



**MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT**  
*"To Provide Responsive Service to our Growing Community  
 that Exceeds Expectations at a Fair Value"*

**STAFF REPORT**

**AGENDA TITLE:** General Manager Update on District Activities

**MEETING DATE:** July 14, 2021

**PREPARED BY:** Steven J. Pinkerton, General Manager

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**COVID -19 Updates and Reopening Plans**

Over four days in mid-March 2020 we moved into our new town hall. However, because of COVID-19 restrictions, we were not able to open the facility to the public on Tuesday, March 17 as planned. On Tuesday, July 6, 2021 - after a delay of 68 weeks (nearly sixteen months) - we opened town hall to the public. We have resumed our regular hours – Monday through Friday from 8:00 a.m. to 5:00 p.m., with closure from noon to 1:00 p.m. - and we look forward to returning to more normal operations.

Developing protocols during this time when circumstances, guidelines and standards were rapidly evolving has proven to be a complex and challenging task. We are balancing the desire to return fully to pre-COVID activities with our responsibility to protect residents and staff. This is a challenge that will test the patience and resourcefulness of the community.

In accordance with California Department of Public Health (CDPH) guidelines, activities and businesses may return to usual operations on June 15, with limited exceptions for mega events – 5,000 for indoor gatherings and 10,000 for outdoor gatherings.

<b>Restrictions Applying to Indoor &amp; Outdoor Settings</b>	
<b>Vaccine Verification / Negative Testing</b>	Required for <b>Indoor</b> mega events  Recommended for <b>Outdoor</b> mega events
<b>Capacity Limitations</b>	No restrictions
<b>Physical Distancing</b>	No restrictions for attendees, customers and guests
<b>Masking</b>	Follow current <a href="#">CDPH Guidance for Face Coverings</a>
<b>Travelers</b>	Follow <a href="#">CDC</a> recommendations and <a href="#">CDPH Travel Advisory</a>

On June 17, the Occupational Safety and Health Standards Board (OSHSB) readopted an amended version of the Emergency Temporary Standards (Cal/OSHA COVID-19 Regulations) ("June 17 Amendments"). These amendments affect many of the requirements that have been in place since OSHSB initially adopted the regulations in November 2020, including those related to employees'

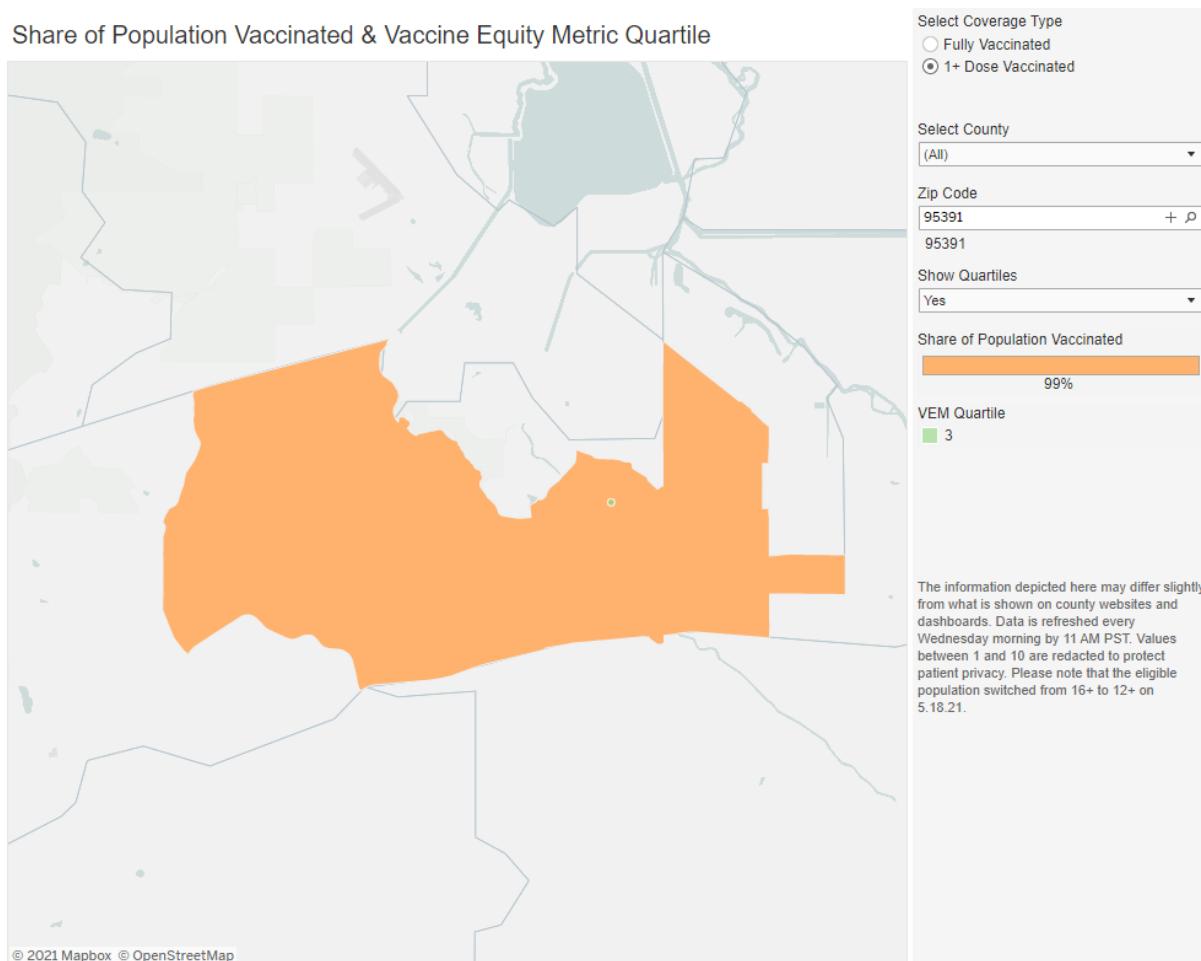
## DISCUSSION ITEM 10.2

use of face coverings, physical distancing at worksites and the installation of partitions between workstations.[1]. The newly adopted amendments include the following:

- Fully vaccinated employees do not have to wear face coverings at work.
- Regulatory requirements related to physical distancing in the workplace have been removed.
- Regulatory requirements concerning the installation of solid partitions between workstations where physical distancing could not be maintained at all times have been removed.
- Employers are required to provide respirators (N95) to employees who are not fully vaccinated if the employee requests such a device for their use at work, the employee is working indoors or will be in a vehicle with more than one person.

The CDC continues to advise unvaccinated people to wear masks anytime when they are with people who do not live with them, both indoors and outdoors.

The interactive map shown below is available on the California Department of Public Health website. It reports information as of June 23, 2021 for zip code 95391. The site reports the population of persons 12+ years of age to be 14,578 and that 98.5% of residents have received at least one dose of the vaccine and 75.8% have been fully vaccinated. The percentage numbers are likely skewed as the population numbers for Mountain House are likely five years out of date.



## **DISCUSSION ITEM 10.2**

I receive weekly updates from the San Joaquin County Public Health Department and periodically discuss best practices and public building reopening protocols with other City Managers in the region.

We continue to update the District website and our social media sites with links to COVID-19 related materials. Besides including District-specific information, you can also access important materials from the County's Public Health Department and the California Department of Public Health.

Visit the following links for information and updates:

[Beyond the Blueprint for a Safer Economy](#)

[https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/beyond\\_memo.aspx](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/beyond_memo.aspx)

<https://sjready.org/events/covid19/vaccines.html>

**Parks and Facilities Rentals and Recreation Programming**

Staff will propose a calendar of recreation events for the remainder of calendar year 2021 for the Board's consideration at tonight's meeting. The District resumed rental of outdoor facilities on June 15. Staff is preparing guidelines for reopening indoor facilities and offering recreational programming to the community.

In response to requests of coaches and clubs for increased use of the tennis courts, staff initiated a modification of the policy for a trial period. Staff will monitor the District's ability to offer increased hours equitably to coaches and clubs while still providing adequate access to individual residents. Staff's goal is to maximize the use of the tennis courts. Staff will report its findings and recommendations to the Board for further direction.

Staff is working with Mountain House Developers and the San Joaquin County Planning Department to explore the possibility of using the old library facility for recreational programs, community events, and rentals to the public while awaiting the construction of facilities in Central Park. The proposed fiscal year 2021-2022 budget includes an appropriation in the amount of \$150,000 for renovation of the building.

**Community Meetings**

In coordination with the Board, staff is conducting a series of community meetings this year. Topics for meetings to date have included presentations from developers, consultants, and staff on the parks & recreation strategic plan, bike and pedestrian plans, incorporation, transportation issues, and Wicklund mailboxes.

As noted above, staff reached out to the local residents who expressed interest in participating in the community meeting to discuss options for securing the Wicklund Neighborhood mailboxes. Staff and community members met on May 18, 2021 with a large turnout by residents. The consensus of the group was to install individual locking mailboxes and repair or replace posts as needed. Staff believes that the entire community would be made safer by reducing the attraction of mail theft in the Wicklund neighborhood. Staff proposed an addition to the proposed budget in the amount of \$150,000; \$100,000 for locking mailboxes and \$50,000 for staff time and

materials for post repairs and replacements. There will be a discussion regarding this item during tonight's Board meeting

Future community meetings are planned for summer and fall. The meetings will focus on public safety, Master Restrictions, and upcoming park projects. We will also host a meeting with West Valley Disposal, our solid waste hauler, to educate the community about new state regulations regarding disposal of residential waste and how those regulations will impact service delivery and costs.

### **Risk Management/Human Resources**

Nicole Adamo, District Clerk, completed a risk management assessment of the District with the assistance of Management Strategies Group. Nicole is also reviewing and updating the return to work protocols discussed above and developing a safety program. Staff meets routinely to discuss risk assessment and avoidance.

### **Web Services**

Nicole Adamo and Angel Lamb, Recreation/Communications Coordinator, are taking the lead in the on-going upkeep of Open Town Hall, an on-line resource staff will use to provide information to the public about District operations and development activity. Staff will also use the program to conduct surveys and educate and engage the community.

To view the responses to on-line surveys, go to the following link:

[https://www.opentownhall.com/portals/391/forum\\_home](https://www.opentownhall.com/portals/391/forum_home) and click on one of the surveys.

Staff has published the following surveys:

Topic	Visitors	Respondents
Retail/new shopping center	1,861	1,346
Non-standard vehicles parking	660	168
Parks and recreation opportunities	1,112	735
Pedestrian/bicycle Master Plan	272	67
Improving public communication	457	220

These results demonstrate the effectiveness of this survey tool and the interest of our residents in community activities.

Staff is preparing a new survey on transportation options to help the District request additional services, seek funding and provide better options for residents.

Management Analyst Anjali Kothari is taking the lead on implementing a new software program that will provide on-line access to a variety of fillable forms and applications including permits for items such as water softeners, encroachments, and transportation; building permits; master restrictions variances; and an employee portal for managing benefits.

## **DISCUSSION ITEM 10.2**

The District launched its new website on June 22. It has a new look and is a more user-friendly site. Staff is reviewing and fine-tuning the new platform. Thanks to Angel Lamb, Nicole Adamo and Glenda Corona, Adminstrative Assistant, for their work on this project.

### **Social Media**

Angel Lamb manages the District's Facebook and Nextdoor accounts. Staff has posted information regarding the prohibition of fireworks within the District. Staff also posts a variety of information and updates on both platforms including COVID-19 announcements, library services, links to West Valley Disposal for street sweeping and garbage pickup, street closures, construction delays, notifications of surveys available on Open Town Hall, and recreation events and classes. The District has 2,850 followers on Facebook and staff is able to connect with 5,000 households on Nextdoor. The District shares our posts with community Facebook accounts, which gives us exposure to their combined 18,000 followers. Residents can sign up for blast emails using the "sign up" button on our Facebook account.

### **Finance and Accounting**

Congratulations to Thomas Retchless, Finance Director, for receiving the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the District's comprehensive annual financial report for the fiscal year ended June 30, 2020. (Attachment A) We appreciate the contributions of Denae DeGough, Accounting Manager, and our finance staff in achieving this award.

Thomas and his Finance staff presented the fiscal year 2021/2022 budget for Board approval in June and they are now working on the audit for fiscal year 2020/2021.

### **BBID Response to the State Water Control Board's Delta Water Unavailability**

On May 12, 2021, the State Water Resources Control Board (SWCB) provided a notice for the draft methodology on water unavailability. The deadline for providing comments was May 25, 2021. In a letter delivered to the SWCB, the Byron-Bethany Irrigation District (BBID) identified several concerns with the SWCB's revised methodology for determining water unavailability in the delta watershed. The link to the letter is attached for your information. <https://bbid.org/bbid-identifies-areas-of-concern-with-state-water-boards-delta-water-unavailability-analysis/>

Additionally, on June 15, 2021 the SWCB sent a "Notice of Water Unavailability for Post-1914 Water Right Holders" to Mountain House Developers regarding the riparian water rights that they currently hold and intend to transfer to the District when the neighborhoods north of Byron Road develop and the improvements are dedicated to the District. A copy of that letter is attached to this report (Attachment B). BBID also received the same notice and may receive a notice regarding the pre-1914 water rights at a later date. We are holding regular meetings with BBID to keep abreast of the potential impacts to the delta watershed during this current drought situation.

### **Wastewater Treatment Plant Expansion Project**

The Wastewater Treatment Plant expansion project and conversion to membrane bioreactors (MBR) is ongoing. The contractor, Auburn Construction, has been working on-site since February. Work completed since February includes:

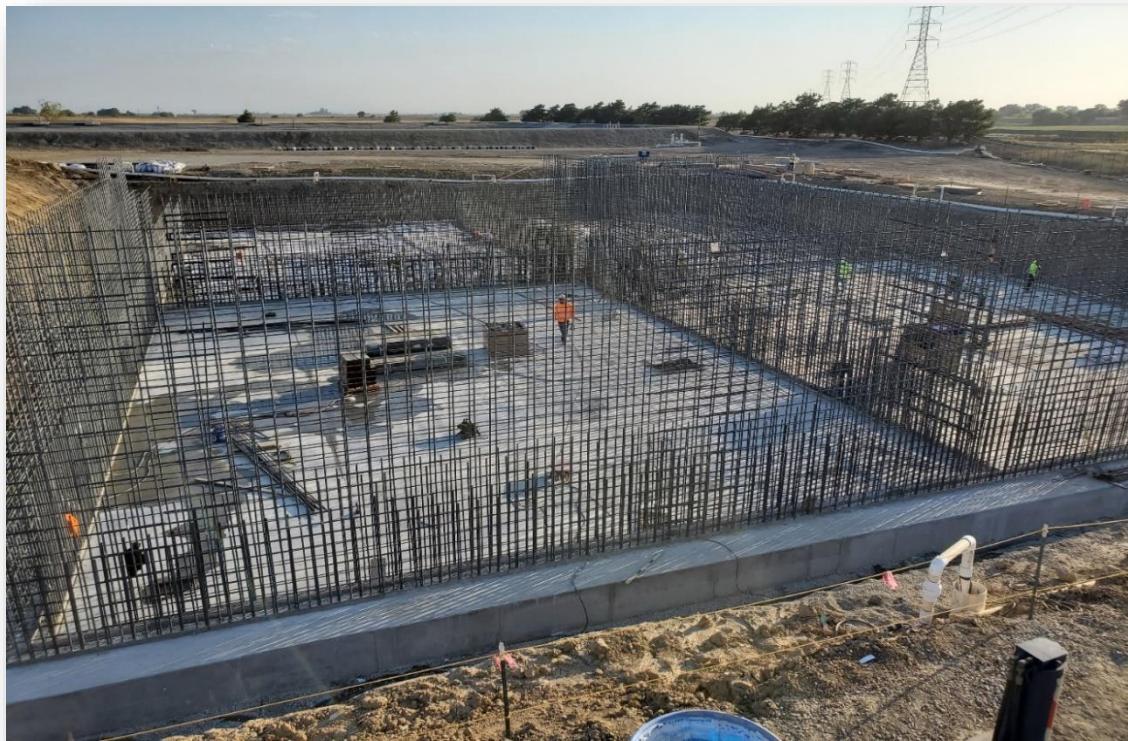
- Demolition of existing dissolved air floatation system and duct bank

## DISCUSSION ITEM 10.2

- South side existing slope removed
- Underground utilities potholed, excavated and removed
- Dewatering wells drilled and installed along with piping
- Installed 12" reclaimed water line
- Excavation for MBR building and digester building (included over excavate and backfill)
- Installed Geo-Grid and filter fabric for MBR and digester buildings
- MBR building – placed 90 cubic yards of concrete in the lower foundation slab (both east and west) on May 18, 2021 with additional 90 cubic yards of concrete placed in the lower foundation walls on June 10, 2021
- By mid-July, will have water tested and backfilled the MBR lower foundation walls
- Digester building - completed placing 1,350 cubic yards of concrete in the foundation slab as of June 17<sup>th</sup>, and by mid-July will have placed 190 cubic yards in the digester walls
- Compaction testing was performed
- Concrete testing was performed
- By mid- July, will have excavated for and installed the 24" head-works bypass
- By mid- July, will have sawed hole at west end of north structure for utilities
- By mid- July, will have excavated and prepped subgrade and rock, then placed 20 cubic yards of concrete for the north building collection box and the southwest channel sump box



**DISCUSSION ITEM 10.2**





**Raw Water Tank 2 Conversion and Flow Meter Project**

This project is complete with two deferred items – providing a maintenance manual and fixing the level in Tank 2. Work on Tank 1 will start sometime later this year.



**Arterial and Bethany Road Pavement Repair Project**

The arterials repair project has been completed and all work is done.





### **Wicklund Road**

The resurfacing project on Wicklund between Bethany Road and the railroad tracks is complete. Striping was completed in June. The road has been overlaid with 2 inches of asphalt on top of a leveling course that filled all potholes.

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### **Poplar Removal Project**

The poplar tree removal and replacement project is ongoing. The first phase has been completed. Progress by individual streets is as follows:

- Mountain House Parkway: all poplar trees have been removed and stumps grinded. The trees and plants have been replaced. The contractor is finishing up the planting and mulching.
- Wicklund, Mustang, and Arnaudo from Mountain House Parkway to DeAnza: poplar trees have been removed and stumps grinded. Staff is working with Brightview on proposals for replacement trees and plants.
- Great Valley Parkway: poplar trees were removed between sidewalks and sound walls from Arturo to Byron Road. The contractor is now starting the stump grinding.
- DeAnza: poplar trees are being removed at this time. Poplar trees in the median have already been removed and the contractor is working on the west side of DeAnza. Staff will work with the contractor on proposals for tree and plant replacement.

**DISCUSSION ITEM 10.2**



**Code Compliance Activities**

The code compliance group is currently focusing on an update to the Master Restrictions. Recommendation for Master Restrictions implementation will be presented to the Board in August. Staff is planning to hold two virtual meetings to educate residents regarding Master Restrictions and CC&R requirements.

The following are the statistics for the code compliance enforcement effort for May 2021.

Total citations issued	6
Parking-related citations	4
Administrative/property/landscaping warnings/notice (no fines)	2
Administrative/property/landscaping citation (fine)	0
Appeal – parking-related	0
Request for change or variations of Master Restrictions	40
Approval permits for property changes approved	19
Approval permits for property changes pending	21

**Non-Standard Vehicle Parking in the Community**

The staff has completed a survey of existing ordinances of nearby communities for recreational vehicles, boats, and non-standards vehicles. Staff is currently evaluating the survey results and will report to the Board in August with a recommended approach.

**Grant Line Road West Improvements (Alameda County)**

The District's legal counsel is working with Alameda County legal counsel to finalize the cooperative agreement with Alameda County for the final design and delivery of the two roundabouts along Grant Line Road. Staff expects completion of the final design by the spring of 2022 and completion of construction by the end of 2023. Staff has developed a funding plan in association with Mountain House Developers (MHD) and Mountain House Investors (MHI), who are obligated to complete the project.

**Pinnacle Ridge Annexation**

The San Joaquin County Local Agency Formation Commission (LAFCo) has approved the annexation of 3 acres located at 17400 West Bethany Road. Staff is working with the developer for the off-site plan revisions and utility connections. The business will have approximately 35 employees on-site.

**Incorporation**

Staff met with LAFCo staff to review the incorporation application and discuss concerns and questions. Staff will continue to work through and address the issues and concerns of LAFCo as the project progresses.

**Mustang Square**

Staff is working with the County and the applicant to issue building permits to begin on Mustang Square. The project is located at the northwest corner of Mountain House Parkway and Grant Line Road. The site is made up of 4.61 acres and includes a gas station, convenience store, car wash,

and three additional buildings totaling 11,080 square feet for retail uses. A groundbreaking event is scheduled for July 30.

**Creekside Development – Neighborhood G**

Lennar Homes, in association with Trimark, is proposing a 254-unit multi-family development on the west side of Central Parkway, south of Arturo Boulevard. The project will have pedestrian connections to the creek corridor and other amenities. The project applicant has submitted the plans to the County for review. Staff will be developing the conditions of approval, which may include pedestrian safety upgrades on Central Parkway, including a rectangular flashing beacon for crossing to the Central Community Park and a traffic signal at Main Street and Central Community Parkway.

**Town Center Apartments Development Project**

Van Daele Development, in association with Trimark, is proposing a 304-unit apartment complex on Arnaudo Boulevard, between De Anza and Prosperity. The developer is submitting a second phase of the project on the property between Prosperity and Tradition as well. This development will be the first apartment development in Mountain House. Staff will be developing the conditions of approval for the second phase of the project, as well as working with the developer on the current site that has conditions of approval.

**Security Cameras**

The security camera installation is almost complete. All of the license plate reader cameras and all security cameras, except for the cameras at Central Parkway and Grant Line, have been installed. The Sheriff and Rank Security have received training on the use of the equipment. The security camera at Grant Line Road at Central Parkway will be installed in August when the traffic signal is installed.

**Grant Line Road Construction**

The contractor is completing the landscaping and traffic signal installation. It is expected that the traffic signal installations will be completed by the winter of 2021. We are planning to complete and turn on the signal at Central Parkway and Grant Line Road by August 2021, before the school opening.

The second phase of Grant Line Road construction from Central Parkway to Great Valley Parkway started in early February. The contractor is completing the underground utility construction. Grading and clearing operation is ongoing. It is expected that road widening will be substantially completed by April 2022.

**Utility Corridor Landscaping Concept Design**

Staff is working with the Specific Plan III developers and builders to begin the conceptual design and construction of this critical corridor. The following developers and builders have obligations to build a portion of the corridor: Mountain House Developers, Shea Developers, KHovnanian, Mountain House Investors, Meritage, and Century. The developers are planning to contract with the Valley Transportation Authority to prepare a concept plan. Once a concept plan is approved, each developer will build their respective segment. Some of the corridors are not currently annexed, and these areas will be developed once the developers commence their development.

## **DISCUSSION ITEM 10.2**

The main purpose of the corridor is to create an active transportation corridor with bicycle and pedestrian amenities with attractive landscaping. We will consider the long-term maintenance costs of the improvements during the planning stage.

### **Library Operations**

As of July 6, 2021 the Library will expand open hours once again to those below. Library administration will assess the expansion of hours and operations to pre-COVID conditions as conditions and regulations warrant.

Library hours of operation are as follows:

Monday	10 am-8 pm
Tuesday	10 am-7 pm
Wednesday	1 pm - 6 pm
Thursday	10 am-6 pm
Friday	10 am-5 pm
Saturday	10 am-5pm

For the convenience of patrons, staff continue to offer curbside service at the library as needed. Remote reference and customer account services are still available via telephone. The library system is offering virtual story times, virtual professional performer programs, book clubs, crafts and more. The Summer Reading Program is in full swing. A make-and-take craft project is available for patrons on a weekly basis. Staff are planning to start in-house programming in January 2022.

Precautions being implemented for in-person library use include:

- Face coverings will continue to be worn by staff and encouraged for others.
- Hand sanitizing stations are dispersed around the building.
- Social distancing is still encouraged.

The Mountain House Friends of the Library (Friends) has once again begun selling books to raise funds in support of library programs with a “Buy A Bag Sale” (see picture below). This program has been generously supported by library patrons. Limited book donations are now being accepted. The first Friends meeting since reopening will happen soon to reorganize and reenergize the group.

Library attendance and numbers in general have increased dramatically since we have opened more fully to the public.

- We regularly have 250+ patrons a day visit the library.
- We have several new families signing up for library cards daily.
- Study rooms are open and are reserved by individuals and groups.
- Amanda Clifford, the library volunteer coordinator, has a list of 60 applicants waiting to volunteer at the library.
- There are over 500 people of all ages signed up for the Summer Reading program.

## DISCUSSION ITEM 10.2



Mountain House Friends of the Library 'Buy a Bag Sale'.



Book displays about Star Wars, Tails & Tales, Letter Writing and Kids Cooking.



For more information on Library programs and services visit <http://www.ssjcpl.org/>

### Residential Developments

Below is a summary of new development as of June 30th, 2021. Since January 1, permits have been issued for a total of 257 units, including 38 second units. There have been 340 units granted final occupancy since January 1, including 40 second units.

Comparing at the end of the fiscal year, 776 units have been issued permits and 641 units have received occupancy permits.

## DISCUSSION ITEM 10.2

<u>As of June 30, 2021</u>									
	<b>Auth.</b>	<b>Permits</b>	<b>Units</b>	<b>Remaining</b>		<b>Second Units</b>		<b>Total Units</b>	
<b>Neighborhood</b>	<b>Permits</b>	<b>Issued</b>	<b>Finished</b>	<b>Authorized</b>		<b>Issued</b>	<b>Finaled</b>	<b>Issued</b>	<b>Finaled</b>
Bethany	1372	1295	1295	77		68	68	1363	1363
Wicklund	1518	979	979	539		67	67	1046	1046
Altamont	1217	890	890	327		62	62	952	952
Questa	1638	1116	1078	522		77	71	1193	1149
Hansen	1280	1139	1099	141		176	176	1315	1275
Cordes	1297	1049	996	248		152	146	1201	1142
College Park	1763	536	342	1227		91	63	627	405
<b>Subtotal</b>	<b>10,085</b>	<b>7,004</b>	<b>6,679</b>	<b>3,081</b>		<b>693</b>	<b>653</b>	<b>7,697</b>	<b>7,332</b>
					9.89%				
<b>Future Neighborhoods</b>									
I	1427								
J	1137								
K	1192								
L	1381								
Town Center	440								
<b>Subtotal</b>	<b>5,577</b>			<b>5,577</b>					
<b>Total</b>	<b>15,662</b>			<b>8,658</b>					

<u>As of June 30, 2020</u>									
	<b>Auth.</b>	<b>Permits</b>	<b>Units</b>	<b>Remaining</b>		<b>Second Units</b>		<b>Total Units</b>	
<b>Neighborhood</b>	<b>Permits</b>	<b>Issued</b>	<b>Finished</b>	<b>Authorized</b>		<b>Issued</b>	<b>Finaled</b>	<b>Issued</b>	<b>Finaled</b>
Bethany	1372	1295	1295	77		68	68	1363	1363
Wicklund	1518	979	979	539		67	67	1046	1046
Altamont	1217	890	890	327		62	62	952	952
Questa	1638	1077	1077	561		70	70	1147	1147
Hansen	1280	1055	993	225		172	169	1227	1162
Cordes	1297	866	774	431		141	120	1007	894
Costa (A/B)	1763	142	105	1621		37	22	179	127
<b>Subtotal</b>	<b>10,085</b>	<b>6,304</b>	<b>6,113</b>	<b>3,781</b>		<b>617</b>	<b>578</b>	<b>6,921</b>	<b>6,691</b>
					9.79%				
<b>Future Neighborhoods</b>									
I	1427								
J	1137								
K	1192								
L	1381								
Town Center	440								
<b>Subtotal</b>	<b>5,577</b>			<b>5,577</b>					
<b>Total</b>	<b>15,662</b>			<b>9,358</b>					

Attachment A: Certificate of Achievement for Excellence in Financial Reporting

Attachment B: State Water Resource Control Board letter to Mountain House Developers



Government Finance Officers Association

Certificate of  
Achievement  
for Excellence  
in Financial  
Reporting

Presented to

**Mountain House Community Services District  
California**

For its Comprehensive Annual  
Financial Report  
For the Fiscal Year Ended

June 30, 2020

*Christopher P. Monell*

Executive Director/CEO



GAVIN NEWSOM  
GOVERNOR



JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

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## State Water Resources Control Board

June 15, 2021

Water Right ID Login: A016809

Password: HBD3RL

MOUNTAIN HOUSE DEVELOPERS, LLC  
230 S. STERLING DRIVE, SUITE 246  
MOUNTAIN HOUSE, CA 95391

In Regard to Water Right: A016809

Primary Owner: MOUNTAIN HOUSE DEVELOPERS, LLC

### NOTICE OF WATER UNAVAILABILITY FOR POST-1914 WATER RIGHT HOLDERS AND WARNING OF IMPENDING WATER UNAVAILABILITY FOR PRE-1914 AND RIPARIAN CLAIMANTS IN THE SACRAMENTO-SAN JOAQUIN DELTA WATERSHED<sup>1</sup>

State Water Resources Control Board (State Water Board or Board) records show you hold a post-1914 appropriative water right. Please note that you will be receiving a similar notice for each water right or claim for which you are listed as the mail receiver.

**Current information indicates that, as of the date of this letter, water supply in the Sacramento-San Joaquin Delta (Delta) watershed is insufficient to support lawful diversion under any post-1914 appropriative water right.** While water may be physically present at post-1914 appropriative water right holders' points of diversion, that water is expected to either be needed by more senior water right claimants downstream or to consist of storage releases necessary to meet other downstream purposes, such as salinity control in the Delta.

Information also indicates that water will become unavailable this summer for some **pre-1914 appropriative water right claimants and riparian claimants**. The State Water Board is currently in the process of evaluating the seniority at which water may be unavailable for pre-1914 appropriative and riparian claimants, and when, and plans

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<sup>1</sup> For the purposes of this notice, all registrations and stockpond certificates in the Delta watershed are considered post-1914 appropriative water rights for which water is currently unavailable.

To Water Right Holders in the  
Delta Watershed

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June 15, 2021

to issue further notices of water unavailability (notices) via email and to post water unavailability information on the Board's website as described below.

As a water right holder, it is your responsibility to monitor current conditions and pay attention to the information provided by the State Water Board. **Future notices of water unavailability and updated information regarding your water right will be sent by email through the State Water Board's Delta Drought list.** To stay informed and ensure you receive future communications regarding water unavailability for your water right(s), you are **strongly encouraged to subscribe to the Delta Drought list** on the State Water Board's Email Lists webpage at:

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html)

Additionally, the State Water Board urges you to frequently visit the following webpage where updated information will also be posted:

<https://www.waterboards.ca.gov/drought/delta/>

The State Water Board is using its Water Unavailability Methodology for the Delta Watershed (methodology) to identify which water rights in the Delta watershed face insufficient supplies for diversion. For more information about the methodology and for ongoing updates as the methodology is refined, please visit the following webpage:  
[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/drought/drought\\_tools\\_methods/delta\\_method.html](https://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/drought_tools_methods/delta_method.html)

#### **Request to Complete a Water Unavailability Certification Form**

If you have a **post-1914 appropriative water right**, please submit the Water Unavailability Certification Form (Form) within **seven days** of the date of this letter. If you have a pre-1914 appropriative or riparian claim, you do not need to complete the Form now, but you may be asked to do so in the near future. Please subscribe to the above referenced Delta Drought email list to receive any such future notices. You should not expect to receive hard copy mail notices of future changes in water unavailability that may affect your water right or claim; hard copy mail may be sent for other related matters, but only as required by law or regulation.

The Form requests information about whether you will cease diversions, if you have alternative sources of water, and if you seek an exception due to a need to divert water for human health and safety. Your timely response helps the State Water Board better identify and protect senior water rights and assists all water users to better manage severely limited water supplies.

Please follow the steps below to submit the Form:

1. Visit: <https://public.waterboards.ca.gov>
2. Login using the unique Water Right ID and Password listed next to your address at the top of this letter
3. Complete the Form

June 15, 2021

To Water Right Holders in the  
Delta Watershed

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**If you have a pending application and you do not have a unique Water Right ID Login and Password**, please download a Form from the State Water Board's website at: <https://www.waterboards.ca.gov/drought/delta/>. Additional instructions for completing and submitting the Form are provided on the website.

If you receive a notice of water unavailability for your water right, the State Water Board may be able to assist you with identifying alternative sources of water or provide an exception on a case-by-case basis. If you divert under any of the following circumstances, you should identify it on the Form and provide the information requested:

- Your diversion is your only source of water to meet human health and safety uses, you have no other water supply, **and** you already conserve as much as possible;
- Your diversion is for a non-consumptive use (e.g., hydroelectric generation) and you return all water you divert to the originating stream on a time step that does not affect availability for other users; or
- You have a contract or transfer order allowing you to divert stored water released from a reservoir.

### **Potential Emergency Regulations and Future Curtailments**

In accordance with the Governor's May 10, 2021 Proclamation of a State of Emergency, the State Water Board is considering emergency regulations to curtail water diversions when water is not available at water right holders' priority of right or to protect releases of stored water. Therefore, emergency regulations may require water right holders, including those diverting under pre-1914 appropriative or riparian claims, to curtail their diversions. As noted above, all water right holders should subscribe to the Delta Drought email list to receive notice of and to participate in the public process for State Water Board consideration and possible adoption of emergency regulations.

### **Potential Enforcement**

This notice is solely informational. It alerts water users that the State Water Board's best available information indicates that water is not available to post-1914 appropriative water rights, and warns pre-1914 appropriative and riparian claimants that water may be unavailable at their claimed priority of right in the near future. It also reminds water users of their obligations under California's water rights system. This notice is not an order or directive from the State Water Board to stop diverting.

California water law provides that you are not authorized to divert when water is unavailable under your priority of right or according to the nature of your right/claim. Diverting water that is not lawfully available for your water right may subject you to a cease and desist order, prosecution in court, or administrative fines as high as \$1,000 per day of violation and \$2,500 for each acre-foot of water you divert or use that is not lawfully available under your water right. (See Wat. Code, §§ 1052, 1055.)

To Water Right Holders in the  
Delta Watershed

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June 15, 2021

If you have any questions regarding this notice, you may send an email to [Bay-Delta@waterboards.ca.gov](mailto:Bay-Delta@waterboards.ca.gov), or call the Delta Drought phone line at (916) 319-0960. For additional information, visit the State Water Board's drought webpage at: <http://www.waterboards.ca.gov/drought>

Sincerely,



Erik Ekdahl  
Deputy Director, Division of Water Rights  
State Water Resources Control Board