

ORDINANCE 2021-01
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MISSION
SPRINGS WATER DISTRICT REPEALING ORDINANCE NO. 2014-01,
ORDINANCE NO. 2015-01, AND SECTION 15 OF ORDINANCE NO.
93-3, AND REPLACING THE SAME BY ADOPTING THE 2021
WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, Mission Springs Water District (hereinafter "District") is a California county water district organized under the California County Water District Law, codified at Sections 30000, *et seq.*, of the California Water Code, to provide water service among other purposes to water users within the boundaries of the District; and

WHEREAS, after the historic 2012-2016 drought, the California Legislature enacted several laws in 2018 to advance long-term water use efficiency as a way to demonstrate conservation as a way of life; and

WHEREAS, the Governor of California has declared a state of drought emergency in most California Counties; and

WHEREAS, the Board has determined that it is critical that the District as an urban water supplier to prepare, adopt and submit to the California Department of Water Resources a Water Shortage Contingency Plan and conduct a Drought Risk Assessment every five years as required by the California Department of Water Resources; and

WHEREAS, the District wishes to adopt a Water Shortage Contingency Plan that meets requirements set forth in the regulations adopted by the California Department of Water Resources and State Water Resources Control Board in implementation of long-term water-use efficiency, and which will provide a framework for managing supplies in shortage conditions; and

WHEREAS, the Water Shortage Contingency Plan will supersede Ordinance No. 2014-01, Ordinance No. 2015-01 and Section 15 of Ordinance 93-3 which will be repealed by this ordinance; and

WHEREAS, the District finds and determines that the adoption of the Water Shortage Contingency Plan set forth herein is necessary to (1) comply with State mandates, (2) protect the health, safety and welfare of the inhabitants of the District, (3) assure the maximum beneficial use of the water supplies within the District, and (4) ensure that there will be sufficient water supplies to meet the basic needs of human consumption, sanitation and fire protection;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Mission Springs Water District as follows:

SECTION 1. CEQA. The Board of Directors hereby finds and determines that this ordinance is not subject to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA") pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment,

because there is no possibility that it may have a significant effect on the environment, and because it is not a "project" as that term is defined in Section 15378 of the State CEQA Guidelines.

SECTION 2. Severability. The Board of Directors hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences, or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The Board of Directors declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

SECTION 3. Prosecution of Prior Ordinances. Neither the adoption of this Ordinance nor the repeal of any other ordinance of the District shall in any manner affect the prosecution of any violation of any ordinance, committed prior to the effective date hereof, nor be construed as a waiver of any penalty or the penal provisions applicable to any violation thereof.

SECTION 4. MSWD hereby repeals Ordinance No. 2014-01 in its entirety.

SECTION 5. MSWD hereby repeals Ordinance No. 2015-01 in its entirety.

SECTION 6. MSWD hereby terminates Section 15 of Water Regulations and Service Ordinance No. 93-3.

SECTION 7. MSWD hereby adopts the attached 2021 Water Shortage Contingency Plan.

SECTION 8. This ordinance shall take effect immediately following its adoption and shall be published once in full in a newspaper of general circulation, printed, published and circulated in the district within 10 days after adoption, or if there be no such newspaper, it shall be posted within 10 days after adoption in three public places within the district as provided in Water Code Section 31027.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Board of Directors held on the 19th day of July, 2021.

AYES:

NOES:

ABSENT:

ABSTAIN

Nancy Wright
President of Mission Springs Water District
and its Board of Directors

Arden Wallum
Secretary of Mission Springs Water District
and its Board of Directors