PUBLIC UTILITIES COMMISSION 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298

August 13, 2021



Natalie Wales Director of Regulatory Policy & Compliance California Water Service Co. 1720 North First St San Jose, CA 95112-4598

Dear Ms. Wales,

The Commission has approved California Water Service Company's Advice Letter No. 2412, filed on June 14, 2021, regarding Modification of Schedule 14.1 and Rule 14.1.

Enclosed are copies of the following revised tariff sheets, effective July 14, 2021, for the utility's files:

P.U.C. Sheet	
No.	Title of Sheet
12558-W	Rule 14.1 Page 1,
	Non-Essential, Wasteful Uses of Potable Water
12559-W	Rule 14.1 Page 2,
	Non-Essential, Wasteful Uses of Potable Water
12560-W	Rule 14.1 Page 3,
	Non-Essential, Wasteful Uses of Potable Water
12561-W	Rule 14.1 Page 4,
	Non-Essential, Wasteful Uses of Potable Water
12562-W	Rule 14.1 Page 5,
	Non-Essential, Wasteful Uses of Potable Water
12563-W	Rule 14.1 Page 6,
	Non-Essential, Wasteful Uses of Potable Water
12564-W	Rule 14.1 Page 7,
	Non-Essential, Wasteful Uses of Potable Water
12565-W	Rule 14.1 Page 8,
	Non-Essential, Wasteful Uses of Potable Water
12566-W	Rule 14.1 Page 9,
	Non-Essential, Wasteful Uses of Potable Water
12567-W	Rule 14.1 Page 10,
	Non-Essential, Wasteful Uses of Potable Water
12568-W	Schedule 14.1 Page 1, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges

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No.	Title of Sheet
12569-W	Schedule 14.1 Page 2, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12570-W	Schedule 14.1 Page 3, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12571-W	Schedule 14.1 Page 4, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12572-W	Schedule 14.1 Page 5, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12573-W	Schedule 14.1 Page 6, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12574-W	Schedule 14.1 Page 7, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12575-W	Schedule 14.1 Page 8, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12576-W	Schedule 14.1 Page 9, Water Shortage Contingency Plan with
	Staged Mandatory Reductions and Drought Surcharges
12577-W	Schedule 14.1 Page 10, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12578-W	Schedule 14.1 Page 11, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12579-W	Schedule 14.1 Page 12, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12580-W	Schedule 14.1 Page 13, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12581-W	Schedule 14.1 Page 14, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12582-W	Schedule 14.1 Page 15, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12583-W	Schedule 14.1 Page 16, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12584-W	Schedule 14.1 Page 17, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12585-W	Schedule 14.1 Page 18, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12586-W	Schedule 14.1 Page 19, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12587-W	Schedule 14.1 Page 20, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12588-W	Schedule 14.1 Page 21, Water Shortage Contingency Plan
	with Staged Mandatory Reductions and Drought Surcharges
12589-W	Table of Contents Page 13

#### California Water Service Company – AL 2412

P.U.C. Sheet

No.	Title of Sheet
12590-W	Table of Contents Page 5
12591-W	Table of Contents Page 1
Cancel	10734, 10735, 10736

Please contact Kevin Truong at VT4@cpuc.ca.gov or 415-703-1353, if you have any questions.

Thank you,

/s/ROBIN BRYANT Robin Bryant Water Division

Enclosures

## CALIFORNIA PUBLIC UTILITIES COMMISSION DIVISION OF WATER AND AUDITS

#### **Advice Letter Cover Sheet**

Utility Name:	California W	ater Service	e Company	Date Mailed to Service List:	06/14/2021
District:	All Ratemaki	ng Areas			
CPUC Utility #:	U-60-W			Protest Deadline (20 <sup>th</sup> Day):	07/04/2021
Advice Letter #:	2412			Review Deadline (30 <sup>th</sup> Day):	07/14/2021
Tier:	□1 🕅2	□3	Compliance	Requested Effective Date:	07/14/2021
Authorization:	Resolutions Standard Pra		•	Rate Impact:	n/a
Description:	Modification	of Schedu	le 14.1 and Rule 14.1		

The protest or response deadline for this advice letter is 20 days from the date that this advice letter was mailed to the service list. Please see the "Response or Protest" section in the advice letter for more information.

Utility Contact:	Albree Jewell	Utility Contact:	Natalie Wales
Phone:	916-205-4539	Phone:	408-367-8566
Email:	ajewell@calwater.com	Email:	nwales@calwater.com

**DWA Contact:** Tariff Unit

**Phone:** (415) 703-1133

Email: <u>Water.Division@cpuc.ca.gov</u>

		DWA USE OI	NLY		
DATE	<b>STAFF</b>			<b>COMMENTS</b>	
		-			
[] APPROVED		[] WITHDR	AWN		[] REJECTED
Signature:		Comm	ante.		
Date:					
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June 14, 2021

Advice Letter No. 2412

To The Public Utilities Commission of the State of California:

California Water Service Company ("Cal Water") hereby transmits for filing the changes in its tariff schedules shown on **Attachment 1.** *Please note that, due to limitations on non-essential travel as a result of the COVID-19 virus, this advice letter will only be distributed electronically to the Water Division and the attached service lists.* 

#### <u>Summary</u>

Cal Water proposes to modify its Rule 14.1 and Schedule 14.1, and remain in Stage 1 of Schedule 14.1, to reflect updates to its Water Shortage Contingency Plan and the State of Emergency Proclamations of Governor Gavin Newsom and local agencies regarding current drought conditions in several counties served by Cal Water.

#### **Background**

In response to a drought emergency proclamation by Governor Edmund G. Brown on January 17, 2014, the Commission established Drought Procedures in Resolution No. ("Res.") W-4976 (February 27, 2014), prescribing the process by which to establish Rule 14.1 for voluntary conservation measures, and Schedule 14.1 for mandatory rationing measures.<sup>1</sup>

As the drought deepened the following year, the State Water Resources Control Board ("Water Board") established mandatory use restrictions and penalties for violations on March 17, 2015. In Res. W-5034 (April 9, 2015), the Commission laid out the steps that regulated water utilities must take to comply with the Water Board's requirements. Right before the adoption of Res. W-5034, however, Governor Brown issued an Executive Order (EO B-29-15, April 1, 2015) directing the Water Board and the Commission to impose restrictions and rate structures with the goal of achieving a statewide 25% reduction in potable urban water usage, as compared with the amount used in 2013, by February 2016. The Commission established additional requirements in response to the Executive Order in Res. W-5041 (May 7, 2015).

*Rule 14.1.* Cal Water's current Rule 14.1 was filed in Advice Letter (AL) 2167-A (May 27, 2015) pursuant to Resolutions W-4976 and W-5034, and has been in effect since June 1, 2015.

<sup>&</sup>lt;sup>1</sup> Subsequently, Governor Brown issued a second executive order (April 25, 2014) and the State Water Resources Control Board ("Water Board") adopted an emergency regulation for statewide water conservation (July 15, 2014). The Commission then adopted Res. W-5000 on August 14, 2014 requiring water companies to notify their customers of the mandatory water use restrictions and potential fines.



CALIFORNIA WATER SERVICE COMPANY Advice Letter 2412, Modifying Schedule 14.1 and Rule 14.1 Page 3

*Schedule 14.1.* Cal Water filed a draft Schedule 14.1 with staged mandatory water use reductions and drought surcharges in AL 2168 (April 28, 2015). Public hearings were held throughout the state in May 2015, as required by California Water Code Sections 350 *et seq.,* and Cal Water proposed modifications to its Schedule 14.1 based on feedback received (AL 2168-A, May 27, 2015). Cal Water activated Stage 2 of Schedule 14.1 effective June 1, 2015 (AL 2169, April 29, 2015).

Effective March 31, 2016, the drought surcharge structure in Cal Water's Schedule 14.1 was modified to be less onerous. Drought surcharges were then eliminated entirely when Cal Water moved down from Stage 2 to Stage 1, effective July 29, 2016 (AL 2225, July 15, 2016). Cal Water has remained in Stage 1 since that time.

#### **Discussion**

Governor Gavin Newsom has issued a drought declaration for a total of 41 California counties through two State of Emergency Proclamations (on April 21, 2021 and May 10, 2021). The May 10, 2021 Proclamation states, in part:

Whereas recent warm temperatures and extremely dry soils have further depleted the expected runoff water from the Sierra-Cascade snowpack, resulting in a historic and unanticipated estimated reduction of 500,000 acre feet of water – or the equivalent of supplying water for up to one million households for one year – from reservoirs and stream systems, especially in the Klamath River, Sacramento-San Joaquin Delta, and Tulare Lake Watersheds; and

Whereas the extreme drought conditions through much of the State present urgent challenges, including the risk of water shortages in communities, greatly increased wildfire activity, diminished water for agricultural production, degraded habitat for many fish and wildlife species, threat to saltwater contamination of large fresh water supplies conveyed through the Sacramento-San Joaquin Delta, and additional water scarcity if drought conditions continue into next year;<sup>2</sup>

Governor Newsom has also convened a Drought Resilience Taskforce which includes a broad interagency team, including the Commission. Currently, 56 counties have a U.S. Department of Agriculture disaster designation. Additional local drought emergencies have also been declared in a number of counties Cal Water serves. According to the U.S. Drought Monitor<sup>3</sup> (as of June 1, 2021), 100% of California is in "Moderate Drought", 94.6% of California is in Severe Drought, 74.5% of California is in Extreme Drought, and 26.0% of California is in Exceptional Drought.

Accordingly, the Water Board issued a notice on June 8, 2021 regarding "Ongoing Dry Conditions in California – Prepare for Drought Impacts Statewide, Water Source Contingency

<sup>&</sup>lt;sup>2</sup> <u>https://www.gov.ca.gov/wp-content/uploads/2021/05/5.10.2021-Drought-Proclamation.pdf</u>

<sup>&</sup>lt;sup>3</sup> <u>https://droughtmonitor.unl.edu/</u>



and Conservation Planning" highlighting the need for immediate action.<sup>4</sup> On the same day, President Marybel Batjer sent a letter to the Commission-regulated water utilities calling on companies to "remind your water customers of ongoing dry conditions and encourage actions to reduce water usage" (see **Attachment 2** to this advice letter).<sup>5</sup>

Cal Water is currently updating its Water Shortage Contingency Plan (WSCP) in conjunction with the update to its Urban Water Management Plan. California Water Code Section 10640(b) describes the requirement to complete a WSCP as follows:

(b) Every urban water supplier required to prepare a water shortage contingency plan shall prepare a water shortage contingency plan pursuant to Section 10632. The supplier shall likewise periodically review the water shortage contingency plan as required by paragraph (10) of subdivision (a) of Section 10632 and any amendments or changes required as a result of that review shall be adopted pursuant to this article.

Cal Water is therefore requesting to modify its existing Rule 14.1 and Schedule 14.1. In the following ways:

*Rule 14.1.* The primary change to Rule 14.1 is the removal of the "Mandatory Staged Restrictions of Water Use" section. The modified Rule 14.1 now only includes water use restrictions that are in place at all times, which better reflects the intended purpose of a generally applicable tariff "rule." If additional measures and/or enforcement are needed, Schedule 14.1 will be implemented.

*Schedule 14.1.* The primary change to Schedule 14.1 is the update from four to six mandatory conservation stages. This renders it consistent with Cal Water's current update to its WSCP. Section 10632(a)(3) of the California Water Code now requires the inclusion of "Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage." This requirement necessitates the movement of restrictions from the previous fourstage system to a six-stage system. In most cases, restrictions either remain in their current stage, or move one stage up or down.

Other changes include: removing introductory language referencing the previous drought (which is no longer relevant); adjusting the minimum flow rate of a flow-restrictor in Section(D)(7) from 3 Ccf/month to 0.5 gallons/minute, which better aligns with how flow is measured and with other water suppliers that allow flow-restrictor installation, and; modifying the description of "Mandatory Water Budgets and Banking," which begins in Stage 3, to allow Cal Water to provide details when implementation is requested so that the most up-to-date information can to be incorporated into enforcement of the Schedule.

<sup>&</sup>lt;sup>4</sup> https://www.waterboards.ca.gov/drought/docs/20210608 pws drought notice.pdf

<sup>&</sup>lt;sup>5</sup> Letter from CPUC President Marybel Batjer to All Investor-Owned Water Utilities, "Ongoing Dry Conditions in California – Preparation for Drought Impacts Statewide.



Because Cal Water is only requesting modifications to its existing Rule 14.1 and Schedule 14.1 at this time, and is not requesting activation of a higher mandatory conservation stage, there are no public hearings scheduled that relate to the proposals in this advice letter.

#### **Requested Effective Date**

Cal Water is submitting this as a **Tier 2** advice letter consistent with Finding and Conclusion No. 12 of Resolution W-4976 which states that "Rules providing for modification of an existing Schedule 14.1 should be adopted through a Tier 2 advice letter request." Cal Water requests that the proposed tariffs become effective **July 14, 2021**.

#### <u>Notice</u>

*Customer Notice* – Individual customer notice of this advice letter is not required under General Order 96-B, Water Industry Rule 3.1 (Method of Notice for Advice Letter Increasing Rates) because it does not propose a rate increase or trigger any other customer notice requirement.

Service Lists – In accordance with General Order 96-B, General Rule 4.3 and 7.2 and Water Industry Rule 4.1, a copy of this advice letter will be transmitted electronically on **June 14, 2021** to competing and adjacent utilities and other utilities or interested parties having requested such notification, including the Local Agency Formation Commission (LAFCO). *Please note that, due to limitations on non-essential travel as a result of the COVID-19 virus, this advice letter will only be distributed electronically.* 

#### **Response or Protest**

Anyone may respond to or protest this advice letter. When submitting a response or protest, please include the utility name and advice letter number in the subject line. A response supports the filing and may contain information that proves useful to the Commission in evaluating the advice letter. A protest objects to the advice letter in whole or in part and must set forth the specific grounds on which it is based. These grounds are:

(1) The utility did not properly serve or give notice of the advice letter;

(2) The relief requested in the advice letter would violate statute or Commission order,

or is not authorized by statute or Commission order on which the utility relies;

(3) The analysis, calculations, or data in the advice letter contain material error or omissions;

(4) The relief requested in the advice letter is pending before the Commission in a formal proceeding; or

(5) The relief requested in the advice letter requires consideration in a formal hearing, or is otherwise inappropriate for the advice letter process; or

(6) The relief requested in the advice letter is unjust, unreasonable, or discriminatory (provided such a protest may not be made where it would require relitigating a prior order of the Commission.)



A protest shall provide citations or proofs where available to allow staff to properly consider the protest. A response or protest must be made in writing or by electronic mail and must be received by the Water Division within 20 days of the date this advice letter is filed. The address for mailing or delivering a protest is:

> Tariff Unit, Water Division, 3<sup>rd</sup> floor California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102 <u>water.division@cpuc.ca.gov</u>

On the same date the response or protest is submitted to the Water Division, the respondent or protestant shall send a copy by mail (or e-mail) to Cal Water at the following address:

Natalie Wales California Water Service Company 1720 North First Street, San Jose, California 95112 E-mail: <u>cwsrates@calwater.com</u>

Cities and counties requiring Board of Supervisors or Board of Commissioners approval to protest should inform the Water Division within the 20-day protest period so a late-filed protest can be entertained. The informing document should include an estimate of the date the proposed protest might be voted on. The advice letter process does not provide for any responses, protests or comments, except for the utility's reply, after the 20-day comment period.

**<u>Replies</u>**: The utility shall reply to each protest and may reply to any response. Each reply must be received by the Water Division within 5 business days after the end of the protest period and shall be served on the same day to the person who filed the protest or response. If you have not received a reply to your protest within 10 business days, contact California Water Service Company at (408) 367-8200, and ask for the Rates Department.

CALIFORNIA WATER SERVICE COMPANY

/s/

Natalie Wales, Director Regulatory Policy & Compliance

cc: Syreeta Gibbs (Public Advocates Office) <u>PublicAdvocatesWater@cpuc.ca.gov</u>

## **ATTACHMENT 1**

**Tariff Schedule Changes** 

#### Attachment 1 - Tariff Schedule Changes

#### Advice Letter 2412

	Advice Letter 2412		
lew/Revised CPUC	Title of Sheet	Schedule No.	Cancellin CPUC
12558-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 1	10746-W
12559-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 2	10745-W
12560-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 3	10744-W
12561-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 4	10743-W
12562-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 5	10742-W
12563-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 6	10741-W
12564-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 7	10740-W
12565-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 8	10739-W
12566-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 9	10738-W
12567-W	Rule No. 14.1 Non-Essential, Wasteful Uses of Potable Water	Rule 14.1 Page 10	10737-W
Delete	Rule No. 14.1 (Page 11)	Not Applicable	10736-W
Delete	Rule No. 14.1 (Page 12)	Not Applicable	10735-W
Delete	Rule No. 14.1 (Page 13)	Not Applicable	10734-W
12568-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 1	11052-W
12569-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 2	10760-W
12570-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 3	11051-W
12571-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 4	10758-W
12572-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 5	10757-W
12573-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 6	10756-W
12574-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 7	11050-W
12575-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 8	11049-W
12576-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 9	11048-W
12577-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 10	11047-W
12578-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 11	11046-W
12579-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 12	11045-W
12580-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged	Schedule 14.1 Page 13	11044-W
12581-W	Mandatory Reductions and Drought Surcharges Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 14	11043-W
12582-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 15	11122-W
12583-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 16	11041-W
12584-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 17	NEW
12585-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 18	NEW
12586-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 19	NEW
12587-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 20	NEW
12588-W	Schedule No. 14.1 water Shortage Contingency Plan with Sataged Mandatory Reductions and Drought Surcharges	Schedule 14.1 Page 21	NEW
12589-W	Table of Contents Page 13	TOC 13	12508-W
12590-W	Table of Contents Page 5	TOC 5	12554-W
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## ATTACHMENT 2

Letter from CPUC President

#### PUBLIC UTILITIES COMMISSION 505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298



June 8, 2021

To: All Investor-Owned Water Utilities

#### SUBJECT: Ongoing Dry Conditions in California – Preparation for Drought Impacts Statewide

Dear Water Utilities:

With California experiencing its second consecutive dry year and due to the effects of climate change, we are all reminded that drought planning and conservation are a California way of life. Earlier this year, Governor Newsom took actions<sup>1</sup> to respond to drought conditions across California by declaring 41 counties under a drought state of emergency.

On behalf of the CPUC, I call on the investor-owned utilities (IOUs) to remind your water customers of ongoing dry conditions and encourage actions to reduce water usage.

Two years of low precipitation and the most recent snow survey conducted by the Department of Water Resources (DWR) on April 1, 2021, show California's snowpack well below normal, and the continued hydrologic conditions since 2020 are similar to the drought years from 2012 to 2016. We must be prepared if the years to follow are similarly dry. As leaders of water utilities, you should already be fully aware of the continuing dry conditions and may have implemented early measures to address these conditions. I encourage you to build on these early efforts.

To learn more about current conditions, the state's response and informational resources available to the public, please visit the state's drought preparedness website: <u>https://waterresilience.ca.gov/drought-preparedness/</u>.

The IOUs are encouraged to remind all Californians under its jurisdictions how to conserve water based on the best practices learned from the 2012-16 drought, including the drought procedures and guidance previously adopted with

<sup>&</sup>lt;sup>1</sup> <u>https://www.gov.ca.gov/wp-content/uploads/2021/04/4.21.21-Emergency-Proclamation-1.pdf</u> <u>https://www.gov.ca.gov/wp-content/uploads/2021/05/5.10.2021-Drought-Proclamation.pdf</u>

Standard Practice U-40<sup>2</sup> (SP-40). IOUs are also encouraged to promote DWR's Save Our Water Program (<u>https://saveourwater.com/</u>) or other water conservation programs.

Water systems that project they will face water shortages and be unable to meet demands should contact the appropriate State Water Resources Control Board, Division of Drinking Water District Office. For a map with contact information, visit <u>www.waterboards.ca.gov/drinking\_water/programs/districts</u>.

For information about what the CPUC is doing to prepare for drought, lessons learned from the 2012-16 drought, and information regarding voluntary water conservation efforts please visit <u>https://www.cpuc.ca.gov/droughtinfo/</u>.

Please direct any questions to Terence Shia, Director, Water Division, at <u>Water.Division@cpuc.ca.gov</u> or Water Division, 505 Van Ness Avenue, San Francisco, CA 94102-3298.

Sincerely,

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Marybel Batjer, President California Public Utilities Commission

CC: Commissioner Martha Guzman Aceves Commissioner Clifford Rechtschaffen Commissioner Genevieve Shiroma Commissioner Darcie Houck Rachel Peterson, Executive Director, CPUC Terence Shia, Water Division Director, CPUC Grant Mack, Office of Government Affairs Director, CPUC

<sup>&</sup>lt;sup>2</sup><u>https://www.cpuc.ca.gov/uploadedFiles/CPUC\_Public\_Website/Content/Utilities\_and\_Industries</u> /Water/Standard\_Practice\_U40W\_2014\_wo.pdf

#### Rule No. 14.1 NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

Page 1

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#### A) <u>APPLICABILITY</u>

**1.** This rule applies to all of California Water Service's regulated ratemaking areas in California, as well as Grand Oaks Water.

#### B) GENERAL INFORMATION

 All expenses incurred by California Water Service to implement Rule 14.1, and Schedule 14.1, that have not been considered in a General Rate Case or other proceeding shall be accumulated by Cal Water in a separate memorandum account, authorized by the Commission, for disposition as directed or authorized from time to time by the Commission.

#### C) **DEFINITIONS**

For the purposes of this Rule, the following terms have the meanings set forth in this section.

- 1. "Commercial nursery" means the use of land, buildings or structures for the growing and/or storing of flowers, fruit, trees, ornamental trees, vegetable plants, shrubs, trees and similar vegetation for the purpose of transplanting, for use as stock or grafting, and includes the retail sale or wholesale distribution of such items directly from the premises/lot.
- 2. "Drip irrigation system" means a non-spray, low-pressure, and low volume irrigation system utilizing emission devices with a precipitation or flow rate measured in gallons per hour (GPH), designed to slowly apply small volumes of water at or near the root zone of plants or other landscaping.
- **3.** "Flow rate" means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute (GPM), gallons per hour (GPH), inches per hour (IPH), hundred cubic feet (Ccf), or cubic feet per second (CFS).
- **4.** "Flow-restricting device" means valves, orifices, or other devices that reduce the flow of potable water through a service line, which are capable of providing the premise with a minimum flow rate of 0.5 gallons per minute.
- 5. "High-efficiency sprinkler systems" means an irrigation system with emission devices, such as sprinkler heads or nozzles, with a precipitation or flow rate no greater than on IPH.
- 6. "Irrigation" means the application of potable water by artificial means to landscape.

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(To be inserted by utility)	Issued By	(To be inserted by CPUC)	
Advice Letter 2412	Greg A. Milleman	Date Filed 06/14/2021	
Decision	Vice President	Effective 07/14/2021	
		Resolution	

#### Rule No. 14.1

Page 2

## NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

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### C) <u>DEFINITIONS (continued)</u>

- 7. "Irrigation system" means the components of a system meant to apply water to an area for the purpose of irrigation, including, but not limited to, piping, fittings, sprinkler heads or nozzles, drip tubing, valves, and control wiring.
- 8. "Landscape" means all of the outdoor planting areas, turf areas, and water features at a particular location.
- 9. "Measurable rainfall" means any amount of precipitation of more than one-quarter of an inch (0.25").
- **10.** "Micro spray irrigation system" means a low-pressure, low-volume irrigation system utilizing emission devices that spray, mist, sprinkle, or drip with a precipitation or flow rate measured in GPH, designed to slowly apply small volumes of water to a specific area.
- **11.** "Ornamental landscape" means shrubs, bushes, flowers, ground cover, turf, lawns, and grass planted for the purpose of improving the aesthetic appearance of property, but does not include crops or other agricultural products or special landscape areas.
- **12.** "Ornamental turf" means a ground cover surface of grass that can be mowed and is planted for the purpose of improving the aesthetic appearance of the property, but does not include crops or other agricultural products or special landscape areas.
- **13.** "Plumbing fixture" means a receptacle or device that is connected to a water supply system, including, but not limited to, pipes, toilets, urinals, showerheads, faucets, washing machines, water heaters, tubs, and dishwashers.
- 14. "Potable water" means water supplied by Cal Water which conforms to the federal and state standards for human consumption.
- 15. "Properly programmed" means a smart irrigation controller that has been programmed according to the manufacturer's instructions and site-specific conditions.
- **16.** "Real-time water measurement device" means a device or system that provides regularly updated electronic information regarding the customer's water use.
- **17.** "Runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape onto other areas.
- 18. "Smart irrigation controller" means an automatic device used to remotely control valves that operate an irrigation that has been tested by an American National Standards Institute accredited third-party certifying body or laboratory in accordance with the Environmental Protection Agency's WaterSense program (or an analogous successor program), and certified by such body or laboratory as meetings the performance and efficiency requirements of such program, or the more stringent performance and efficiency requirements of another similar program.

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#### Rule No. 14.1 NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

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#### C) <u>DEFINITIONS (continued)</u>

- **19.** "Special landscape area" means an area of landscape dedicated solely to edible plants and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.
- **20.** "Turf" means a ground cover surface of grass that can be mowed.
- 21. "Water feature" means a design element where open, artificially supplied water performs an aesthetic or recreation feature, including, but not limited to, ponds, lakes, waterfalls, fountains, and streams.
- **22.** "Water use evaluation" means an evaluation of the efficiency of indoor water-using devices, including, but not limited to, measurement of flow rates for all existing showerheads, faucets, and toilets, inspection for leaks, and providing written recommendations to improve the efficiency of the indoor water-using fixtures and devices and/or an evaluation of the performance of an irrigation system, including, but not limited to, inspection for leaks, reporting of overspray or runoff, and providing written recommendations to improve the performance of the irrigation system.

#### D) ENFORCEMENT

This Rule establishes certain restrictions on the use of potable water. Violating the restrictions set forth is declared a non-essential, wasteful use of potable water. Cal Water is authorized to take the following actions when its personnel verify a customer is using potable water for non-essential, wasteful uses. No person shall have any right or claim in law or in equity against Cal Water because of, or as a result of, any matter or thing done or threatened to be done pursuant to the restrictions on using potable water for nonessential, wasteful uses.

#### 1. FIRST VIOLATION

Cal Water shall provide the customer with a written notice of violation. In addition, Cal Water is authorized to take the following actions:

- a) If the customer currently receives service through a metered connection, install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and on-going operating costs, may be billed to the customer, and nonpayment may result in discontinuation of service.
- b)

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#### Rule No. 14.1 NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

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#### D) ENFORCEMENT (continued) (L) 1. FIRST VIOLATION (continued) b) If the customer does not currently receive service through a metered connection, (N) install a water meter on the customer's service line, charge the customer for water use pursuant to Cal Water's metered service tariffs and rules, and install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and ongoing operating costs, may be billed to the customer, and nonpayment may result in discontinuance of service. (N) 2. SECOND VIOLATION If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the first violation, Cal Water shall provide the customer with a second written notice of violation and is authorized to install a flow-restricting device on the customer's service line. Cal Water shall not be held liable for any injuries, damages, and/or consequences arising from the installation of a flowrestricting device. 3. NOTICES OF VIOLATION: (T) a) Unless otherwise specified, written notices of violation provided to customers pursuant to this Rule shall document the verified violation and alert the customer to the fact that future violations of the restricted uses of potable water may result in a real-time water measurement device being installed on the customer's service line (T) at the customers expense, the installation of a flow-restricting device on the (T) customer's service line, or the discontinuation of the customer's service. b) If Cal Water elects to install a flow-restricting device on a customer's service line, the written notice shall document the steps the customer must take in order for the (T) flow-restricting device to be removed, and shall explain that after the flow-(T) restricting device is removed, it may be reinstalled, without further notice, if the (T) customer is again verified by Cal Water to be using potable water for non-essential, (T) wasteful uses. 4. FLOW RESTRICTING DEVICE CONDITIONS The installation of a flow-restricting device on a customer's service line is subject to the (L) following conditions: (Continued)

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#### NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER (C) (L) D) ENFORCEMENT (continued) 4. FLOW RESTRICTING DEVICE CONDITIONS (continued) a) The device shall be capable of providing the premise with a minimum flow rate of (C) 0.5 gallons per minute. (C) b) The device may only be removed by Cal Water, and only after a minimum three-day period has elapsed. c) Any tampering with the device may result in the discontinuation of the customer's water service and the customer being charged for any damage to Cal Water's equipment or facilities and any required service visits. d) After the removal of the device, if Cal Water's personnel verify that the customer is (T) using potable water for non-essential, wasteful uses, Cal Water may install another flow-restricting device without prior notice. This device shall remain in place until (T) water supply conditions warrant its removal. If, despite the installation of the device, Cal Water's personnel verifies that the customer is using potable water for (T) non-essential, wasteful uses, then Cal Water may discontinue the customer's water (T) service, as provided in its Rule No. 11. 5. FLOW RESTRICTING DEVICE REMOVAL CHARGES The charge to customers for removal of a flow-restricting device installed pursuant to this Rule is \$100 during normal business hours, and \$150 for the device to be removed outside of normal business hours. E) WASTEFUL USES OF WATER Except where necessary to address an immediate health or safety need or to comply with a term or condition in a permit issued by a state or federal agency, customers are prohibited, at all times, from using potable water for the following actions, as each is declared a nonessential, wasteful use of water: (C) a) Outdoor Irrigation Restrictions Irrigating ornamental landscape with potable water is prohibited during the (i) hours between 8:00 a.m. and 6:00 p.m. The foregoing irrigation restriction does not apply to: (ii) (1) Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems; (L) (C)

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## NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

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	a)	Outdoor Irrigation Restrictions (continued)	
		(ii) The foregoing irrigation restriction does not apply to: (continued)	
		<ul> <li>(2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not it use or monitored, or for the express purpose of adjusting or repairing an irrigation system.</li> </ul>	(C)
	b)	Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other	
		malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within five (5) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.	
	c)	Prohibited Uses of Water: Customers are prohibited from using potable water for	
		the following actions:	
		<ul> <li>The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;</li> </ul>	
		(ii) The use of a hose that dispenses potable water to wash vehicles, including	
		cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not,	
		except where the hose is fitted with a shut-off nozzle or device attached to it	
		that causes it to cease dispensing water immediately when not in use;	
		(iii) The application of potable water to driveways and sidewalks;	
		(iv) The use of potable water in a water feature, except where the water is part of a recirculating system;	
		<ul> <li>(v) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);</li> </ul>	
		(vi) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department	
		of Housing and Community Development, or other state agency.	
		(vii) The serving or drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or	
			L) (C)

(To be inserted by utility) Advice Letter <u>2412</u> Decision (Continued)

#### Rule No. 14.1 NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

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#### E) WASTEFUL USES OF WATER (continued)

- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

#### F) ADOPTION OF SCHEDULE NO. 14.1 - STAGED MANDATORY REDUCTIONS AND DROUGHT **SURCHARGES**

1. Addition of Schedule No. 14.1

If, in the opinion of Cal Water, more stringent water conservation measures are required due to supply conditions or government directive, Cal Water may request the addition of Schedule No. 14.1 – Staged Mandatory Reductions and Drought Surcharges, via a Tier 2 advice letter.

- a) Cal Water may not activate Schedule No. 14.1 until it has been authorized to do so by the California Public Utilities Commission, as delegated to its Division of Water and Audits.
- b) A Schedule No. 14.1 that has been authorized by the California Public Utilities Commission shall remain dormant until triggered by specific conditions detailed in the Schedule No. 14.1 tariff and Cal Water has requested and received authorization for activating a stage by the California Public Utilities Commission.
- c) Notice of the Tier 2 advice letter and associated public participation hearing, if required, shall be provided to customers through a bill insert or a direct mailing, as set forth in Subsection 5 (Public Notice) below.
- d) Cal Water shall comply with all requirements of Sections 350-358 of the California Water Code.
- e) The Tier 2 advice letter requesting the addition of a Schedule No. 14.1 shall include, but not be limited to:
  - (i) A proposed Schedule No. 14.1 tariff, which shall include but not be limited to: (1) Applicability;
    - (2) Territory applicable to;

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## NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

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F)	<u>AD</u>	OPTION OF SCHEDULE NO. 14.1 - STAGED MANDATORY REDUCTIONS AND DROUGHT	(L)
	<u>SU</u>	RCHARGES (continued)	
	1.	Addition of Schedule No. 14.1 (continued)	
		e) The Tier 2 advice letter requesting the addition of a Schedule No. 14.1 shall include, but not be limited to: (continued)	
		<ul> <li>(i) A proposed Schedule No. 14.1 tariff, which shall include but not be limited to: (continued)</li> </ul>	
		(3) A detailed description of each stage (the number of stages requested for a ratemaking area may vary depending on the specifics of the water shortage event);	(T) (T)
		<ul><li>(4) A detailed description of the trigger(s) that activates each stage;</li><li>(5) A detailed description of each water use restriction for each stage of water</li></ul>	(T)
		budgets; (6) Water use violation levels, written warning levels, associated penalties, if applicable, and exception procedures;	(T)
		(7) Conditions for the installation of a flow-restricting device;	(T)
		(8) Charges for the removal of a flow-restricting device; and	(T)
		(9) Special conditions.	
		<ul> <li>Justification for, and documentation and calculations in support of the water budgets.</li> </ul>	
	2	Conditions for Activating Schedule No. 14.1	
		Cal Water may file a Tier 1 advice letter to request activation of a particular stage of Schedule No. 14.1 tariff if:	
		<ul> <li>a) Cal Water, the California Public Utilities Commission, wholesale water supplier, or other government agency declares an emergency requiring mandatory water budgets, mandatory water rationing, or mandatory water allocations; or</li> </ul>	
		<ul> <li>b) A government agency declares a state of emergency in response to severe drought conditions, earthquake or other catastrophic event that severely reduces Cal Water's water supply; or</li> </ul>	
		c) Water supplies are projected to be insufficient to meet normal customer demand by Cal Water; or	(C)
		<ul> <li>d) A water supply shortage or threatened shortage exists; or</li> <li>e) Cal Water is unable to achieve water conservation targets set by itself or a governing agency; or</li> </ul>	 (L)(C)

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## NON-ESSENTIAL, WASTEFUL USES OF POTABLE WATER

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F)	SU	ADOPTION OF SCHEDULE NO. 14.1 - STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued) 2. <u>Conditions for Activating Schedule No. 14.1 (continued)</u>				
	2.	<ul> <li>f) Water conservation targets set by itself or a governing agency are insufficient; or</li> <li>g) Cal Water chooses to subsequently activate a different stage of the Schedule No. 14.1 tariff.</li> </ul>	(C)			
	3.	<u>Activating Schedule No. 14.1</u> The Tier 1 advice letter requesting activation of a stage of the Schedule No. 14.1 tariff shall:				
		<ul> <li>a) Include, but not be limited to, a justification for activating the particular stage of Staged Mandatory Reductions and Drought Surcharges, as well as the period during which the particular stage will be in effect.</li> <li>b) Be accompanied by the customer notification measures detailed in sub-section 5 (Public Notice) below.</li> </ul>	(C)			
	4.	<u>De-Activating Schedule No. 14.1</u> When Schedule No. 14.1 is activated and Cal Water determines that water supplies are again sufficient to meet normal demands, and mandatory water use reductions are no longer necessary, Cal Water shall seek the approval of the California Public Utilities Commission, via a Tier 1 advice letter, to de-activate the particular stage of mandatory water use reductions that had been authorized.				
	5.	Public Notice				
		a) When Cal Water requests the addition of Schedule No. 14.1 via a Tier 2 advice letter, it shall provide notice of the Tier 2 advice letter and associated public hearing to customers through bill inserts or direct mailing, and it shall comply with all requirements of Sections 350-358 of the California Water Code (CWC), including but not limited to the following:	(T) (T) (T)			
		<ul> <li>(i) In order to be in compliance with both General Order 96-B and CWC, notice shall be provided via both newspaper and bill insert or direct mailing;</li> <li>(ii) One notice shall be provided for each advice letter filed that includes both notice of the filing of the Tier 2 advice letter as well as the details of the public</li> </ul>	(т)			
		hearing (date, time, place, etc.);	(L)			
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Greg A. Milleman

Vice President

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F)	F) ADOPTION OF SCHEDULE NO. 14.1 - STAGED MANDATORY REDUCTIONS AND DROUGHT (L)						
	<u>SU</u>	RCH	IARG	ES (continued)			
	5.	<u>Pu</u>	blic N	lotice (continued)			
		a)	lette to c requ not	en Cal Water requests the addition of Schedule No. 14.1 via a Tier 2 advice er, it shall provide notice of the Tier 2 advice letter and associated public hearing ustomers through bill inserts or direct mailing, and it shall comply with all uirements of Sections 350-358 of the California Water Code (CWC), including but limited to the following: (continued)			
			 (iii)	The public meeting shall be held after the Tier 2 advice letter is filed, and			
			(,	before the Commission authorizes the addition of Schedule No. 14.1 to the			
				tariff, except in cases of emergency water shortages approved by the			
				Commission;		(C)	
			(iv)	Cal Water shall consult with Division of Water and Audits staff prior to filing advice letter, in order to determine details of the public meeting.			
		b)	thro prov or d asso sinc	ne event that Schedule No. 14.1 is triggered, and Cal Water requests activation bugh the filing of a Tier 1 advice letter, Cal Water shall notify its customers and vide each customer with a summary of Schedule No. 14.1 by means of bill insert irect mailing. Notification shall take place prior to imposing any penalties ociated with this plan. If activation of Schedule No. 14.1 occurs one year or more e the public hearing associated with adding Schedule No. 14.1 to its tariffs, then Water shall conduct a public hearing pursuant to California Water Code Section		(T)	
		c)	Dur	prior to activating a stage of the tariff. ing the period that a stage of Schedule No. 14.1 is activated, Cal Water shall ride sustamers with undates in at least eveny other hill regarding its water.		(T)	
			-	vide customers with updates in at least every other bill regarding its water ply status and the results of customers' conservation efforts.	 (L	)	
			Jup		(	-,	

Issued By Greg A. Milleman Vice President

#### Schedule No. 14.1 Page 1 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

California Water Service's ("Cal Water") supply of water may be interrupted or reduced due to (N) a variety of circumstances, for instance, in response to a drought or other catastrophic event. This Schedule builds upon Cal Water's Rule 14.1 and provides it with additional means to achieve necessary reductions in water use. (N)

#### A. <u>APPLICABILITY</u>

1. This schedule applies to all of California Water Service's regulated ratemaking areas in California, as well as Grand Oaks Water.

#### B) GENERAL INFORMATION

- All expenses incurred by California Water Service to implement Rule 14.1, and Schedule 14.1, that have not been considered in a General Rate Case or other proceeding shall be accumulated by Cal Water in a separate memorandum account, authorized by the Commission, for disposition as directed or authorized from time to time by the Commission.
- 2. All monies collected by Cal Water through waste of water penalties established in this schedule shall be recorded in the appropriate memorandum account and used to offset the expenses described in Section 1 above.
- **3.** Except in the case of Grand Oaks, all monies collected by Cal Water through drought surcharges, as established by the Mandatory Budgets found in Schedule 14.1, shall be recorded in the appropriate Water Revenue Adjustment Mechanism ("WRAM") account and used to offset under-collected revenues.
- **4.** To the extent that any provision in this Schedule is inconsistent with Rule 14.1, the provisions of this Schedule apply.

#### C) **DEFINITIONS**

For the purposes of this Schedule, the following terms have the meanings set forth in this section. (These are the same as in Rule 14.1, unless otherwise specified.)

1. "Commercial nursery" means the use of land, buildings or structures for the growing and/or storing of flowers, fruit, trees, ornamental trees, vegetable plants, shrubs, trees and similar vegetation for the purpose of transplanting, for use as stock or grafting, and includes the retail sale or wholesale distribution of such items directly from the premises/lot.

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#### Schedule No. 14.1 Page 2 <u>WATER SHORTAGE CONTINGENCY PLAN</u> <u>WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES</u>

#### C) **DEFINITIONS** (continued)

- 2. "Drip irrigation system" means a non-spray, low-pressure, and low volume irrigation (L) system utilizing emission devices with a precipitation or flow rate measured in gallons per hour (GPH), designed to slowly apply small volumes of water at or near the root zone of plants or other landscaping.
- **3.** "Flow rate" means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute (GPM), gallons per hour (GPH), inches per hour (IPH), hundred cubic feet (Ccf), or cubic feet per second (CFS).
- **4.** "Flow-restricting device" means valves, orifices, or other devices that reduce the flow of potable water through a service line, which are capable of providing the premise with a minimum flow rate of 0.5 gallons per minute.
- 5. "High-efficiency sprinkler systems" means an irrigation system with emission devices, such as sprinkler heads or nozzles, with a precipitation or flow rate no greater than one IPH.
- **6.** "Irrigation" means the application of potable water by artificial means to landscape.
- 7. "Irrigation system" means the components of a system meant to apply water to an area for the purpose of irrigation, including, but not limited to, piping, fittings, sprinkler heads or nozzles, drip tubing, valves, and control wiring.
- **8.** "Landscape" means all of the outdoor planting areas, turf areas, and water features at a particular location.
- **9.** "Measurable rainfall" means any amount of precipitation of more than one-quarter of an inch (0.25").
- **10.** "Micro spray irrigation system" means a low-pressure, low-volume irrigation system utilizing emission devices that spray, mist, sprinkle, or drip with a precipitation or flow rate measured in GPH, designed to slowly apply small volumes of water to a specific area.
- **11.** "Ornamental landscape" means shrubs, bushes, flowers, ground cover, turf, lawns, and grass planted for the purpose of improving the aesthetic appearance of property, but does not include crops or other agricultural products or special landscape areas.
- **12.** "Ornamental turf" means a ground cover surface of grass that can be mowed and is planted for the purpose of improving the aesthetic appearance of the property, but does not include crops or other agricultural products or special landscape areas.
- **13.** "Plumbing fixture" means a receptacle or device that is connected to a water supply system, including, but not limited to, pipes, toilets, urinals, showerheads, faucets, washing machines, water heaters, tubs, and dishwashers.

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#### Schedule No. 14.1 P <u>WATER SHORTAGE CONTINGENCY PLAN</u> <u>WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES</u>

#### C) **DEFINITIONS** (continued)

- **14.** "Potable water" means water supplied by Cal Water which conforms to the federal and state standards for human consumption.
- **15.** "Properly programmed" means a smart irrigation controller that has been programmed according to the manufacturer's instructions and site-specific conditions.
- **16.** "Real-time water measurement device" means a device or system that provides regularly updated electronic information regarding the customer's water use.
- **17.** "Runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape onto other areas.
- 18. "Smart irrigation controller" means an automatic device used to remotely control valves that operate an irrigation that has been tested by an American National Standards Institute accredited third-party certifying body or laboratory in accordance with the Environmental Protection Agency's WaterSense program (or an analogous successor program), and certified by such body or laboratory as meetings the performance and efficiency requirements of such program, or the more stringent performance and efficiency requirements of another similar program.
- **19.** "Special landscape area" means an area of landscape dedicated solely to edible plants and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.
- **20.** "Turf" means a ground cover surface of grass that can be mowed.
- **21.** "Water feature" means a design element where open, artificially supplied water performs an aesthetic or recreation feature, including, but not limited to, ponds, lakes, waterfalls, fountains, and streams.
- **22.** "Water use evaluation" means an evaluation of the efficiency of indoor water-using devices, including, but not limited to, measurement of flow rates for all existing showerheads, faucets, and toilets, inspection for leaks, and providing written recommendations to improve the efficiency of the indoor water-using fixtures and devices and/or an evaluation of the performance of an irrigation system, including, but not limited to, inspection for leaks, reporting of overspray or runoff, and providing written evidence of the irrigation system.

#### D) WASTE OF WATER PENALTIES

Each Stage of this Schedule establishes certain restrictions on the use of potable water. Violating the restrictions set forth in a particular Stage while it is in effect is declared a non-essential, wasteful use of potable water.

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#### Schedule No. 14.1 Page 4 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

#### D) WASTE OF WATER PENALTIES (continued)

Cal Water is authorized to take the following actions when its personnel verify a customer is using potable water for non-essential, wasteful uses. No person shall have any right or claim in law or in equity against Cal Water because of, or as a result of, any matter or thing done or threatened to be done pursuant to the restrictions on using potable water for nonessential, wasteful uses. When a Stage in this Schedule has been activated, Section D in this Schedule supersedes Section D (Enforcement) in Rule 14.1.

#### 1. FIRST VIOLATION

Cal Water shall provide the customer with a written notice of violation. In addition, Cal Water is authorized to take the following actions:

- a) If the customer currently receives service through a metered connection, install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and on-going operating costs, may be billed to the customer, and nonpayment may result in discontinuation of service.
- b) If the customer does not currently receive service through a metered connection, install a water meter on the customer's service line, charge the customer for water use pursuant to Cal Water's metered service tariffs and rules, and install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and ongoing operating costs, may be billed to the customer, and nonpayment may result in discontinuance of service.

#### 2. SECOND VIOLATION

If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the first violation, Cal Water shall provide the customer with a second written notice of violation. In addition to the actions prescribed under the first violation above, Cal Water is authorized to take the following actions:

a) Apply the following waste of water penalties which are in addition to any other charges authorized by this Schedule or other Cal Water tariffs.

(Continued)

- (i) If Stage 1 is in effect, \$25 (Stage 1 is detailed in Section E)
- (ii) If Stage 2 is in effect, \$50 (Stage 2 is detailed in Section F)
- (iii) If Stage 3 is in effect, \$100 (Stage 3 is detailed in Section G)

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#### Schedule No. 14.1 Page 5 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

2.	SECOND VIOLATION (contin	nued)		(L) 
		te of water penalties which ar his Schedule or other Cal Wate	-	
	<ul><li>(v) If Stage 5 is in effect</li><li>(vi) If Stage 6 is in effect</li><li>b) At its sole discretion, was</li></ul>	c, \$200 (Stage 4 is detailed in S c, \$400 (Stage 5 is detailed in S c, \$800 (Stage 6 is detailed in S aive the waste of water penalt on provided by Cal Water and a ided.	ection I) ection J) y if the customer participa	(N) (N) ates (C) (C)
3.	THIRD VIOLATION			
	wasteful uses after having b the customer with a third w	e customer has used potable w been notified of the second vic vritten notice of violation. In ac nd second violation above, Cal	lation, Cal Water shall production to the actions	
	<ul> <li>charges authorized by t</li> <li>(i) If Stage 1 is in effect</li> <li>(ii) If Stage 2 is in effect</li> <li>(iii) If Stage 3 is in effect</li> <li>(iv) If Stage 4 is in effect</li> <li>(v) If Stage 5 is in effect</li> <li>(vi) If Stage 6 is in effect</li> <li>b) At its sole discretion, was</li> </ul>	ste of water penalties, which a his Schedule or other Cal Wate , \$50 (Stage 1 is detailed in Se , \$100 (Stage 2 is detailed in Se , \$200 (Stage 3 is detailed in S , \$400 (Stage 4 is detailed in S , \$400 (Stage 5 is detailed in S , \$400 (Stage 5 is detailed in S , \$1,600 (Stage 6 is detailed in aive the waste of water penalt on provided by Cal Water and a ided.	er tariffs: ction E) ection F) ection G) ection H) ection I) Section J) y if the customer participa	(N) (N)
4.	FOURTH VIOLATION			
		e customer has used potable v peen notified of the third viola		ide
	the customer with a fourth	notice of violation. In addition	to actions set forth in the	e
	-	ed above, Cal Water is authori		-
		ervice line. Cal Water shall not nces arising from the installati (Continued)		
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#### Schedule No. 14.1 Page 6 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

#### D) WASTE OF WATER PENALTIES (continued)

#### 5. EGREGIOUS VIOLATIONS

Notwithstanding the foregoing framework for penalties, customers who Cal Water has verified are egregiously using potable for non-essential, wasteful uses are subject to having a flow-restricting device installed on their service line. After providing the customer with one written notice of egregious violation which documents the egregious use of potable water for non-essential, wasteful uses and explains that failure to correct the violation may result in the installation of a flow-restricting device on the customer's service line, Cal Water is authorized to install a flow-restricting device on the customer's service line. Cal Water shall not be held liable for any injuries, damages, and/or consequences arising from the installation of a flow-restricting device.

#### 6. NOTICES OF VIOLATION

- a) Unless otherwise specified, written notices of violation provided to customers pursuant to this Schedule shall document the verified violation and alert the customer to the fact that future violations of the restricted uses of potable water may result in a real-time water measurement device being installed on the customer's service line at the customers expense, waste of water penalties being applied to the customer's bill, the installation of a flow-restricting device on the customer's service line, or the discontinuation of the customer's service.
- b) If Cal Water elects to install a flow-restricting device on a customer's service line, the written notice shall document the steps the customer must take in order for the follow-restricting device to be removed, and shall explain that after the flowrestricting device is removed, it may be reinstalled, without further notice, if the customer is again verified by Cal Water to be using potable water for non-essential, wasteful uses.

#### 7. FLOW RESTRICTING DEVICE CONDITIONS

The installation of a flow-restricting device on a customer's service line is subject to the following conditions:

a) The device shall be capable of providing the premise with a minimum flow rate of 0.5 gallons per minute.

(Continued)

b) The device may only be removed by Cal Water, and only after a minimum three-day period has elapsed.

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#### Schedule No. 14.1 P <u>WATER SHORTAGE CONTINGENCY PLAN</u> <u>WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES</u>

### D) WASTE OF WATER PENALTIES (continued)

#### 7. FLOW RESTRICTING DEVICE CONDITIONS (continued)

- c) Any tampering with the device may result in the discontinuation of the customer's water service and the customer being charged for any damage to Cal Water's equipment or facilities and any required service visits.
- d) After the removal of the device, if Cal Water's personnel verify that the customer is using potable water for non-essential, wasteful uses, Cal Water may install another flow-restricting device without prior notice. This device shall remain in place until water supply conditions warrant its removal. If, despite the installation of the device, Cal Water's personnel verifies that the customer is using potable water for non-essential, wasteful uses, then Cal Water may discontinue the customer's water service, as provided in its Rule No. 11.

#### 8. FLOW RESTRICTING DEVICE REMOVAL CHARGES

The charge to customers for removal of a flow-restricting device installed pursuant to this Schedule is \$100 during normal business hours, and \$150 for the device to be removed outside of normal business hours.

#### E) STAGE ONE WATER USE RESTRICTIONS

#### 1. WASTEFUL USES OF WATER (STAGE 1)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

- a) Outdoor Irrigation Restrictions (Stage 1)
  - (i) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.
  - (ii) The foregoing irrigation restriction does not apply to:
    - Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;
    - (2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not it use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

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## Schedule No. 14.1 Page 8 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

## E) <u>STAGE ONE WATER USE RESTRICTIONS (continued)</u> 1. WASTEFUL USES OF WATER (STAGE 1) (continued)

- b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within five (5) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.
- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
  - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
  - (ii) The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
  - (iii) The application of potable water to driveways and sidewalks;
  - (iv) The use of potable water in a water feature, except where the water is part of a recirculating system;
  - (v) The application of potable water to outdoor landscapes during and within fortyeight (48) hours after measurable rainfall (see Definitions);
  - (vi) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.
  - (vii) The serving of drinking water other than upon request in eating and/or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

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Vice President

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#### Schedule No. 14.1 Page 9 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

#### F) STAGE TWO WATER USE RESTRICTIONS

#### 1. WASTEFUL USES OF WATER (STAGE 2)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

- a) Outdoor Irrigation Restrictions (Stage 2)
  - (i) Irrigating ornamental landscapes with potable water is limited to no more than three (3) days per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email.
    - (1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions.
  - (ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.
  - (iii) The foregoing irrigation restrictions do not apply to:
    - Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;
    - (2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not it use or monitored, or for the express purpose of adjusting or repairing an irrigation system.
  - (iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.
- b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within five (5) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.

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#### Schedule No. 14.1 P <u>WATER SHORTAGE CONTINGENCY PLAN</u> <u>WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES</u>

#### F) <u>STAGE TWO WATER USE RESTRICTIONS (continued)</u> 1. WASTEFUL USES OF WATER (STAGE 2) (continued)

- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
  - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
  - (ii) The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
  - (iii) The application of potable water to driveways and sidewalks;
  - (iv) The use of potable water in a water feature, except where the water is part of a recirculating system;
  - (v) The application of potable water to outdoor landscapes during and within fortyeight (48) hours after measurable rainfall (see Definitions);
  - (vi) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.
  - (vii) The serving of drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e) New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

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Greg A. Milleman

Vice President

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#### Schedule No. 14.1 Page 11 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

#### G) STAGE THREE WATER USE RESTRICTIONS

#### 1. MANDATORY WATER BUDGETS AND BANKING (STAGE 3)

Water budgets may be imposed by Cal Water which may include provisions such as minimum water budgets to protect the health and safety of customers, an appeals process, and water banking allowing customer additional flexibility with regard to their required reductions.

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be (N) submitted as part of any request to activate Stage 3 of this Schedule. (N)

#### 2. WASTEFUL USES OF WATER (STAGE 3)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

- a) Outdoor Irrigation Restrictions (Stage 3)
  - (i) Irrigating ornamental landscapes with potable water is limited to no more than three (3) days per week, on a schedule established and posted by Cal Water on (C) its website or otherwise provided to customers by bill message, bill insert, direct mail, or email. (D)
    - (1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions.
  - (ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.
  - (iii) The foregoing irrigation restrictions do not apply to:
    - (1) Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;

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G)			THREE WATER USE RESTRICTIONS (continued)	(L	_)
	۷.		ASTEFUL USES OF WATER (STAGE 3) (continued) Outdoor Irrigation Restrictions (Stage 3)(continued) (iii) The foregoing irrigation restrictions do not apply to: (continued)		
			<ul> <li>(2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not it use or monitored, or for the express purpose of adjusting or repairing an irrigation system.</li> </ul>		
			(iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city,		(T)
			county, or other public agency's restrictions.		(T)
		b)	Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within three (3) business days of written notification by Cal Water, unless other arrangements are made with Cal Water.		(C)
		c)	Prohibited Uses of Water: Customers are prohibited from using potable water for		
			<ul> <li>the following actions:</li> <li>(i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;</li> <li>(ii) The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that</li> </ul>		(T)
			<ul> <li>causes it to cease dispensing water immediately when not in use;</li> <li>(iii) The application of potable water to driveways and sidewalks;</li> <li>(iv) The use of potable water in a water feature, except where the water is part of a recirculating system;</li> </ul>		(T)
			<ul> <li>(v) The application of potable water to outdoor landscapes during and within forty- eight (48) hours after measurable rainfall (see Definitions);</li> <li>(vi) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by</li> </ul>		(T)
			the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.	 (L	(T) (T)(_

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#### Schedule No. 14.1 Page 13 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

		THREE WATER USE RESTRICTIONS (continued) ASTEFUL USES OF WATER (STAGE 3) (continued)	(L) 
۷.		Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions: (continued)	
		<ul> <li>(vii) The serving of drinking water other than upon request in eating and/or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;</li> </ul>	(T)
		<ul> <li>(viii) Irrigation of ornamental turf on public street medians with potable water;</li> <li>(ix) Use of potable water for street cleaning with trucks, except for initial wash- down for construction purposes (if street sweeping is not feasible);</li> </ul>	
		(x) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or method can be used.	
	d)	Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.	
	e) f)	New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons. New connections may not install non-recirculating systems for conveyer car wash applications.	(N)
	g)	Filling or re-filling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the implementation of any staged mandatory restrictions of water use as described in this Schedule.	(T) (T)
	h)	Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.	
н) <u>sт</u>	AGE	FOUR WATER USE RESTRICTIONS	
1.	Wa mi pro	ANDATORY WATER BUDGETS AND BANKING (STAGE 4) ater budgets may be imposed by Cal Water which may include provisions such as nimum water budgets to protect the health and safety of customers, an appeals pcess, and water banking allowing customer additional flexibility with regard to their quired reductions.	(C) (C) (C) (L)

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#### Schedule No. 14.1 Page 14 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (L) H) STAGE FOUR WATER USE RESTRICTIONS (continued) 1. MANDATORY WATER BUDGETS AND BANKING (STAGE 4) (continued) In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget (C) for the billing period. (C) Details regarding the implementation of "Mandatory Water Budgets and Banking" will (N) be submitted as part of any request to activate Stage 4 of this Schedule. (N) 2. WASTEFUL USES OF WATER (STAGE 4) The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency: (D) a) Outdoor Irrigation Restrictions (Stage 4) (C) (i) Irrigating ornamental landscapes with potable water is limited to no more than two (2) days per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email, or as follows: (1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions. (ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.

- (iii) The foregoing irrigation restrictions do not apply to:
  - Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;
  - (2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not it use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

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Schedule No. 14.1 Page 15 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (L) H) STAGE FOUR WATER USE RESTRICTIONS (continued) 2. WASTEFUL USES OF WATER (STAGE 4) (continued) a) Outdoor Irrigation Restrictions (Stage 4) (continued) (iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions. b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within two (2) business days of written notification by Cal Water, unless (C) other arrangements are made with Cal Water. c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions: The application of potable water to landscapes in a manner that causes runoff (i) such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures; (ii) The application of potable water to driveways and sidewalks; (iii) The use of potable water in a water feature, except where the water is part of a recirculating system; (iv) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions); (T) (v) Irrigation outside of newly constructed homes and buildings with potable (N) water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency. (N) (vi) The serving of drinking water other than upon request in eating and/or (T) drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased; (vii) Irrigation of ornamental turf on public street medians with potable water; (N) (viii) The use of potable water to fill or refill decorative fountains or pools; (ix) The use of potable water for recreational facilities such as water parks; (x) Use of potable water for street cleaning with trucks, except for initial washdown for construction purposes (if street sweeping is not feasible); (L)(N)

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Greg A. Milleman

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H)	<u>ST</u>	AGE	FOUR WATER USE RESTRICTIONS (continued)	(L)
	2.	W	ASTEFUL USES OF WATER (STAGE 4) (continued)	
		c)	Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions: (continued)	
			<ul> <li>(xi) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or method can be used.</li> </ul>	(T) (T)
		d)	Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.	
		e)	New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.	(N) 
		f)	New connections may not install non-recirculating systems for conveyer car wash applications.	   (N)
		g)	Filling or re-filling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the implementation of any staged mandatory restrictions of water use as described in this Schedule.	(T)
		h)	Car washing is only permitted using a commercial car wash that recirculates water or by high pressure/low volume wash systems.	(N) (N)
		i)	Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are	
			incorporated herein by reference.	(L)
I)	<u>ST</u>	AGE	FIVE WATER USE RESTRICTIONS	(C)
	1.	M	ANDATORY WATER BUDGETS AND BANKING (STAGE 5)	

Water budgets may be imposed by Cal Water which may include provisions such as minimum water budgets to protect the health and safety of customers, an appeals process, and water banking allowing customer additional flexibility with regard to their required reductions.

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

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A. Milleman Date Filed <u>06/14/2</u>
President Effective 07/14/2

### Schedule No. 14.1 P <u>WATER SHORTAGE CONTINGENCY PLAN</u> <u>WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES</u>

#### I) <u>STAGE 5 WATER USE RESTRICTIONS (continued)</u>

#### 1. MANDATORY WATER BUDGETS AND BANKING (STAGE 5) (continued)

. . .

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be submitted as part of any request to activate Stage 5 of this Schedule.

#### 2. WASTEFUL USES OF WATER (STAGE 5)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

- a) Outdoor Irrigation Restrictions (Stage 5)
  - (i) Irrigating ornamental landscapes with potable water is limited to no more than one (1) day per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email, or as follows:
    - (1) Notwithstanding the foregoing irrigation restriction, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with the foregoing restrictions.
  - (ii) Irrigating ornamental landscape with potable water is prohibited during the hours between 8:00 a.m. and 6:00 p.m.
  - (iii) The foregoing irrigation restrictions do not apply to:
    - Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation systems;
    - (2) Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not it use or monitored, or for the express purpose of adjusting or repairing an irrigation system.
  - (iv) Notwithstanding the foregoing restrictions, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.

 (Continued)

 (To be inserted by utility)
 Issued By
 (To be inserted by CPUC)

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 2412
 Greg A. Milleman
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 06/14/2021

 Decision
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 Effective
 07/14/2021

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## WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

Schedule No. 14.1

# STAGE FIVE WATER USE RESTRICTIONS (continued) WASTEFUL USES OF WATER (STAGE 5) (continued)

•••

- b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within one (1) business day of written notification by Cal Water, unless other arrangements are made with Cal Water.
- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
  - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
  - (ii) The application of potable water to driveways and sidewalks;
  - (iii) The use of potable water in a water feature, except where the water is part of a recirculating system;
  - (iv) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);
  - (v) Irrigation outside of newly constructed homes and buildings with potable water in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission, the Department of Housing and Community Development, or other state agency.
  - (vi) The serving of drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
  - (vii) Irrigation of ornamental turf on public street medians with potable water;
  - (viii) The use of potable water to fill refill decorative fountains or pools;
  - (ix) The use of potable water for recreational facilities such as water parks;
  - (x) Use of potable water for street cleaning with trucks, except for initial washdown for construction purposes;
  - (xi) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.

(Continued)

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	Resolution		

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## Schedule No. 14.1 P <u>WATER SHORTAGE CONTINGENCY PLAN</u> <u>WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES</u>

# STAGE FIVE WATER USE RESTRICTIONS (continued) WASTEFUL USES OF WATER (STAGE 5) (continued)

. . .

- e) New and existing connections may not install or utilize single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Filling or re-filling ornamental lakes or ponds with potable water is prohibited.
- h) Car washing is only permitted using a commercial car wash that recirculates water or by high pressure/low volume wash systems.
- i) Pool covers are required for all pools and spas.
- j) New service connections must result in a net zero demand increase.
- k) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

### J) STAGE SIX WATER USE RESTRICTIONS

#### 1. MANDATORY WATER BUDGETS AND BANKING (STAGE 6)

Water budgets may be imposed by Cal Water which may include provisions such as minimum water budgets to protect the health and safety of customers, an appeals process, and water banking allowing customer additional flexibility with regard to their required reductions.

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be submitted as part of any request to activate Stage 6 of this Schedule.

#### 2. WASTEFUL USES OF WATER (STAGE 6)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

(Continued)

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Vice President

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## Schedule No. 14.1 P <u>WATER SHORTAGE CONTINGENCY PLAN</u> <u>WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES</u>

## J) STAGE SIX WATER USE RESTRICTIONS (continued)

#### 2. WASTEFUL USES OF WATER (STAGE 6) (continued)

- • •
- a) Outdoor Irrigation Restrictions (Stage 6)
  - (i) Irrigating ornamental landscapes with potable water is prohibited.
  - (ii) Notwithstanding the foregoing irrigation restriction, when a city, county, or other public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other public agency's restrictions.
- b) Obligation to Fix Leaks, Breaks, or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within one (1) business day of written notification by Cal Water, unless other arrangements are made with Cal Water.
- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
  - (i) The application of potable water to landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
  - (ii) The application of potable water to driveways and sidewalks;
  - (iii) The use of potable water in a water feature, except where the water is part of a recirculating system;
  - (iv) The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);
  - (v) The serving of drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
  - (vi) The use of potable water to fill or refill decorative fountains or pools;
  - (vii) The use of potable water for recreational facilities such as water parks;
  - (viii) Use of potable water for street cleaning with trucks, except for initial washdown for construction purposes;
  - (ix) Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses.
- d) Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.

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(N)

## Schedule No. 14.1 Page 21 WATER SHORTAGE CONTINGENCY PLAN WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

## J) <u>STAGE SIX WATER USE RESTRICTIONS (continued)</u> 2. WASTEFUL USES OF WATER (STAGE 6) (continued)

. . .

- e) New connections may not install single-pass cooling systems for air conditioning or other cooling system applications unless required for health or safety reasons.
- f) New connections may not install non-recirculating systems for conveyer car wash applications.
- g) Filling or re-filling ornamental lakes or ponds with potable water is prohibited.
- h) Car washing is only permitted using a commercial car wash that recirculates water or by high pressure/low volume wash systems;
- i) Pool covers are required for all pools and spas.
- j) New service connections shall not be allowed.
- k) Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

(To be inserted by utility) Advice Letter <u>2412</u> Decision Issued By Greg A. Milleman Vice President (To be inserted by CPUC) Date Filed <u>06/14/2021</u> Effective <u>07/14/2021</u> Resolution (N)

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etter No.	2412 GREG A. MILLEMAN	Date Filed 06/14/2
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