

RESOLUTION NO. 2023 - ____

RESOLUTION:

- **RESCINDING THE WATER SHORTAGE EMERGENCY DECLARATION ADOPTED ON JUNE 7, 2022,**
- **DEACTIVATING LEVEL 2 AND ACTIVATING LEVEL 1 OF THE SAN BRUNO WATER SHORTAGE CONTINGENCY PLAN; AND**
- **DIRECTING STAFF TO CONTINUE IMPLEMENTING WATER USE RESTRICTIONS CONSISTENT WITH THE REQUIREMENTS OF TITLE 23, SECTIONS 995 AND 996 OF THE CALIFORNIA CODE OF REGULATIONS FOR THE DURATION OF THE EMERGENCY REGULATION**

WHEREAS, on November 23, 2021, the San Francisco Public Utilities Commission (SFPUC) declared a water shortage emergency calling for 10% voluntary reduction from July 2019 to June 2020 levels; and

WHEREAS, on March 28, 2022, Governor Newsom issued an Executive Order directing the California State Water Resources Control Board and local water agencies to enact shortage response actions consistent with local drought contingency plans; and

WHEREAS, on May 24, 2022, the California State Water Resources Control Board adopted emergency regulations for each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources to implement, at a minimum, the shortage response actions under Section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2) by June 10, 2022; and

WHEREAS, on June 7, 2022, the City Council declared a water shortage emergency, and adopted Level 2 water use restrictions of the City's Water Shortage Contingency Plan; and

WHEREAS, on June 10, 2022, the state prohibited the use of potable water for the irrigation of "non-functional turf" at large commercial, industrial, and institutional sites in Title 23 California Code of Regulations, Section 996(e)(1). "Non-functional turf" is defined as turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events. Exceptions to this rule include residential lawns, parks, and irrigation as necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need; and

WHEREAS, on December 21, 2022, the state re-adopted emergency regulations to prohibit wasteful and unreasonable water uses in Title 23 California Code of Regulations, Section 995; and

WHEREAS, after three consecutive dry years, significant rain and snowfall from this past winter have effectively ended the drought in many areas of the state; and

WHEREAS, as of March 20, 2023, the San Francisco Regional Water System is at 87.2% of total system storage where historically the median storage level for that day is 80.2%; and

WHEREAS, on March 24, 2023, Governor Newsom ended many drought emergency provisions through Executive Order N-5-23 due to current water conditions and maintained other conservation measures that support regions still facing water supply challenges; and

WHEREAS, on April 11, 2023, the San Francisco Public Utilities Commission unanimously passed an action to rescind their declaration of a local water shortage emergency while maintaining a voluntary call for an 11% water use reduction within the San Francisco Regional Water System; and

WHEREAS, City of San Bruno residents and businesses have reduced overall water use and made water conservation a way of life since the last major drought in 2014. Through April 2023, combined San Bruno customers have reduced water use by 21% from 2013 levels; and

WHEREAS, the City Council last approved and activated Level 2 the City's Water Shortage Contingency Plan (WSCP) at the June 7, 2022 City Council Meeting in response to the May 24, 2022 State water shortage emergency declaration; and

WHEREAS, in response to Executive Order N-5-23 rescinding the water shortage emergency declaration, the City of San Bruno is deactivating Level 2 and activating Level 1 of Water Shortage Contingency Plan which call for voluntary water use reductions of up to 10 percent.

NOW, THEREFORE, be it RESOLVED, and it is hereby ORDERED, that the City Council hereby:

- Rescinds the Water Shortage Emergency Declaration adopted on June 7, 2022,
- Deactivating Level 2 and Activating Level 1 of the San Bruno Water Shortage Contingency Plan; and
- Directing staff to continue implementing water use restrictions consistent with the requirements of Title 23, Sections 995 and 996 of the California Code of Regulations for the duration of the emergency regulation.

Dated: May 23, 2023

ATTEST:

Lupita Huerta, City Clerk

I, Lupita Huerta, City Clerk, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Bruno this 23rd day of May 2023 by the following vote:

| | | |
|---------|-----------------|-------|
| AYES: | Councilmembers: | _____ |
| NOES: | Councilmembers | _____ |
| ABSENT: | Councilmembers: | _____ |