

RESOLUTION NO. 10-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF CONTRA COSTA WATER DISTRICT SUPERSEDING RESOLUTION 09-03 RECOGNIZING THE UNCERTAINTY OF 2010 WATER DELIVERIES UNDER CURRENT REGULATORY CONDITIONS AFFECTING THE DELTA

WHEREAS, on March 4, 2009 the Contra Costa Water District Board of Directors adopted Resolution 09-03 declaring that a water shortage condition existed within the District and on April 1, 2009 adopted Ordinance 09-01 implementing a drought management program, including necessary Rules and Regulations.

WHEREAS, the drought related water shortage condition has improved compared to water year 2009 and the United States Bureau of Reclamation (Reclamation) recently announced its initial 2010 water year allocations for the Central Valley Project and has forecasted the water supply to be available to Contra Costa Water District to be up to 100% allocation under a median forecast.

WHEREAS, despite the improved hydrologic conditions, there continues to be uncertainty regarding regulatory conditions in the Sacramento-San Joaquin Delta that affect the amount of water that can be legally moved from Reclamation's reservoirs to pumping plants in the Delta, including the District's, and

WHEREAS, continued conservation and preventing wasteful use of water are measures to manage demands within the District to ensure that water deliveries by Reclamation to the District's intakes under constrained regulatory conditions are sufficient to meet the reasonable domestic, municipal and industrial water needs of the District's customers in 2010.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the CCWD that the Board hereby finds and determines that:

1. Each of the facts recited above is incorporated herein;
2. Based upon the facts recited above, and based upon the authority contained in Water Code sections 31026 *et seq.*, sections 350 *et seq.*, and in sections 375 *et seq.*, regulatory conditions in the Sacramento-San Joaquin Delta exist that can affect water supplies within the District; and
3. Voluntary conservation including measures to prevent waste and unreasonable use are necessary under the current uncertain regulatory conditions affecting the Delta and to manage demands so that all reasonable water needs of District customers can be met in 2010.

BE IT FURTHER RESOLVED that the General Manager is hereby directed to present proposed Ordinance 10-01 for first reading of the Board at its regular meeting on March 17, 2010 and for second reading, public hearing and potential adoption by the Board at its regular meeting on April 7, 2010, and, consistent with the findings and declarations contained herein, to include in the Ordinance those water conservation measures deemed necessary to sufficiently manage demand so that the reasonable needs of District customers can be met.

BE IT FURTHER RESOLVED that the General Manager or his designee is hereby directed to publish a notice of the time and place of the public hearing and a summary of the proposed ordinance in a newspaper of general circulation within the District at least five days prior to April 7, 2010.

BE IT FURTHER RESOLVED that Resolution 09-03 is superseded effective immediately upon adoption of Ordinance 10-01.

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The foregoing Resolution was duly and regularly adopted at a meeting held on the 17th of March 2010 by the Board of Directors of the Contra Costa Water District by the following vote of the Board:

AYES:

NOES:

ABSTAIN:

ABSENT:

Joseph L. Campbell, President

ATTEST:

Sharon L. Burris, District Secretary