



**CONSENT CALENDAR**

**Agenda Item # 7**

**AGENDA REPORT SUMMARY**

**Meeting Date:** August 24, 2021

**Subject:** Resolution 2021-44, Drought Response and Water Conservation Efforts

**Prepared by:** Emiko Ancheta, Sustainability Coordinator

**Reviewed by:** Jon Biggs, Community Development Director

**Approved by:** Gabriel Engeland, City Manager

**Attachment(s):**

1. Resolution 2021-44, Drought Response and Water Conservation Efforts
2. Schedule 14.1 Water Shortage Contingency Plan

**Initiated by:**

Staff

**Previous Council Consideration:**

July 13, 2021

**Fiscal Impact:**

No significant fiscal impact is anticipated

**Environmental Review:**

The Resolution is exempt from California Environmental Quality Act (CEQA) per Section 15307, as an action taken by a regulatory agency as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment.

**Policy Question(s) for Council Consideration:**

- Does the Council wish to adopt Resolution 2021-44, Drought Response and Water Conservation Efforts that supports California Water Service's (Cal Water) implementation of their Water Shortage Contingency Plan (Schedule 14.1) and encourage water conservation efforts by residents, businesses, and other water users in Los Altos?

**Summary:**

- In April 2021, Governor Gavin Newsom declared a drought emergency for several counties in California and extended the declaration to include Santa Clara County on July 8, 2021.
- Santa Clara Valley Water (Valley Water) Board of Directors declared a water shortage emergency in Santa Clara County and called for a mandatory 15% reduction in water use compared to 2019 levels.
- Cal Water received approval of their Schedule 14.1 from the California Public Utilities Commission effective July 14, 2021 and is currently in Stage 1.

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**Reviewed By:**

City Manager

GE

City Attorney

JH

Finance Director

JM

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**Subject:** Resolution 2021-44: Drought Response and Water Conservation Efforts

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- Resolution 2021-44 supports Cal Water's implementation of Schedule 14.1 and encourages water conservation efforts by residents, businesses and water users.

**Staff Recommendation:**

Adopt Resolution 2021-44: Drought Response and Water Conservation Efforts supporting Cal Water's implementation of Schedule 14.1 and encourage water conservation efforts by residents, businesses, and other water users in Los Altos.



**Subject:** Resolution 2021-44: Drought Response and Water Conservation Efforts

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### **Purpose**

To adopt Resolution 2021-44: Drought Response and Water Conservation Efforts supporting Cal Water's implementation of Schedule 14.1 and encourage water conservation efforts by residents, businesses, and water users in Los Altos.

### **Background**

Governor Gavin Newsom declared a drought emergency for several counties in California in April 2021. Per the U.S. Drought Monitor, Santa Clara County is in an extreme drought. On July 8, 2021, the Governor extended his declaration to include Santa Clara County.

On June 9, 2021, the Valley Water Board of Directors declared a water shortage emergency in Santa Clara County and called for a mandatory 15% reduction in water use from 2019 water use levels. Valley Water provides water to Cal Water, the water service provider in Los Altos.

Cal Water met with Environmental Commission on June 14, 2021 and discussed current water conservation tools and rebate programs that Los Altos can utilize to reduce water use.

Cal Water continues to monitor the drought and works closely with its districts (including Los Altos) about water restrictions, including the standard prohibited uses of water established during the last declared drought. Cal Water has been preparing for drought conditions and the long-term efforts include:

- Replacing, repairing, and upgrading infrastructure to minimize water loss
- Identifying and repairing leaks through a Water Loss Auditing and Control Program
- Developing 30-year Water Supply and Facilities Master Plans
- Updating the Conservation Master Plan to help determine programs that would most benefit local customers and reduce water use

At the July 13, 2021 City Council meeting, the Council approved Resolution 2021-38 Drought Preparedness and Water Conservation, encouraging voluntary water conservation efforts throughout the city as a proactive step in response to the current drought conditions.

### **Discussion/Analysis**

California continues to experience severe drought conditions that negatively affect communities throughout the state. The Governor declared a drought emergency in several counties in California, including Santa Clara County. Valley Water District declared a water shortage emergency, mandating a 15% water usage reduction from 2019 levels.

Cal Water continues to prepare for drought conditions and urges customers to utilize Cal Water's various conservation programs, tools, and rebates to reduce water use. A complete list of Cal Water's conservation tools and programs are available at [www.calwater.com](http://www.calwater.com).



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Cal Water submitted an application to the California Public Utilities Commission (CPUC) for their Schedule 14.1 Water Shortage Contingency Plan. The City was notified that Cal Water received CPUC approval of Schedule 14.1, effective July 14, 2021.

Cal Water remains in Stage 1 of Schedule 14.1, as of this report. The following are prohibited uses of water:

- Applying water to outdoor landscapes that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures
- Using a hose to wash motor vehicles unless the hose is fitted with a shutoff nozzle or device that causes it to cease dispensing water immediately when not in use
- Applying water to driveways and sidewalks
- Using water in a fountain or other decorative water feature, except where the water is part of a recirculating system
- Applying water to outdoor landscapes during and within 48 hours after measurable rainfall
- Using potable water to irrigate outside of new construction without drip or microspray systems
- Using potable water to irrigate ornamental turf on street medians
- Filling or refilling ornamental lakes or ponds except to sustain existing aquatic life
- Irrigating outdoors between 8 a.m. and 6 p.m., unless local ordinances state otherwise
- Not repairing leaks within five days of notification

Cal Water has outlined Waste of Water Penalties established in their Schedule 14.1. Penalties for violating prohibited uses of water will follow in order of sequence, summarized below. For a complete list of violation steps and penalties see Attachment 2.

- **First Violation**

Cal Water shall provide the customer with a written notice of violation.

- **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.
  - (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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- (iv) If Stage 4 is in effect, \$200 (Stage 4 is detailed in Section H)
  - (v) If Stage 5 is in effect, \$400 (Stage 5 is detailed in Section I)
  - (vi) If Stage 6 is in effect, \$800 (Stage 6 is detailed in Section J)

- **Third Violation**

If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the second violation, Cal Water shall provide the customer with a third written notice of violation. In addition to the actions prescribed under the first and second 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:
  - (i) If Stage 1 is in effect, \$50 (Stage 1 is detailed in Section E)
  - (ii) If Stage 2 is in effect, \$100 (Stage 2 is detailed in Section F)
  - (iii) If Stage 3 is in effect, \$200 (Stage 3 is detailed in Section G)
  - (iv) If Stage 4 is in effect, \$400 (Stage 4 is detailed in Section H)
  - (v) If Stage 5 is in effect, \$800 (Stage 5 is detailed in Section I)
  - (vi) If Stage 6 is in effect, \$1,600 (Stage 6 is detailed in Section J)
- b) At its sole discretion, waive the waste of water penalty if the customer participates in a water use evaluation provided by Cal Water and agrees to the recommendations provided.

- **Fourth Violation**

If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the third violation, Cal Water shall provide the customer with a fourth notice of violation. In addition to actions set forth in the previous violations prescribed above, 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.

Education and outreach remain highly effective to achieve reduction in water use. Cal Water continues to educate customers on water conservation methods, programs, and restrictions. Cal Water uses a variety of outreach methods, including but not limited to:

- Bill Inserts
- Marketing campaigns (Cable ads, theater messaging, radio, etc.)
- Social Media outlets
- Direct calls to large commercial customers
- Presentations to groups and organizations
- Email and online notifications



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The City also implements a variety of outreach methods regarding water conservation and drought information. The various methods of education and outreach, include but not limited, to:

- City website
- City e-News and Announcements
- City social media channels
- City cable access channel KMVT
- Press releases
- Communications with community, business and school groups
- Flyers that can be posted and distributed
- Signs that can be placed in parks and other public spaces (Cal Water may provide signage)
- Webinar or Video on water saving tips, rebates, conservation programs, and what the city is doing
- Water Saving Tips Email/Video (through Anthony) for businesses
- Press Release regarding what the city is doing, what residents can do
- Letter from the Mayor's Desk to the Town Crier

The City of Los Altos is taking immediate steps to conserve potable water usage in City owned parks and buildings. The Maintenance Department is enacting the following measures to achieve a water usage reduction of at least 15%.

- **Park Irrigation**  
The watering of City parks is to be reduced, first by number of days, then by run times. Although grass areas in parks will be less green, the Parks Maintenance crews will closely monitor the effects of water reductions in order to maintain safe playing conditions for recreational sports play.
- **Medians and Decorative Landscape/Trees**  
If/when median and other decorative landscape dies, it will not be immediately replaced. New plantings will be re-installed once water restrictions ease. Staff will also delay new tree plantings until water restrictions ease.
- **Hardscape Cleanings**  
Pressure washing of sidewalks and other hardscapes will be on an as-needed basis. Regularly scheduled pressure washings will resume as water restrictions ease.
- **More Restrictive Faucet Aerators**  
City facility water fixtures currently use water reducing aerator screens that allow 1 gallon per minute of flow. These will be changed out for aerators that restrict water to ½ gallon per minute.



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- **Apricot Orchard**

City staff is currently working with the Orchard Commons Committee and the contracted orchardist that maintains the apricot orchard to install a drip irrigation system in the orchard. This will properly direct water to the trees for more efficient watering. More details will follow when the plan for this switch is finalized.

City Staff continues to monitor water use and will adjust or implement additional water conservation methods as needed. City staff is confident the City will be able to achieve at least a 15% water reduction from 2019 usage if the measures outlined in this agenda report are implemented and adhered to.

### **Options**

- 1) Adopt Resolution 2021-44: Drought Response and Water Conservation Efforts that supports Cal Water's implementation of Schedule 14.1 and encourages water conservation efforts by residents, businesses, and water users in Los Altos.

**Advantages:** The City of Los Altos will support the implementation of Cal Water's Schedule 14.1 and continue to encourage water conservation efforts throughout the City and work towards achieving a 15% water reduction from 2019 usage.

**Disadvantages:** None identified

- 2) Do not adopt Resolution No. 2021-44: Drought Response and Water Conservation Efforts

**Advantages:** None identified

**Disadvantages:** Water supply will continue to diminish, worsening the current drought conditions.

### **Recommendation**

The staff recommends Option 1.

**RESOLUTION NO. 2021-44**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
DROUGHT RESPONSE AND WATER CONSERVATION EFFORTS**

**WHEREAS**, the State of California is currently under severe drought conditions as a result of record low rainfall and the State's water supply shortage; and

**WHEREAS**, the Governor of the State of California declared a drought emergency for several counties in California as of April 2021, and on July 8, 2021, Santa Clara County was added to the list of counties; and

**WHEREAS**, historical evidence indicates that the State of California drought conditions are increasing due to the prolonged periods of drought in recent years; and

**WHEREAS**, it is not known how long the severe drought conditions will last; and

**WHEREAS**, Santa Clara County is currently under extreme drought conditions as a result of low reservoirs supply and low water levels per the U.S. Drought Monitor; and

**WHEREAS**, measures are needed to encourage and promote water conservation efforts as ongoing practices now and in future years; and

**WHEREAS**, on June 9, 2021, the Santa Clara Valley Water District, which provides water to Cal Water Service in Los Altos, declared a water shortage emergency and mandated a 15% water use reduction compared to 2019 water usage and called on the County of Santa Clara to declare a countywide shortage emergency; and

**WHEREAS**, on July 14, 2021 California Water Service (Cal Water) Schedule 14.1 Water Shortage Contingency Plan with Staged Mandatory Reductions and Drought Surcharges became effective by approval of the California Public Utilities Commission; and

**WHEREAS**, the City of Los Altos works in partnership with Cal Water, as Cal Water implements enforcement measures in accordance with Schedule 14.1 and promotes water conservation programs and rebates; and

**WHEREAS**, the City of Los Altos recognizes that Cal Water has activated Stage 1 of its Schedule 14.1 and may utilize different Stages in Schedule 14.1 during the course of the drought conditions and thereby, the City resolution seeks to comply with any forthcoming requirements initiated by Cal Water; and

**WHEREAS**, efforts to conserve water during times of limited water supply have been assessed in accordance with the California Environmental Quality Act (CEQA) per Section 15307, as an action taken by a regulatory agency as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for protection of the environment; and



**WHEREAS**, if voluntary efforts by water users are not achieving the necessary results, the City of Los Altos and Cal Water will need to adopt more stringent water conservation measures.

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Los Altos hereby recommends that the City of Los Altos residents, businesses, and water users make every effort to reduce water use.

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the 24th day of August 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Neysa Fligor, MAYOR

Attest:

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Andrea Chelemengos, MMC, CITY CLERK

**CALIFORNIA WATER SERVICE COMPANY**

1720 North First Street  
San Jose, CA 95112  
(408) 367-8200

Revised Cal. P.U.C. Sheet No. XXXXX-W  
Cancelling Cal. P.U.C. Sheet No. 11052-W

**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 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. APPLICABILITY** (L)

- 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**

- 1. 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. (T)
- 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. (T)
- 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. (T)
- 4. To the extent that any provision in this Schedule is inconsistent with Rule 14.1, the provisions of this Schedule apply. (D)

**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. (L)

(Continued)

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

**Schedule No. 14.1**

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

**C) DEFINITIONS (continued)**

- 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. (L)
- 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. (C)  
(C)
- 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"). (C)  
(C)
- 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. (L)

(Continued)

(To be inserted by utility)	Issued By	(To be inserted by CPUC)
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Decision	<u>Vice President</u>	Effective _____
		Resolution _____

**Schedule No. 14.1**

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

**C) DEFINITIONS (continued)**

(L)

- 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 meeting 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 recommendations to improve the performance 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.

(L)

(Continued)

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

**CALIFORNIA WATER SERVICE COMPANY**

1720 North First Street  
San Jose, CA 95112  
(408) 367-8200

Revised Cal. P.U.C. Sheet No. XXXXX-W  
Cancelling Cal. P.U.C. Sheet No. 10758-W

**Schedule No. 14.1**

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

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

(L)

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 non-essential, wasteful uses. When a Stage in this Schedule has been activated, Section D in this Schedule supersedes Section D (Enforcement) in Rule 14.1.

(T)

**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.
  - (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)

(L)

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(To be inserted by utility)	Issued By	(To be inserted by CPUC)
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Decision	<u>Vice President</u>	Effective _____
		Resolution _____

**Schedule No. 14.1**

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

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

(L)

**2. SECOND VIOLATION (continued)**

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)

. . .

(iv) If Stage 4 is in effect, \$200 (Stage 4 is detailed in Section H)

(v) If Stage 5 is in effect, \$400 (Stage 5 is detailed in Section I)

(N)

(vi) If Stage 6 is in effect, \$800 (Stage 6 is detailed in Section J)

(N)

b) At its sole discretion, waive the waste of water penalty if the customer participates in a water use evaluation provided by Cal Water and agrees to the recommendations provided.

(C)

(C)

**3. THIRD VIOLATION**

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

(i) If Stage 1 is in effect, \$50 (Stage 1 is detailed in Section E)

(ii) If Stage 2 is in effect, \$100 (Stage 2 is detailed in Section F)

(iii) If Stage 3 is in effect, \$200 (Stage 3 is detailed in Section G)

(iv) If Stage 4 is in effect, \$400 (Stage 4 is detailed in Section H)

(v) If Stage 5 is in effect, \$800 (Stage 5 is detailed in Section I)

(N)

(vi) If Stage 6 is in effect, \$1,600 (Stage 6 is detailed in Section J)

(N)

b) At its sole discretion, waive the waste of water penalty if the customer participates in a water use evaluation provided by Cal Water and agrees to the recommendations provided.

(C)

(C)

**4. FOURTH VIOLATION**

If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the third violation, Cal Water shall provide the customer with a fourth notice of violation. In addition to actions set forth in the previous violations prescribed above, 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.

(L)

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(To be inserted by utility)

Issued By

(To be inserted by CPUC)

Advice Letter 2412

Greg A. Milleman

Date Filed \_\_\_\_\_

Decision

Vice President

Effective \_\_\_\_\_

Resolution \_\_\_\_\_

**CALIFORNIA WATER SERVICE COMPANY**

1720 North First Street  
San Jose, CA 95112  
(408) 367-8200

Revised Cal. P.U.C. Sheet No. XXXXX-W  
Cancelling Cal. P.U.C. Sheet No. 10756-W

**Schedule No. 14.1**

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

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

(L)

**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.

(C)  
(C)

**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 flow-restricting 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.

(T)

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

(C)  
(C)

(L)

(Continued)

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Advice Letter <u>2412</u>	<u>Greg A. Milleman</u>	Date Filed _____
Decision	<u>Vice President</u>	Effective _____
		Resolution _____

**CALIFORNIA WATER SERVICE COMPANY**

1720 North First Street  
San Jose, CA 95112  
(408) 367-8200

Revised Cal. P.U.C. Sheet No. XXXXX-W  
Cancelling Cal. P.U.C. Sheet No. 11050-W

**Schedule No. 14.1**

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

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

(L)

**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:
    - (1) 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**

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

**E) STAGE ONE WATER USE RESTRICTIONS (continued)**

(L)

**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 forty-eight (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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**Schedule No. 14.1**

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

**F) STAGE TWO WATER USE RESTRICTIONS**

(L)

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

(C)

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:

(1) 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.

(C)

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**CALIFORNIA WATER SERVICE COMPANY**

1720 North First Street  
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**Schedule No. 14.1**

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

**F) STAGE TWO WATER USE RESTRICTIONS (continued)**

(C)

**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 forty-eight (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.

(C)

(Continued)

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**Schedule No. 14.1**

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

**G) STAGE THREE WATER USE RESTRICTIONS**

(L)

**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.

(C)

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.

(C)

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

(N)

(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:

(D)

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 its website or otherwise provided to customers by bill message, bill insert, direct mail, or email.

(C)

(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.

(T)

(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;

(L)

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**CALIFORNIA WATER SERVICE COMPANY**

1720 North First Street  
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**Schedule No. 14.1**

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

**G) STAGE THREE WATER USE RESTRICTIONS (continued)**

(L)

**2. WASTEFUL USES OF WATER (STAGE 3) (continued)**

a) Outdoor Irrigation Restrictions (Stage 3)(continued)

(iii) The foregoing irrigation restrictions do not apply to: (continued)

...

(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.

(T)

(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 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;

(T)

(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;

(T)

(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 forty-eight (48) hours after measurable rainfall (see Definitions);

(T)

(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.

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**CALIFORNIA WATER SERVICE COMPANY**  
1720 North First Street  
San Jose, CA 95112  
(408) 367-8200

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**Schedule No. 14.1**

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

**G) STAGE THREE WATER USE RESTRICTIONS (continued)**

(L)

**2. WASTEFUL USES OF WATER (STAGE 3) (continued)**

- c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions: (continued)
  - . . .
  - (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;
  - (viii) Irrigation of ornamental turf on public street medians with potable water;
  - (ix) Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible);
  - (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) 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, 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.
- 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.

(T)

(N)

(N)

(T)

**H) STAGE FOUR WATER USE RESTRICTIONS**

**1. MANDATORY WATER BUDGETS AND BANKING (STAGE 4)**

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.

(C)

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(C)

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Schedule No. 14.1

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

**H) STAGE FOUR WATER USE RESTRICTIONS (continued)**

(L)

**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 for the billing period.

(C)  
(C)

Details regarding the implementation of "Mandatory Water Budgets and Banking" will be submitted as part of any request to activate Stage 4 of this Schedule.

(N)  
(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:

a) Outdoor Irrigation Restrictions (Stage 4)

(D)  
(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:

(1) 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 in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.

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**Schedule No. 14.1**

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

**H) STAGE FOUR WATER USE RESTRICTIONS (continued)**

(L)

**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 other arrangements are made with Cal Water.

(C)

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);

(T)

(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.

(N)

(N)

(vi) 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;

(T)

(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 wash-down for construction purposes (if street sweeping is not feasible);

(L)(N)

(Continued)

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Schedule No. 14.1

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

**H) STAGE FOUR WATER USE RESTRICTIONS (continued)**

(L)

**2. WASTEFUL USES OF WATER (STAGE 4) (continued)**

c) Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions: (continued)

. . .

(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.

(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) STAGE FIVE WATER USE RESTRICTIONS**

(C)

**1. MANDATORY 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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**Schedule No. 14.1**

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

**I) STAGE 5 WATER USE RESTRICTIONS (continued)**

(N)

**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:

(1) 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.

(N)

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Resolution \_\_\_\_\_

**Schedule No. 14.1**

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

**I) STAGE FIVE WATER USE RESTRICTIONS (continued)**

(N)

**2. 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 wash-down 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.

(N)

(Continued)

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

**Schedule No. 14.1**

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

**I) STAGE FIVE WATER USE RESTRICTIONS (continued)**

(N)

**2. 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:

(N)

(Continued)

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Schedule No. 14.1

WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

J) STAGE SIX WATER USE RESTRICTIONS (continued)

(N)

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 wash-down 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.

(N)

(Continued)

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

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

(N)

**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.

(N)

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