

ORDINANCE NO. 1422.6

AN ORDINANCE OF THE COACHELLA VALLEY WATER DISTRICT IMPOSING ESTABLISHING A WATER SHORTAGE CONTINGENCY PLAN INCLUDING REGULATIONS RESTRICTING THE USE OF WATER DURING THREATENED OR EXISTING WATER SHORTAGE CONDITIONS

WHEREAS, on June 22, 2021, the Coachella Valley Water District Board of Directors approved Resolution No. 2021-20 adopting the 2021 Water Shortage Contingency Plan; and

WHEREAS, the Urban Water Management Planning Act requires urban water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually to prepare and adopt, in accordance with prescribed requirements, a water shortage contingency plan;

WHEREAS, the Urban Water Management Planning Act specifies the requirements and procedures for adopting such water shortage contingency plans;

WHEREAS, the Urban Water Management Planning Act requires urban water suppliers to conduct an annual water supply and demand assessment (Annual Assessment) each year and to include in their water shortage contingency plans the procedures they will use to conduct the Annual Assessment;

WHEREAS, the procedures used to conduct an Annual Assessment include, but are not limited to, the written decision-making process that an urban water supplier will use each year to determine its water supply reliability;

WHEREAS, the Coachella Valley Water District's (the "District") Water Shortage Contingency Plan provides that by June of each year, agency staff will present a completed Annual Assessment for approval by the Board of Directors or by the Board's authorized designee with expressly delegated authority for approval of Annual Assessment determinations;

WHEREAS, in accordance with applicable law, including Water Code section 10642, and Government Code section 6066, a Notice of a Public Hearing regarding the Water Shortage Contingency Plan was published within the jurisdiction of the District on June 4, 2021 and June 11, 2021;

WHEREAS, in accordance with applicable law, including but not limited to Water Code section 10642, a public hearing was held on June 22, 2021 at 8:00 AM or soon thereafter, at 75515 Hovley Lane East, Palm Desert, CA 92211 in order to provide members of the public and other interested entities with the opportunity to be heard in connection with proposed adoption of the Water Shortage Contingency Plan and issues related thereto;

WHEREAS, pursuant to said public hearing on the Water Shortage Contingency Plan, the District, among other things, encouraged the active involvement of diverse social, cultural, and economic members of the community within the District's service area with regard to the Water Shortage Contingency Plan and encouraged community input regarding the Water Shortage Contingency Plan;

WHEREAS, Section 10652 of the California Water Code provides that the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) (CEQA) does not apply to the preparation and adoption of the Water Shortage Contingency Plan; and

WHEREAS, Water Code Section 31026 provides that CVWD has the power to restrict the use of water during any emergency caused by drought, or other threatened or existing water shortage, and to prohibit the wastage of water or the use of water during such periods, for any purpose other than household uses or such other restricted uses as may be determined to be necessary by CVWD and may prohibit use of such water during such periods for specific uses which CVWD may from time to time find to be nonessential. CVWD has the authority to impose monetary fines and penalties and take other applicable actions pursuant to Water Code Sections 350-358, 375-378, and 31029; and

WHEREAS, on May 24, 2016, CVWD adopted Ordinance 1422.3 to adopt revised and additional restrictions, moving from Stage 3 to Stage 2 and lifting the Drought Budgets and Penalties; and

WHEREAS, the purpose of this Ordinance is to continue to rescind Ordinance 1422.5 and replace it within the CVWD District Code with the 2021 Water Shortage Contingency Plan; and

THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE COACHELLA VALLEY WATER DISTRICT AS FOLLOWS:

1. Incorporation of Recitals. All of the foregoing Recitals are true and correct and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Ordinance.

2. Public Hearing. On June 22, 2021, the Coachella Valley Water District Board of Directors held a public hearing to adopt the 2020 Regional Urban Water Management Plan, Water Shortage Contingency Plan, and Appendix L to the 2015 Urban Water Management Plan.

3. Previous Ordinances. The Board hereby rescinds previous water use restriction ordinances. This Ordinance No. 1422.6 shall supersede Ordinances Noes. 1414, 1419, 1422 and 1426 and Ordinances Noes. 1414, 1419, 1422 and 1426 shall be of no further force or effect.


5. Water Shortage Contingency Plan. Effective immediately upon adoption of this Ordinance, all water use restrictions, enforcement, and fines and shortage level assessments and declarations will be as outlined in the 2021 Water Shortage Contingency Plan.

ADOPTED this 13th day of July 2021, by the Board of Directors of the Coachella Valley Water District by the following vote:

AYES: Powell, Nelson, Aguilar

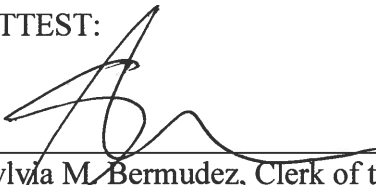
NOES: None

ABSENT: Bianco, Estrada



John P. Powell Jr., President
Coachella Valley Water District

ATTEST:



Sylvia M. Bermudez, Clerk of the Board
Coachella Valley Water District

