



RESOLUTION NO. 2023-11
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**RESCINDING RESOLUTION 2022-29 (ENACTING DROUGHT
CONTINGENCY PLAN STAGE II MEASURES) AND
DECLARING SURPLUS WATER CONDITIONS FOR 2023**

WHEREAS, Nevada Irrigation District (District) provides water for residential, commercial, industrial, agricultural, municipal, environmental, recreation, hydroelectric generation, and fire protection and prevention purposes, as well as other beneficial uses of water; and

WHEREAS, careful water management that includes active water conservation measures, particularly in times of drought, is essential to ensure a reliable minimum supply of water to meet current and future water supply needs; and

WHEREAS, the 2019/2020 water year was the start of a three-year dry cycle with the 2020/2021 water year precipitation being the driest at 49% of average and snowpack runoff efficiency being historically low leading to a critical dry year classification; and

WHEREAS, on March 28, 2022 Governor Newsom signed Executive Order N-7-22 requiring water suppliers to enact portions of their drought contingency plan to achieve a 20% reduction in water use as compared to 2020, and

WHEREAS, on May 14, 2022, the State Water Resources Control Board released draft regulations that, among other requirements, mandated each urban water supplier, including the District, to "implement by June 10, 2022, at a minimum, the demand reduction actions identified in the supplier's water shortage contingency plan for a shortage level of ten to twenty percent"; and

WHEREAS, the District complied with the conservation mandates by equitably allocating responsibility for conservation across all District customers (treated and irrigation, etc.) and in a way that, to the extent possible, minimized revenue impacts on District operations; through the adoption of Resolution 2022-29, and

WHEREAS, the 2022/2023 water year has provided robust precipitation with 57.14" of precipitation to date at the District's point of measurement, which equates to 163% of average, and snow pack accumulation at 185% of average, eclipsing the normal total expected for the April 1 target; and

WHEREAS, the District's current water storage is at 230,323-acre feet, which is 120% of average for this date with lower elevation reservoirs full and spilling, and high elevation reservoirs are forecasted to fill and spill once snow runoff begins; and

WHEREAS, the forecasted available water supply for April 1, 2023 is 357,000-acre feet, 122,000-acre feet above the threshold for implementation of the Drought Contingency Plan as established in the District's urban and agricultural water management plans; and

WHEREAS, the current and forecasted available water supply is in excess of the needs of current internal customer demands and can be classified as surplus water conditions per California Water Code Section 22259.

NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED by the Board of Directors of the Nevada Irrigation District that Resolution # 2022-29 is rescinded, including the District's water conservation program under Water Code §§ 375 et seq. given that emergency drought conditions no longer exist within the District's service area, which includes portions of Nevada County, Placer County, and Yuba County.

BE IT FURTHER RESOLVED given the District's fortunate water supply position and the likely ongoing need for water by neighboring out-of-District municipalities and private water users, the District declares surplus and authorizes local water sales, at the discretion of the General Manager, to traditional surplus water purchasers. The District's General Manager is authorized and delegated responsibility to establish rules and regulations for such surplus water sales, including eligibility for surplus water, price, terms, limitations on volume and delivery season, and other requirements in the discretion of the General Manager.

BE IT FURTHER RESOLVED, that Nevada Irrigation District, as required by the State of California, will continue to encourage and impose wise water use practices by restricting the following, except where necessary to address immediate health and safety needs:

- A. The application of irrigation or potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- B. The use of a hose that dispenses irrigation or potable water to wash a motor vehicle except where the hose is fitted with a shut off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
- C. The application of irrigation or potable water to driveways and sidewalks, unless the use is related to health and safety purposes.
- D. The use of irrigation or potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
- E. The application of irrigation or potable water to outdoor landscapes during and within 48 hours after measurable rainfall.
- F. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
- G. Irrigating ornamental turf on public street medians with irrigation or potable water.
- H. Irrigating landscapes outside of newly constructed homes and buildings with irrigation or potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon adoption by the Board of Directors.

PASSED AND ADOPTED by the Board of Directors of Nevada Irrigation District at a meeting duly called and held within the District on the 8th day of February, 2023, by the following roll call vote:

AYES: Directors: Heck, Bierwagen, Caulder, Johansen, Hull
NOES: Directors: None
ABSENT: Directors: None
ABSTAINS: Directors: None

Attest:


Secretary to the Board of Directors



President of the Board of Directors