITIONS

1. Tier One and Tier Two Water Conservation Restrictions may be implemented at the discretion of the Board of Directors without declaration of emergency.
2. Tier Three, Tier Four, Tier Five, and Tier Six Water Conservation Restrictions and Fees may be implemented as deemed necessary by the Board of Directors following declaration of a water shortage emergency condition at a public meeting and upon adoption of a Resolution declaring such emergency shortage.
3. The Board of Directors may determine and implement the appropriate Water Conservation Tier upon motion at a regular or special meeting of the Board of Directors.
4. The Board of Directors reserves the right to delay implementation of Tiers based upon weather projections at the beginning of the normal rainy season.
5. The Board of Directors may declare an end to the water shortage emergency condition by Resolution when the lake level is above the pump intake and rising.
6. The Board of Directors may allow emergency conditions to remain in effect after the lake level again rises above the pump intake, if water rights for the summer usage have been exhausted.
7. Conservation Tiers may be implemented prior to date and lake level triggers if so mandated by the California Department of Water Resources, the California Department of Public Health, the U S Army Corps of Engineers, the Mendocino County Water Agency, the Russian River Flood Control & Water Conservation Improvement District, or the Sonoma County Water Agency, pursuant to water rights agreements.
8. The term "customer" includes both residential and agricultural users. All agricultural use of water may be terminated before Tier Five if continued agricultural use diminishes available water supplies to the extent that human health, sanitation, or fire protection are at risk.
9. "Residential customers" are considered to be one residential unit per meter except those additional allotments already registered with the District. Additional allotments are not being accepted at this time due to the court-mandated moratorium in effect since 1989.
10. "Percentage reduction" refers to the same billing period averaged over a five-year period. In those cases where the water consumption data for the previous five years is either not available or can be shown by the customer to be inaccurate, the District will estimate or adjust base years consumption based on comparisons with similar users, adjacent properties, or other means.
11. At all Tiers bulk water vendors will be reminded that no water is allowed to be exported outside the District's place of use. The place of use includes those annexations currently under review by the State Water Resources Control Board. Bulk water purchasers who fill individual tanks for domestic use will be subject to the same volume, wastage, and reduction restrictions as customers supplied from the District's distribution system. Bulk water vendors will be required to register with the district and their delivery points are subject to monitoring to ensure compliance. Failure to comply with restrictions and

conditions will result in termination of supply. Purchase of bulk water from the District to augment metered water will not be allowed. The District will review bulk water sales requests from residences with wells that fail during the declared emergency. Bulk service to residences with failed wells is subject to the provisions of the water right in effect at the time of application. Approval to supply bulk water to residences with failed wells during the declared emergency will not constitute a commitment by the District to supply water to those residences following resumption of normal service. Customers who choose to haul bulk water shall be solely responsible for costs associated with both the water purchase and the cost of delivery.

12. Any customer who exceeds the established allotment at any tier level for two consecutive months, or who exceeds the established allotment after having a flow reducing device installed, or who fails to correct wasteful or non-essential water usage, may at the discretion of the General Manager, be subject to the following action:
 - At the customer's expense, undergo a complete site water audit and install certain water efficient fixtures.
 - Any customer who does not allow a complete site audit, or who does not comply with the recommendations of the site audit, may have service terminated until the water emergency is over, or until they do comply with the recommendations of the site audit.

II. WATER CONSERVATION TIERED RESTRICTIONS AND RATES

TIER ONE:

When the Lake Mendocino water level is at a level of concern at the end of the rainy season, as determined by the District, and no additional rain is projected, the District will notify by mail and posting of public notice, a request for voluntary conservation by both irrigation and domestic customers. The extent of the voluntary cutback will be dependant upon the projected lake level later in the year.

At Tier One Customers will be given notice of:

- (1) Dry year conditions.
- (2) Appropriate voluntary conservation methods.
- (3) Potential future mandatory restrictions.
- (4) Restrictions to bulk water purchasers.
- (5) The District website for additional information and notification.

TIER TWO:

If the Lake Mendocino water level falls to 720' above mean sea level on or before August 30, the District will again notify customers by mail and posting of public notice.

A. At Tier Two customers will be:

- (1) Supplied with a list of wasteful or non-essential water activities. (Attachment A "Prohibited Wasteful or Non Essential Water Usage During Shortages")
- (2) Required to cease all wasteful or non-essential water activities.
- (3) Notified by written notice to cease any water use for listed wasteful or non-essential activities.
- (4) Urged to reduce water usage by at least 15% based on average usage for the previous five years.

B. A water flow restrictor may be installed at the customer's sole expense, and at the sole discretion of the District, for failure to cease wasteful or non-essential water activities within 7 calendar days of receiving a written notice.

TIER THREE:

If the Lake Mendocino water level falls to 710' above mean sea level on or before September 30, the District will again notify customers by mail and posting of public notice.

During Tier Three customers will be advised of, and subject to:

- (1) Continued compliance with Tier Two prohibitions and penalties for wasteful and non-essential water usage.
- (2) A **mandatory** reduction of 25% based upon the average volume of water used during the same billing period for the previous five years (Residential customers who regularly use an average of between 100 gallons and 200 gallons per day will be subject to a 15% mandatory reduction. Customers who use an average of 100 gallons or less per day will not be required to reduce below that average).
- (3) A Water Conservation Fee of 100% of the usual water usage rate for the first 1000 gallons overage, 200% for the second 1000 gallon overage, and 300% for any subsequent overage. The Water Conservation Fee will be in addition the normal water rate.
- (4) The installation of a flow reducer at the customer's expense following a failure to meet the mandatory reduction in effect for two continuous months.

TIER FOUR:

If the Lake Mendocino water level falls to 705' above mean sea level on or before October 15, the District will again notify customers by mail and posting of public notice.

During Tier Four customers will be given notice of, and subject to:

- (1) Continued compliance with Tier Two prohibitions and penalties for wasteful and non-essential water usage.
- (2) A **mandatory** reduction of 50% based upon the average volume of water used during the same billing period the previous five years.
(Residential customers who regularly use an average of between 100 gallons and 200 gallons per day or less will be subject to a 25% mandatory reduction. Customers who use an average of 100 gallons or less per day will not be required to reduce below that average).
- (3) A Water Conservation Fee of 100% of the usual water usage rate for the first 1000 gallons overage, 200% for the second 1000 gallon overage, and 300% for any subsequent overage. The Water Conservation Fee will be in addition to the normal water rate.
- (4) The installation of a flow reducer at the customer's expense following a failure to meet the mandatory reduction in effect for two continuous months.

TIER FIVE:

If the Lake Mendocino water level falls to 700' above mean sea level, the District will again notify customers by mail and posting of public notice.

- A. All untreated agricultural deliveries will be terminated. Use of treated water for agriculture will be prohibited.
- B. All bulk water sales for other than allowed human consumption will be prohibited.
- C. During Tier Five non-agricultural customers will be given notice of, and subject to:
 - (1) Continued compliance with Tier Two prohibitions and penalties for wasteful and non-essential water usage.
 - (2) A **mandatory** reduction of 75% based upon the average volume of water used during the same billing period the previous five years.
(All residential customers will be allowed a minimum of 100 gallons per day during Tier Five.)
 - (3) A Water Conservation Fee of 100% of the usual water usage rate for the first 1000 gallons overage, 200% for the second 1000 gallon overage, and 300% for any subsequent overage. The Water Conservation Fee will be in addition to the normal water rate.
 - (4) The installation of a flow reducer at the customer's expense following a failure to meet the mandatory reduction in effect for two continuous months.
- D. During Tier Five, Redwood will formally notify the Mendocino Office of Emergency Services and the Department of Public Health, as well as the Division of Drinking Water and Environmental Management of the California Department of Public Health, that an emergency is potentially imminent.

TIER SIX:

When the Lake Mendocino pumps are no longer able to divert to its reservoir, the District will again notify customers by mail and posting of public notice.

A. During Tier Six customers will be given notice of, and subject to:

- (1) Continued compliance with Tier Two prohibitions and penalties for wasteful and non-essential water usage.
- (2) Residential use restricted to no more than 100 gallons per day per residential unit.
- (3) A continued prohibition on agricultural deliveries.
- (4) A continued prohibition on using treated water for irrigation.
- (4) A Water Conservation Fee of 200% of the usual water usage rate for the first 1000 gallons overage, 400% for the second 1000 gallon overage, and 600% for any subsequent overage. The Water Conservation Fee will be in addition to the normal water rate.
- (5) The installation of a flow reducer at the customer's expense following a failure to meet the mandatory reduction in effect for one month.
- (6) Termination of water service for failure to meet the required reduction in effect during any month after the installation of a flow reducer.
- (7) Restrictions on commercial and/or industrial users such as wineries, schools, businesses, and religious facilities, which must immediately apply to the district for an allotment of water to minimally sustain their operations. Such an application must demonstrate a severe and drastic curtailment of any and all possible water uses.

B. During Tier Six no customer will be allowed more than 25% of their five year average usage for the same billing period except through demonstration that such a reduction will be hazardous to human health or sanitation.

C. With implementation of Tier Six restrictions, customers will be informed of the projected availability of water from the District's tanks and reservoir. When these supplies approach depletion Redwood will follow the directives of local, State, and Federal agencies in an attempt to continue to supply water to its customers for basic health and sanitation purposes for as long as possible.

D. Customers who elect to purchase bulk water from outside Redwood's place of use do so at their sole expense and responsibility for compliance with water rights and permits.

I certify that this is a true and original copy of the proposed Ordinance #1 as approved by the Board of Directors. This Ordinance will be voted upon at the Regular Board Meeting scheduled for July 19, 2007.

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Linda Groth, Secretary to the Board of Directors

Attachment A

Prohibited Wasteful or Non-Essential Water Usage During Shortages

It is the intent of these restrictions to encourage District customers to make individual choices for water usage within their volume allowances while strongly discouraging wasteful practices that will affect the water supply for all. Most residential water is used outdoors. Every effort should be made to ensure that landscape watering is as efficient as possible. Many turf areas are actually over watered. Please consult a landscape professional for additional assistance.

1. There shall be no water used for washing of sidewalks, walkways, driveways, parking areas or other paved surfaces, except as required for health and safety purposes.
2. No restaurant, cafe, cafeteria or other public place where food is sold, served or offered for sale, shall serve drinking water to any customer unless expressly requested.
3. Washing vehicles, boats, and other equipment must be limited to once a month, and should always be done with a bucket of soapy water with brief hose rinse using a hose with a positive shut-off nozzle. Vehicle washing should preferably be performed at a car wash facility using recycled water.
4. No irrigation water shall be allowed to runoff onto sidewalks, driveways, streets, gutters, or similar outdoor surfaces. Incorrectly maintained or directed sprinkler heads shall be serviced immediately.
5. Watering of landscape or other turf area shall not be allowed between Ten a.m. and Four p.m., except that this shall not apply to commercial nurseries. There shall be no restriction on watering using reclaimed or well water, provided that signs are posted that identify such alternative sources.
6. Exterior washing of buildings, except for windows or in conjunction with painting of the structure, shall not be allowed.
7. Broken or leaking indoor or outdoor fixtures shall not be allowed to remain un-repaired. The District will assist with temporary service disconnection until repairs may be made.
8. Initial filling of swimming pools for which application for a building permit was made after declaration of a state of emergency will not be allowed.
9. Refilling of swimming pools after declaration of a state of emergency will not be allowed.
10. Filling and refilling of swimming pools may be allowed if such use is for the purpose of storing water for a residence with a failed well. Such use is subject to the inspection and approval by the District.
11. Construction water for such uses as compaction and dust control will not be allowed for projects for which application for a building permit was made after declaration of a state of emergency.

I certify that this is a true and original copy of the proposed Ordinance #1 Attachment A, as approved by the Board of Directors. This Ordinance was voted on and passed at the Regular Board Meeting July 19, 2007.

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Linda Groth, Secretary to the Board of Directors