

CITY OF NEVADA CITY

CITY COUNCIL STAFF REPORT

MEETING OF: April 13, 2022

Agenda Item No. 17

Subject: Consideration of Adopting Resolution No. 2022-25: A Resolution of the City Council of the City of Nevada City Declaring a Continued Stage 3 (Water Shortage Warning) Drought and Implementing Actions set forth in the March 2015 Drought Action Plan: A Water Shortage Contingency Strategy for the City of Nevada City

Reviewed & Approved:

City Manager: STG

City Attorney:

From: Sean Grayson, City Manager
Bryan McAlister, City Engineer

Recommended Action: Adopt the resolution declaring a continued Stage 3 Drought

ISSUE STATEMENT AND DISCUSSION:

On March 21, 2022 the State of California Water Board issued a letter (see attached) to the City of Nevada City and other water right holders with an early warning of Drought Impacts and Actions. The City is urged to prepare for more drought impacts due to ongoing dry conditions and to collaborate with our local community to develop cooperative water management solutions that meet both local and state-level needs. On March 27, 2022 Governor Newsom issued Executive Order N-7-22 on the drought aligned with the Water Board notice.

The State Water Board finds that an emergency exists due to severe drought conditions and that adoption of emergency regulations is necessary. During 2021, Governor Newsom proclaimed a drought state of emergency for all counties in California, culminating, to date, with his October 19, 2021 proclamation, urging Californians to step up their water conservation efforts. Immediate action is needed to ensure all Californians are taking sufficient actions to conserve water and preserve the State's water supply. On January 4, 2022, the State Water Board adopted an emergency regulation by resolution. On January 18, 2022, the emergency regulation became effective. It will remain in effect for one year from the effective date, unless the State Water Board acts to end, modify, or readopt it.

CA Emergency Regulation Requirements (currently in effect) include prohibition of the use of potable water for the following:

- Outdoor watering that lets water run onto sidewalks and other areas (except incidental runoff)
- Washing vehicles without an automatic shutoff nozzle
- Washing hard surfaces like driveways or sidewalks that don't absorb water
- Street cleaning or construction site preparation
- Filling decorative fountains, lakes, or ponds

- Outdoor watering within 48 hours after it rains at least 1/4 inch of rainfall
(Exceptions are granted in cases as needed to protect the health and safety of the public)

On February 9th, 2022, The NID Board of Directors passed a resolution to implement Stage 1 of the Water Shortage Contingency Plan (WSCP). This resolution asks that customers voluntarily reduce water use by 10% as compared to the same time period in 2020. The importance of NID's actions is that they are triggers in the city's Drought Plan (March 2015, attached) for the city declaring its own stages of drought. The City is also a raw water customer of NID. Typically, the City receives water from its own source on Little Deer Creek until late summer (Aug/Sept.), then the City purchases raw water from NID in late summer/early fall to supplement its water supply.

On June 18th, 2021 the City Council of Nevada City declared a Stage 3 Water Shortage Warning in Nevada City. Given the severity of the State's water shortage and mandatory conservation requirements which are forthcoming for all water suppliers, staff is recommending the City Council declare a continued Stage 3 Water Shortage Warning in Nevada City. Per the City's adopted Drought Plan, Stage 3 Water Shortage Warning is the appropriate contingency plan that would meet both the State Water Board and NID's regulations. Declaration of a State 3 Water Shortage Warning is intended to increase awareness of drought challenges and reduce water usage. Per the city's drought plan, a public information campaign will include mandatory water conservation, encouraging customers to reduce water usage by 20% of 2020 levels, limit outdoor watering to 2 days per week, repair water leaks, and not use potable water to wash hard surfaced areas. Upon approval by City Council, a mailing flyer will immediately be sent all property owners for the continued Stage 3 Water Shortage Warning. The City would also prominently display "save water" signage, post notices on city website and other media sources including local newspaper and radio.

FINANCIAL AND/OR POLICY IMPLICATIONS:

Declaration of a Stage 3 water shortage warning is consistent with policy as set forth in the March 2015 Drought Action Plan. The fiscal impact is not able to be determined at this time due to the inability to know how much water will actually be needed to be purchased from NID.

Staff anticipates advancing water conservation projects to the City Council in this fiscal year and in the development of the fiscal year 2022/23 budget.

ENVIRONMENTAL CONSIDERATIONS:

Not applicable for the recommendation.

ATTACHMENTS:

Resolution No. 2022-25

Drought Letter from State Water Board

Fact Sheet from State Water Board and SWRCB Resolution No. 2022-0002

NID Resolution No. 2022-10

March 2015 Drought Action Plan: A Water Shortage Contingency Strategy for the City of Nevada City