

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO. 8697

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT
RESCINDING THE DECLARATION OF WATER SHORTAGE EMERGENCY AND CALLING FOR
ONGOING WATER CONSERVATION**

WHEREAS, the Board of Directors (Board) of the Marin Municipal Water District (District) acknowledges that water is a limited and essential resource; and

WHEREAS, Article X, Section 2 of the California Constitution mandates that the water resources of the State be put to beneficial use to the fullest extent and that waste or unreasonable use or method of use of water be prevented; and

WHEREAS, the District's potable water supply is limited to water captured in its seven reservoirs and water conveyed from the Russian River, both dependent on annual rainfall, and further depends on conservation and the use of recycled water where available; and

WHEREAS, the District experienced two successive dry winters in 2020 and 2021 with historically low rainfall and runoff; and

WHEREAS, on February 1, 2021, the District reservoir storage level was at 45,275 acre feet due to two successive dry weather years with significantly less than average rainfall, and in response, the District adopted Resolution No. 8624, calling for District-wide voluntary conservation efforts; and

WHEREAS, on April 1, 2021, the District reservoir storage level was at 43,385 acre feet, representing 54.5% of total storage capacity, nearly 41% below the District average of 73,543 acre feet, which also presented the lowest District reservoir storage level since 1983 (since before the raising of Kent Lake), prompting the Board to adopt Resolution No. 8630, declaring a water shortage emergency in accordance with Water Code sections 350 et seq. and 71641 et seq.,; and

WHEREAS, from July 1, 2021 to April 20, 2022, the District recorded 48.71 inches of rainfall at Lake Lagunitas, which represents near of average rainfall for the season, and as of April 18, 2022, the District's water storage level is 72,339 acre feet, which is about average for this time of year; and

WHEREAS, the District's customer, in response to the declared water shortage emergency, took extraordinary measures to conserve water use achieving a reduction in overall District water use by 21% from May 2021 to March 2022 as compared to the 3-year baseline; and

WHEREAS, pursuant to Marin Municipal Water District Code, section 13.02.030 entitled “Water Use Reduction In Dry Years”, when local reservoir storage levels are “sufficiently above forty thousand acre-feet” on April 1st and projected demands will not reduce the reservoir storage levels to below forty thousand acre-feet by the following April 1st, the dry year reduction program shall be deactivated; and

WHEREAS, pursuant to California Water Code section 355, a water shortage emergency and ensuing restrictions shall remain in effect until such time as “the supply of water available for distribution within such area has been replenished or augmented”; and

WHEREAS, despite the significant recovery of the District’s local reservoir storage levels, much of the state of California remains in a severe drought and is experience lower water supply than average, which has prompted the Governor to adopt Executive Order N-7-22 calling on all water agencies state wide to continue water conservation efforts; and

WHEREAS, under the circumstances of sufficient local supply and ongoing statewide drought, there is a need for the District to balance the interests of, and demands on, its customers in rescinding the water shortage emergency and the most restrictive emergency response measures, while also enhancing the District’s ongoing water use efficiency measures and calling on District customers for continued conservation consistent with state adopted measures; and

WHEREAS, the District has caused a notice of public hearing on this resolution, as well as the other measures to be considered by the Board in conjunction therewith, including the adoption of proposed Ordinance No. 460 repealing Chapter 13.04, which includes mandatory water conservation measures, as well as Ordinance No. 461, adopting enhanced water use efficiency measures into Chapter 13.02 to become part of the District’s ongoing and robust water conservation program, to be published on April 25, 2022 in the Marin Independent Journal duly noticing the public hearing to be held on this day, May 3, 2022 at or following 7:30 p.m.

NOW, THEREFORE, BASED ON THE FINDINGS SET FORTH ABOVE WHICH ARE HEREBY ADOPTED BY THE BOARD, THE BOARD OF DIRECTORS RESOLVES AS FOLLOWS:

1. In accordance with District Code section 13.02.030(2)(C) and California Water Code section 355, the Water Shortage emergency declared in effect on April 20, 2021 pursuant to District Resolution No. 8630, is hereby rescinded; and
2. The Board encourages all District customers to continue efforts to use water efficiently and to avoid water waste and the Board further acknowledges the statewide drought conditions continue and will adhere to all adopted statewide measures aimed at continued water conservation; and

3. Pursuant to Water Code sections 376 and 71641 and Government Code section 6061, the Board hereby directs staff to publish in a newspaper of general circulation any ordinance, or a summary thereof, adopted by the Board repealing mandatory water use restrictions and adding enhanced normal year water conservation measures, within 10 days of adoption.

PASSED AND ADOPTED this 3rd day of May, 2022, by the following vote of the Board of Directors.

AYES: Directors Cynthia Koehler, Monty Schmitt, Larry Bragman, Jack Gibson, and Larry Russell

NOES: None

ABSENT: None



Larry L. Russell
President, Board of Directors

ATTEST:



Terrie Gillen
Board Secretary