



EXHIBIT 2-B

**DRAFT
RESOLUTION NO. 2022-15**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
SUPPORTING SWRCB DROUGHT-RELATED
EMERGENCY WATER CONSERVATION REGULATIONS
AND
TRIGGERING STAGE 2 WATER CONSERVATION**

FACTS

1. On April 21, May 10, July 8, and October 19, 2021, Governor Newsom issued proclamations that a state of emergency exists statewide due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies, mitigate the effects of drought, and ensure the protection of health, safety, and the environment. These proclamations urge Californians to reduce water use; and

2. On March 28, 2022, Governor Newsom signed an Executive Order N-7-22 directing the State Water Resources Control Board (State Water Board) to consider adopting emergency regulations to increase water conservation. The Executive Order includes a request that the Board require urban water suppliers to implement Level 2 (MPWMD Stage 2) of their water shortage contingency plans, establish water shortage response actions for urban water suppliers that have not submitted water shortage contingency plans, taking into consideration model actions of the Department of Water Resources, and establish a ban on the irrigation of nonfunctional turf by entities in the commercial, industrial, and institutional sectors, including Common Interest Developments (condominiums); and

3. On May 24, 2022, the State Water Board adopted an emergency conservation regulation to safeguard the state's remaining water supplies as California enters a fourth consecutive dry year; and

4. Many Californians and urban water suppliers, including water users in the Monterey Peninsula Water Management District and California American Water service area,

have taken bold steps over the years to reduce water use; nevertheless, the severity of the current drought requires additional conservation actions from urban water suppliers, residents, and the commercial, industrial, and institutional sectors; and

5. The use of potable water to irrigate turf on commercial, industrial, or institutional properties that is not regularly used for human recreational purposes or for civic or community events can be reduced in commercial, industrial, and institutional areas, including Common Interest Developments, to protect local water resources and enhance water resiliency; and

6. Public information and awareness are critical to achieving conservation goals, and the Save Our Water campaign (SaveOurWater.com), run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response; and

7. SaveWater.CA.Gov is an online tool designed to help save water in communities. This website lets anyone easily report water waste from their phone, tablet, or computer by simply selecting the type of water waste they see, typing in the address where the waste is occurring, and clicking send. These reports are filed directly with the State Water Board and California American Water (water supplier); and

8. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated; and

9. On March 28, 2022, the Governor suspended the environmental review required by the California Environmental Quality Act to allow State Water Board-adopted drought conservation emergency regulations and other actions to take place quickly to respond to emergency conditions; and

10. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”; and

11. Disadvantaged communities may require assistance responding to Stage 2 conservation requirements, including irrigation restrictions, temporary changes to rate structures, and prohibited water uses. Local agencies should look for opportunities to aid in promoting water

conservation. This assistance should include but not be limited to translation of regulation text and dissemination of water conservation announcements into languages spoken by at least 10 percent of the people who reside in a water supplier's service area, such as in newspaper advertisements, bill inserts, website homepage, social media, and notices in public libraries; and

12. Emergency regulations adopted under Water Code section 1058.5 may remain in effect for up to one year, unless rescinded earlier, or extended by the State Water Board; and

13. The MPWMD has adopted and enforces restrictions on Water Waste and Non-Essential Water Use that are nearly identical to the SWRCB prohibitions. [Rule 162, Stage 1 Water Conservation: Prohibition on Water Waste](#), is always in effect.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Monterey Peninsula Water Management District hereby supports the State Water Board's emergency water conservation regulation and affirms its commitment to enforce the State Water Board's Emergency Water Conservation Regulation within the Monterey Peninsula Water Management District by activating [Rule 163, Stage 2 Water Conservation: Voluntary Reduction in Use](#) as of June 1, 2022, via the Regulatory Trigger (Rule 163-A-4) and by prohibiting the use of potable water for the irrigation of non-functional turf at commercial, industrial, and institutional sites, including Common Interest Developments

PASSED AND ADOPTED on this 26th day of May 2022 on a motion by Director _____ with a second by Director _____, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 26th day of May 2022.

David J. Stoldt, Secretary to the Board