

SECTION 40. STATE DROUGHT RESPONSE

40.01 DECLARATION OF NECESSITY AND INTENT

This Section establishes water management requirements in response to and in an effort to comply with State mandates related to ongoing drought conditions throughout the State. In particular, because of variations in conservation efforts and water supply levels and sources throughout the State, restrictions necessary for a concerted statewide effort may not correlate with the water shortage conditions and prerequisites for restrictions under the District's Water Shortage Response Program set forth in Section 39, above. The District nonetheless recognizes the benefits of widespread conservation efforts for the good of the State as a whole and intends to exercise its best efforts to comply with applicable regulations and mandates.

40.02 CONSERVATION REGULATIONS RELATED TO EXECUTIVE ORDER B-29-15

a) In addition to the requirements of any Water Shortage Response Level declaration by the District, the District hereby incorporates by reference as if fully set forth herein the emergency regulation for statewide urban water conservation adopted by the State Water Resources Control Board (the "Water Board") on May 5, 2015 via Resolution No. 2015-0032 in response to Executive Order B-29-15 issued by the Governor on April 1, 2015 (the "Emergency Regulation"), including, but not limited to, the requirements of section 864 of title 23 of the California Code of Regulations and the required potable water production reduction mandated for the District pursuant to section 865 of title 23 of the California Code of Regulations.

b) To the extent there are any inconsistencies between the restrictions and mandates of the Emergency Regulation and any requirements of the District's Water Shortage Response Level due, for example, to the District not experiencing water shortage conditions justifying further restrictions required by the Emergency Regulation, the more stringent requirement shall apply.

c) Pursuant to Water Code section 1058.5, the Emergency Regulation shall remain in effect for up to 270 days unless the Water Board determines that it is no longer necessary due to changed conditions, or unless the Water Board renews the regulation due to continued drought conditions as described in Water Code section 1058.5. The District Board of Directors may declare an end to the application of the Emergency Regulation by the adoption of a resolution at any regular or special meeting held in accordance with State law provided, however, that the Emergency Regulation will automatically cease to apply upon expiration of the Emergency Regulations as set forth above.

d) To the extent the San Diego County Water Authority requires restrictions in addition to and as a result of the Emergency Regulation and/or Executive Order B-29-15, the General Manager is authorized to take action to implement the restrictions and conservations practices required.