

**Rule No. 14.1.1**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**A. GENERAL INFORMATION**

The Monterey District of California American Water Company ("Company") has been ordered by the State Water Resources Control Board ("SWRCB") to limit its production of water from the Carmel River System to less than 14,106 acre feet annually, with a goal, in Water Year 2009 of no more than 11,285 acre feet annually. This limitation is the result of complaints filed against the Company for unlawful diversion from the Carmel River System. The SWRCB found the Company was diverting water without the benefit of permit. The SWRCB issued Order WR 95-10 which, in addition to setting the water-production limits, authorizes the Chief, Division of Water Rights, to refer any violation of the ordering conditions to the Attorney General for action under Section 1052 of the Water Code or to initiate other enforcement action as may be appropriate under the Water Code. (T)

As of March 27, 2006, the Company's production from the Seaside Basin is also restricted pursuant to *California American Water v. City of Seaside, et. al*, Case No. M66343, California Superior Court, Monterey County (the "Seaside Basin Decision"). The Company has wells in both the Coastal Subareas and Laguna Seca Subarea of the Seaside Basin that are affected by the Seaside Basin Decision. Specifically, the Seaside Basin Decision limits the Company's production from the Seaside Basin to no more than 3,849 acre feet in Water Year 2009. (T)

This conservation and rationing plan, filed in response to the adoption by the Monterey Peninsula Water Management District's ("MPWMD") Regulation XV, an Expanded Water Conservation and Standby Rationing Plan, is intended to help insure that all responsible measures are instituted to enable the Company's Monterey District to comply with the limitations on productions found in SWRCB Order WR 95-10 and the Seaside Basin Decision.

The Commission shall authorize Tariff Schedule MO-14.1, which sets forth charges for the removal of flow restrictors and in-lieu fees for multi-residential and mixed use on a master-meter Customers. The Company will continue to make water conservation devices available to its Customers as required by its Rule 21 and to remind Customers of the availability of conservation devices and all rebate programs. (T)

(Continued)

<p>(TO BE INSERTED BY UTILITY)</p> <p>ADVICE LETTER NO. <u>797-A</u></p> <p>DECISION NO. <u>D. 09-07-023</u></p>	<p>ISSUED BY</p> <p><u>D. P. STEPHENSON</u></p> <p>NAME</p> <p><u>DIRECTOR - RATES &amp; REGULATION</u></p> <p>TITLE</p>	<p>(TO BE INSERTED BY C.P.U.C.)</p> <p>DATE FILED <u>OCT - 2 2009</u></p> <p>EFFECTIVE <u>OCT -- 7 2009</u></p> <p>RESOLUTION NO. _____</p>
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**Rule No. 14.1.1 (Continued)**  
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**MONTEREY DISTRICT**

**B. DEFINITIONS**

1. "AF" means acre feet;
2. "Allotment" means the amount of water determined reasonable for each Customer as defined in the Company's tariffs for billing purposes; (N)
3. "Base Year" means the Water Year immediately preceding any triggering order;
4. "Bishop Water Distribution System" or "Bishop" shall mean the Company's subsystem as described in the purchase agreement between Bishop Water Company and the Company dated September 1, 1996;
5. "Carmel River System" means the surface water in the Carmel River and its tributaries, and groundwater in the underlying Alluvial Aquifer; (N)
6. "Ccf" means one hundred cubic feet, which equals 748 gallons or one unit; (T)
7. "Change of Use", means, in the case of commercial, industrial or public authority structures, a change in the use to which the structure was previously devoted, to a substantially different use; (N)  
(N)
8. "Commission" means the California Public Utilities Commission;
9. "Company" means California-American Water Company;
10. "Customer" means any Person who uses water supplied by the Company in its Monterey District; (T)
11. "Customer Category" means the following groupings for all Customers within the MPWRS: single-family residential, multi-family residential, commercial, industrial, public authority, golf course, other, and non-revenue metered; (N)  
(N)  
(N)
12. "Dedicated Irrigation Meter" means a water meter exclusively used to measure outdoor water consumption;
13. "Final Cease and Desist Order" means any final order by the SWRCB or Seaside Watermaster or any other final court order issued after December 10, 2008 that explicitly requires California American Water Company, on a certain date, to reduce its production of water. For the purposes of this Rule, the effective date of any such order shall be the same date that the water production reduction limit is imposed; (N)
14. "Flow Restrictor" means a device placed into the water distribution system by the Company that restricts the volume of flow to the Customer by 50%; (N)  
(L)

(Continued)

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**B. DEFINITIONS (Continued)**

- 15. "Hidden Hills System" or "Hidden Hills" means the Company subsystem as described in the purchase agreement between Carmel Valley Mutual Water Company and the Company recorded July 8, 1994, Document #49389, Reel 3125, Page 696; (N)
- 16. "Laguna Seca Subsystems" means the Company subsystems in the Seaside Groundwater Basin as specified in the Seaside Basin Adjudication Decision. The Laguna Seca Subsystems include the Ryan Ranch, Hidden Hills and Bishop subsystems;
- 17. "Landscape Irrigation Auditor" means a Person certified by the Irrigation Association to perform Landscape Water Audits and assign Landscape Water Budgets;
- 18. "Landscape Water Audit" means an action taken by a Landscape Irrigation Auditor certified by the Irrigation Association to determine reasonable outdoor water use;
- 19. "Landscape Water Budget" means a maximum annual water allowance in gallons per year, determined upon completion of a Landscape Water Audit by a Landscape Irrigation Auditor certified by the Irrigation Association. The Landscape Water Budget shall take into consideration the typed of plants, soil condition, evapotranspiration rates and irrigation system; (N)
- 20. "Large Residential Customers " means residential Customers that consume at least 384 units (287,232 gallons) in the last Water Year or an average of 32 units (23,936 gallons) per month or more; (T)  
(T)
- 21. "Main System" means the Company's largest distribution system in its Monterey District that serves Customers in the Cities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Sand City, Seaside, and Pacific Grove, and portions of unincorporated Monterey County in the Carmel Valley, Del Monte Forest, and Carmel Highland areas. The Main System derives its source of supply from the Carmel River System and Coastal Subareas of the Seaside Basin; (N)
- 22. "Mobile Water Distribution System" means any potable or subpotable water delivery that originates at a location apart from the site of use and that is delivered via a truck or other movable container. This definition shall not apply to deliveries of water by commercial companies in volumes less than or equal to 55 gallons per container; (N)
- 23. "MPWMD" means the Monterey Peninsula Water Management District and its designated representatives acting on its behalf;
- 24. "MPWMD Board" means the Board of Directors of the Monterey Peninsula Water Management District; (N)
- 25. "Monterey Peninsula Water Resource System" or "MPWRS" means the surface water in the Carmel River and its tributaries, groundwater in the Carmel Valley Alluvial Aquifer which underlies the Carmel River, and groundwater in the Seaside Groundwater Basin; (L)

(Continued)

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**B. DEFINITIONS (Continued)**

- 26. "Person" means any individual, person, firm, partnership, association;
- 27. "Plan" means this Water Conservation and Rationing Plan; (N)
- 28. "Rationing Year" means a one year period beginning on the date water rationing is declared; (N)
- 29. "Regulation XV" means MPWMD Regulation XV, The Expanded Water Conservation and Standby Rationing Plan as modified by Ordinance 137; (T)  
(T)
- 30. "Rule" means this Rule 14.1;
- 31. "Ryan Ranch Water Distribution System" or "Ryan Ranch" means the Company's subsystem as described in the purchase agreement between Neuville Co. N.V. (a Delaware Corporation) and the Company dated April 30, 1990; (N)  
(N)  
(N)
- 32. "Seaside Basin" means the water in Seaside Groundwater Basin as described in the Seaside Basin Decision;
- 33. "Seaside Basin Decision" means the *California American Water v. City of Seaside, et. al*, Case No. M66343, California Superior Court, Monterey County;
- 34. "Seaside Watermaster" means either (a) the court appointed Seaside Basin Watermaster Board pursuant to Section III-L of the Decision rendered for Monterey County Superior Court Case No. M66343 (*California Water vs. City of Seaside, et. al.*) dated March 22, 2006, as it may be amended from time to time or (b) the Superior Court, when issuing any order in *California American Water vs. City of Seaside, et al.*; (N)
- 35. "Survey" means the confidential survey described in Section I.1.j. which is the basis for Customer Allotments; (N)
- 36. "SWRCB" means the California State Water Resources Control Board;
- 37. "SWRCB Order" means Order WR 95-10 issued by the SWRCB;
- 38. "System Production Limit" means the Company's maximum annual production from the Carmel River System and the Seaside Basin as summarized in Table 1 of this Rule;
- 39. "Water" means water supplied by the Company;
- 40. "Water Banking" means a system that tracks the difference in the amount of water used and the amount of each Customer's Water Ration during a Rationing Year; (N)  
(N)

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**B. DEFINITIONS (Continued)**

- 41. "Water Ration" means a specific amount of water available to each Customer during water rationing Stages 5 through 7. The Water Rations will be determined on a per-person basis for residential Customers and by percentage reductions by user category to the allotments of all non-residential Customers. Variances for verifiable medical needs are available. In no circumstance shall the residential Water Ration be lower than 35 gallons per person per day, in accordance with the California Urban Water Conservation Council's Urban Drought Guidebook 2008, at page 61; (L)
- 42. "Water Year" means the period from October 1 of any year to September 30 of the following year; (N)
- 43. "Water Year Allocation" means the annual regulatory production limit from the Carmel River System and Seaside Basin. (N)

**C. APPLICABILITY**

This Rule applies to most water Customers of the Monterey District of the Company served under rate schedules authorized by the Commission. This Rule applies to Customers supplied by water from the Carmel River System and Seaside Basin (including the Ryan Ranch, Hidden Hills and Bishop systems). It does not apply to Customers in Toro, Ambler Park, Ralph Lane and Chualar systems. (T)

Stages 2, 3 and 4 will be triggered for the Company's Main System when the Company exceeds its permitted production levels for the combined MPWRS, which shall take into consideration the legal limitations imposed by the SWRCB and the Seaside Basin Decision; and will only be triggered for the Laguna Seca Sub-System when the subsystem exceeds production targets for the combined MPWRS, and the production allowed for the Laguna Seca Subsystem. (T)

Stages 5 through 7 are enacted automatically by a regulatory trigger that includes any subsystem when that system relies in any way on production or production offsets from the Monterey Main System. These Stages are also enacted in response to physical storage limitations or as an emergency response when immediate reductions in water use are necessary to ensure public health, safety or welfare. (N)

**D. TERRITORY**

The territory includes the incorporated Cities of Monterey, Pacific Grove, Carmel-by-the-Sea, Del Rey Oaks, Sand City, a portion of Seaside, and certain unincorporated areas in the County of Monterey, except for Toro, Ambler Park, Ralph Lane and Chualar. (T)

**E. LANDSCAPE IRRIGATION LIMITATIONS**

Landscape irrigation restrictions apply to Company water Customers who derive their source of supply from the MPWRS. Unless watering is by drip irrigation, through a hand-held hose with a positive action shut-off nozzle, the following schedule shall apply: (T)

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**E. LANDSCAPE IRRIGATION LIMITATIONS (Continued)**

(L)

1. Odd numbered properties shall water after 5:00PM or before 9:00AM on Saturdays and Wednesdays only. This schedule shall also apply to properties located on the South or West side of the street in cities and unincorporated areas where no street address is available.
2. Even numbered properties shall water after 5:00PM or before 9:00AM, on Sundays and Thursdays only. This schedule shall also apply to properties located on the North or East side of the street in cities and unincorporated areas where no street address is available.
3. Sprinkler irrigation overseen by a professional gardener or landscaper who is available on site may occur between 9 a.m. and 5 p.m., but shall not exceed two watering days per week.

(N)  
(N)

**F. WATER CONSERVATION INITIATION**

This Plan shall commence immediately upon approval of the Commission. Trigger criteria for the various Stages are found in this Rule and Regulation XV.

(T)

**G. COMMISSION NOTIFICATION**

The Company will provide the Commission a courtesy notification of a change in Stages immediately upon their implementation. The notification shall be in the form of a letter directed to the Director of the Commission's Water Division and copied to the Director of the Division of Ratepayer Advocates, and any other parties as directed by the Commission or the Director of the Water Division.

**H. CUSTOMER NOTIFICATION**

The Company shall notify Customers via direct mailing of the effective date of any change in Stages either moving up Stages, e.g. from Stage 2 to Stage 3, or moving down Stages, e.g. from Stage 3 to Stage 1. Customers will be notified no less than thirty (30) days before any increased Customer rates. In addition, the Company shall maintain communication with Customers regarding the ongoing water supply situation and related conservation requirements. Additional Customer notification requirements are included within the conservation and rationing stages.

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(T)

**I. WATER CONSERVATION**

1. Company Responsibilities

- a. Communicate conservation messages to Customers.
- b. Include conservation message on water bills.
- c. Cooperate with the MPWMD in conducting Landscape Water Audits and the establishment of Landscape Water Budgets for all Dedicated Irrigation Meters, large irrigated areas over three acres and Large Residential Customers.

(N)  
|  
(N)  
(L)

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**Rule No. 14.1.1 (Continued)**  
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**I. WATER CONSERVATION (Continued)**

(L)

1. Company Responsibilities (Continued)

(N)

- d. Participate in a joint rebate program with the MPWMD.
- e. Promote water conservation and undertake conservation programs in coordination with MPWMD.
- f. Cooperate with the MPWMD to establish and maintain a water conservation website that responds to local concerns.
- g. Provide conservation bill inserts
- h. File and maintain an Urban Water Management Plan with its Best Management Practices.
- i. Provide residential and non-residential water audits upon request.
- j. Maintain a confidential Survey of all Customers who derive their source of supply from the MPWRS. This Survey shall require information to determine the number of permanent residents in each dwelling unit and the lot size for each residential site with permitted water service; the types of uses and amount of water use on nonresidential sites; and the number of uses and types of use(s) served by each water meter. Only information deemed appropriate for the effective operation of this program will be requested. The Company shall provide MPWMD with access to the survey data and shall provide a summary of the data annually or more frequently as required by the MPWMD General Manager.
- k. Make water-saving conservation devices available to all Customers and provide notices of availability.
- l. Provide MPWMD with all customer data required by Regulation XV as authorized by Commission Decision 09-02-006 and in accordance with the terms and conditions of a nondisclosure agreement.
- m. Shall not provide portable water meters to any Person unless an MPWMD permit has been issued

(N)

2. Customers' Responsibilities

- a. All Customers shall comply with Rule 14.1 and MPWMD Regulation XIV (Water Conservation), MPWMD Regulation XV (Expanded Water Conservation and Standby Rationing Plan) and MPWMD Water Waste and Non -Essential Water Use regulations.
- b. All Customers shall prioritize the conservation of water at all times.

(T)

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(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

ADVICE LETTER NO. 797-A

D. P. STEPHENSON

DATE FILED OCT - 2 2009

NAME

EFFECTIVE OCT - 7 2009

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RESOLUTION NO.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**I. WATER CONSERVATION (Continued)**

2. Customers' Responsibilities (Continued)

(L)

- c. Residential Customers are responsible for accurately reporting the number of permanent residents and other information requested on the Customer Survey and to submit a revised Survey form whenever there is a change in the number or permanent residents or other information on the Survey. (T)
- d. Nonresidential Customers are responsible for notifying the Company whenever there is a Change of Use. (T)

3. Non-Essential Water Use shall mean the indiscriminate or excessive dissipation of water which is unproductive, or does not reasonably sustain life or economic benefit. Non-Essential water use includes, but is not limited to, the following: (T)

- a. Serving drinking water to any Person unless expressly requested, by a restaurant, hotel, café, cafeteria and other public place where food is sold, served or offered for sale. (T)
- b. Operation of fountains, ponds, lakes or other ornamental use of potable water without recycling.
- c. Using unmetered fire hydrant water by individuals for any reason other than fire suppression or utility system maintenance purposes.
- d. Draining and refilling swimming pools or spas except to prevent or correct structural damage or to comply with public health regulations
- e. Unreasonable or excessive use of potable water for dust control or earth compaction without prior written approval of MPWMD.

4. Water Waste shall mean the indiscriminate, unreasonable, or excessive running or dissipation of water. Water waste shall include, but not be limited to, the following:

- a. Waste caused by correctable leaks, breaks or malfunctions. This loss of potable water may be cited for water waste after a reasonable period of time has passed in which the leak or malfunction could have been corrected. Exceptions may be granted by MPWMD for corrections which are not feasible or practical, see Section T "Variances". (N)
- b. Use of potable water for washing buildings, structures, driveways, patios, parking lots, tennis courts, or other hard surfaced areas, except in the cases where health and safety are at risk. (N)
- c. Indiscriminate or excessive water use which allows excess to run to waste.

(Continued)

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**I. WATER CONSERVATION (Continued)**

4. Water Waste: (Continued)

- d. Use of potable water to irrigate turf, lawns, gardens or ornamental landscaping between 9:00 AM and 5:00 PM by means other than drip irrigation, or hand watering without quick acting positive action shut-off nozzles. Exceptions may be granted by MPWMD to professional gardeners where the only option is to water between 9:00AM and 5:00PM.
- e. Individual private washing of cars with a hose except with the use of a positive action shut-off nozzle. Use of water for washing commercial aircraft, cars, buses, boats, trailers or other commercial vehicles at any time, except at commercial or fleet vehicle or boat washing facilities operated at a fixed location where equipment using water is properly maintained to avoid wasteful use.
- f. Operation of commercial car washes without recycling at least 50% of the potable water used per cycle.
- g. Use of potable water for more than minimal landscaping, as defined in the landscaping regulations of the jurisdiction or as described in Article 10.8 of the California Government Code.
- h. Use of potable water for street cleaning.
- i. Misrepresentation of the number of persons permanently residing on a property where water is supplied by the Company.
- j. Failure to maintain water use within a mandatory Landscape Water Budget during Stages 2, 3, and 4.
- k. Customer's water use in excess of a Water Ration.
- l. Transportation of water from the MPWRS without prior written authorization from the MPWMD shall be deemed water waste. Emergency or health situations may qualify for an MPWMD variance in accordance with its rules.

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**J. STAGE 1 – WATER CONSERVATION**

Stage 1 Water Conservation is the first stage of water conservation measures as defined in this Rule and Regulation XV. (T)

1. The Company shall maintain its Water Year production from the Carmel River System below 11,285 AF and shall comply with the production limits imposed by the Seaside Watermaster.
2. Each Customer in the Company's Monterey District whose water supply is derived from the MPWRS shall comply with the water waste and nonessential water use prohibitions as stated in this Rule.
3. The Company, in coordination with the MPWMD, shall conduct Landscape Water Audits and establish Landscape Water Budgets for all Customers with a Dedicated Irrigation Meter, an irrigated area greater than three acres, or Large Residential Customers. The Landscape Water Audits shall comply with MPWMD Rule 172. By November 1<sup>st</sup> of each year, the Company shall review its consumption records for the previous Water Year to identify all Customers required to have a Landscape Water Budget. Customers that are required to obtain a Landscape Water Audit and Landscape Water Budget shall be notified by the Company of this requirement by December 1. The Company shall notify MPWMD of Customers who have not arranged for completion of a Landscape Water Audit and Landscape Water Budget within sixty (60) days of notification.

(T)

**K. STAGE 2 – WATER CONSERVATION**

Stage 2 Water Conservation is the second stage of water conservation as defined in this Rule and Regulation XV. In addition, the following shall apply in Stage 2 Water Conservation. (T)

1. Stage 2 triggers the implementation of Landscape Water Budgets for all Customers with irrigated areas of greater than three acres, Large Residential Customers, or Customers with Dedicated Irrigation Meters. All Customers required to have a Landscape Water Budget are required to manage outdoor irrigation within the Landscape Water Budget assigned to the property. Water use in excess of an established Landscape Water Budget is considered water waste. (N)
2. The Company shall notify Customers via direct mailing that Stage 2 Water Conservation will be implemented with a specified effective date. Customers subject to Stage 2 will be notified that: 1) they are required to comply with the Landscape Water Budget; 2) they are required to manage outdoor irrigation within the Landscape Water Budget assigned to their property; 3) water use in excess of the established Landscape Water Budget shall be considered water waste; 4) Customers with use above the Landscape Water Budget are subject to Flow Restrictor installation. (N)
3. The Company shall provide an annual reminder notice to Customers served from sources within the MPWRS with Landscape Water Budgets to report modifications in landscaping which could alter an existing Landscape Water Budget. (T)

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**K. STAGE 2 – WATER CONSERVATION (Continued)**

4. The Company shall provide monthly compliance status notices to each Customer required to follow a mandatory Landscape Water Budget.
5. Stage 2 shall be enforced on Company Customers supplied by water from Carmel River System and Seaside Basin, excluding the Laguna Seca Subsystem, when the Company's production from the MPWRS has exceeded the year-to-date at month-end production as shown in Table 1.
6. Stage 2 shall be enforced on the Laguna Seca Subsystem, including Bishop, Hidden Hills, and Ryan Ranch, when the Company's production from the MPWRS has exceeded the year-to-date at month-end production as shown in Table 1 and the Company's production from the Laguna Seca Subarea of the MPWRS has exceeded the year-to-date at month-end production as shown in Table 2.

**Table 1**  
**Stage 2 and Stage 3 Production Triggers**  
**MPWRS**

Month	2011 Monthly Production	2011 Year-to-Date
	(Includes Carmel, Seaside & Laguna Seca Sub- System)	Production at Month End
	AF	AF
October	1,262	1,262
November	992	2,254
December	911	3,165
January	883	4,048
February	806	4,854
March	929	5,783
April	1,031	6,814
May	1,305	8,119
June	1,395	9,514
July	1,502	11,016
August	1,497	12,513
September	1,364	13,877
TOTAL	13,877	----

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**K. STAGE 2 – WATER CONSERVATION (Continued)**

**Table 2**  
**Stage 2 and Stage 3 Production Triggers**  
**Laguna Seca Subsystem**

Month	2011 Monthly Production	2011 Year-to-Date
	Sub-Systems (Laguna Seca)	Production at Month End
	AF	AF
October	24	24
November	16	40
December	13	53
January	12	65
February	10	75
March	14	89
April	17	106
May	24	130
June	28	158
July	30	188
August	30	218
September	28	246
TOTAL	246	----

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7. Stage 2 shall be sunset and water use restrictions shall revert to Stage 1 upon the Company's compliance with the year-to-date at month-end production targets noted for the MPWRS for two consecutive months in the subsequent Water Year.
8. The Company shall notify MPWMD monthly of Customers subject to a Landscape Water Budget that have exceeded their Landscape Water Budget in the previous month.
9. For Customers required to maintain water use within a Landscape Water Budget, the Company shall compile a quarterly report for MPWMD showing individual Customer information and comparing actual consumption against the Landscape Water Budget that shall be due April 15, July 15, October 15, and January 15 for the previous 3 months.

(Continued)

(TO BE INSERTED BY UTILITY)  
 ADVICE LETTER NO. 885-A

ISSUED BY  
 D. P. STEPHENSON  
NAME

(TO BE INSERTED BY C.P.U.C.)  
 DATE FILED APR 26 2011  
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DIRECTOR - RATES & REGULATION

RESOLUTION NO.

TITLE

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

(D)

**L. STAGE 3 – WATER CONSERVATION**

Stage 3 is the third stage of water conservation as defined in this Rule and Regulation XV. The requirements of Stage 1 and 2 Water Conservation shall remain in effect in Stage 3 Water Conservation. In addition, the following shall apply in Stage 3 Water Conservation:

(T)

1. Stage 3 shall be enforced on the Company's Main System Customers supplied by water from the Carmel River System and Seaside Basin, excluding Customers in the Laguna Seca Subsystems when the Company's production from the MPWRS exceeds specified levels in Table 1 under any of the following criteria:
  - a. if Company production from the MPWRS on a year-to-date basis exceeds the year-to-date target by 5% or more at the end of the first quarter of the Water Year, i.e., December 31; or
  - b. if Company production from the MPWRS on a year-to-date basis exceeds the year-to-date target by 4% or more at the end of January, or the year-to-date target by 2.5% or more at the end of February, or the year-to-date target by 1 % or more at the end of March; or
  - c. if Company production from the MPWRS on a year-to-date basis exceeds the year-to-date targets for a consecutive seven-day period during the months of April, May or June; or
  - d. if Company production from the MPWRS on a year-to-date basis exceeds the year-to-date target on any single day during July, August, or September.
  - e. if implemented upon resolution of the MPWMD Board when an immediate water use reduction is needed.
  
2. Stage 3 shall be enforced on the Company's Laguna Subsystems, when the Company's production from the MPWRS exceeds specified levels in Table 1 under any of the criteria described above in Section L.1. of this Rule and also the production in the Laguna Seca Subsystems exceeds the specified levels in Table 2 under any of the following criteria:
  - a. if Company production from the MPWRS for the Bishop, Hidden Hills and Ryan Ranch Subsystems exceeds on a year-to-date basis exceeds the year-to-date target by 5% or more at the end of the first quarter of the Water Year, i.e., December 31; or
  - b. if Company production from the MPWRS for the Bishop, Hidden Hills and Ryan Ranch Subsystems exceeds on a year-to-date basis the year-to-date target by 4% or more at the end of January, or the year-to-date target by 2.5% or more at the end of February or the year-to-date target by 1 % or more at the end of March; or

(Continued)

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(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
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		TITLE	

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**L. STAGE 3 – WATER CONSERVATION (Continued)**

- 2. (Continued)
  - c. if Company production from the MPWRS for the Bishop, Hidden Hills and Ryan Ranch Subsystems exceeds on a year-to-date basis the year-to-date targets for a consecutive seven-day period during the months of April, May or June; or
  - d. if Company production from the MPWRS for the Bishop, Hidden Hills and Ryan Ranch Subsystems exceeds on a year-to-date basis the date target on any single day during July, August, or September.
  - e. if implemented upon resolution of the MPWMD Board when an immediate water use reduction is needed.
- 3. The Company shall implement all Commission-approved emergency rate schedules to respond to Stage 3
- 4. The Company shall notify Customers via direct first class mailing thirty (30) days before Stage 3 may take effect. Customers will be notified that: 1) the provisions of Stage 1 and 2 are still in effect; 2) that emergency rates will go into effect, and what those rates will be.
- 5. The Company shall provide notice of mandatory water conservation with each bill.
- 6. Stage 3 shall be rescinded and revert to Stage 1 upon the Company's compliance with the year-to-date at month-end production targets for the MPWRS for two consecutive months of the subsequent Water Year.

**M. STAGES 4 THROUGH 7, WATER CONSERVATION – RATIONING**

- 1. The Company shall assist the MPWMD in implementing all rationing measures and public announcements in support of implementation of Stages 4 through 7, including variances (Section T), and installation of Flow Restrictors (Section R), and Water Banking. (T)
- 2. Notice Requirements for Stages 4-7:
  - a. The Company shall provide written notice of mandatory water rationing to every Customer that is served by sources in the MPWRS via first-class mail at least thirty (30) days before the first day rationing use restrictions are imposed except for Stage 4, Non-Compliance with Regulatory Limits through Stage 3 or before upward changes in rationing stages,

(Continued)

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**M. STAGES 4 THROUGH 7, WATER CONSERVATION – RATIONING (Continued)**

2. (Continued)

- b. At all times during Stages 5 through 7, the Company shall send monthly reminders of water rationing in the water bill along with information showing the Customer's Water Ration and the quantity of the Water Ration consumed by the Customer, and the quantity of water available in the Customer's Water Bank. (T)
- c. The Company shall update Survey information upon request of the Customer during rationing.

3. Rationing Stages shall be implemented according to MPWMD Regulation XV.

4. Ration Calculation:

- a. Water Rations shall be determined by Customer Category. Water Rations will be established in accordance with MPWMD Rule 165. Each Customer within the MPWRS shall be classified in one of the following Customer Categories for the purposes of establishing rations: single-family residential, multi-family residential, commercial, industrial, public authority, golf course, other, non-revenue metered, and reclaimed water.
- b. Water Rations for each Customer shall be determined by the MPWMD General Manager by dividing the reduced available production by the percentage of use for each Customer Category. However, priority Water Rations shall be given to residential water needs to ensure health, safety and welfare. Residential Water Rations shall under no circumstances be less than 35 gallons per person per day. The percentage of use for each Customer Category shall be determined by data from the most recent Water Year when rationing was not in place.
- c. Single-family residential: Each person recorded by the Survey in the single-family residential Customer Category will have an equal portion of the water available to the single-family residential Customer Category.
- d. Multi-family residential: Each person recorded by the Survey in the multi-family residential Customer Category will have an equal portion of the water available, with the following exception: each dwelling unit with access to a separately-metered common laundry facility shall have a reduction in the ration that is equal for all dwelling units with access to a separately-metered common laundry facility.
- e. Each single-family residential and multi-family residential person recorded by Survey will have an equal Water Ration, before the common laundry facility adjustment for multi-family Customers.

(Continued)

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**N. STAGE 4- WATER CONSERVATION – RATIONING**

(N)

1. Stage 4 is the fourth stage as defined in this Rule and Regulation XV. In the event that the Company is not currently at Stage 3 the Company shall implement Stage 3 measures including emergency rates upon the declaration of Stage 4.
2. Stage 4 Triggers:
  - a. Physical Shortage Trigger: Stage 4 shall take effect on June 1 or earlier as determined by the MPWMD's Board for any system that relies, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas following the MPWMD May Board meeting if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 27,807 AF and greater than 21,802 AF.
  - b. Emergency Trigger: Stage 4 shall implemented upon adoption of a Resolution of the MPWMD Board that finds there is an immediate need to reduce production by fifteen percent (15%).
  - c. Regulatory Trigger, Non-compliance with Regulatory Limits through Stage 3: Stage 4 shall be enforced on any system that is presently at Stage 3 when Stage 3 has been in effect for at least thirty (30) days and when the Company's year-to-date production from the MPWRS shown in Table 1 exceeds one of the following standards:
    - i. The year-to-date at month end during the months of October through March; or
    - ii. The year-to-date for a consecutive seven (7) day period during the months of April, May or June; or
    - iii. The Company's production from the MPWRS shown Table 1 on a year-to-date basis exceeds the target on any single (1) day during July, August, or September.
  - d. Regulatory Trigger – Legally Ordered Reduction in Supply: Stage 4 shall not be enforced on Bishop, Hidden Hills, or Ryan Ranch if there is no reliance on production or production offsets from the Main System, unless there is a Final Cease and Desist Order that reduces available supplies by fifteen percent (15%) from Base Year production.
  - e. Delay of Stage Implementation: In accordance with Regulation XV, the MPWMD General Manager may delay implementation of Stage 4 for up to ninety (90) days to ensure adequate operation of the program.

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D. P. STEPHENSON

DATE FILED OCT - 2 2009

NAME

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**N. STAGE 4- WATER CONSERVATION – RATIONING (Continued)**

(N)

- 3. Additional Notice Requirements: Immediately upon implementation of Stage 4 the Company shall provide the following Customer notices:
  - a. The Company shall notify Large Residential Customers, Dedicated Irrigation Meter Customers, irrigation Customers of three or more acres, and Customers who use an average of 12 units or more a month during the most recent 12 months, of the immediate need for them to reduce outdoor water use and irrigation to the greatest extent possible to avoid water rationing.
  - b. When Stage 4 is implemented for reasons related to water supply availability, the Company shall provide notice to all Customers that water rationing is imminent. The Company shall also provide its Customers with a Survey form to indicate any change in the number of residents or type of nonresidential use and indicate that the Survey should be returned to the Company within 30 days.
  
- 4. Sunset of Stage 4:
  - a. Physical shortage limitations: Stage 4 shall continue until rescinded by Resolution of the MPWMD Board finding that total usable storage in the Carmel River System and the Seaside Coastal Subarea is greater than 27,807 AF. If storage is greater than 27,807 AF and the Company is in compliance with the monthly year-to-date goals specified in Table 1, Customers shall revert to Stage 1 unless otherwise specified in a resolution by the MPWMD Board. If the Company's year-to-date production exceeds the year-to-date goal specified in Table 1, the Company's Customers shall revert to either Stage 2 or Stage 3. If the year-to-date production in the Company's subsystems exceeds the year-to-date target specified in Table 2, Bishop, Hidden Hills, and Ryan Ranch Customers will revert to Stage 2 or 3. Customers in Bishop, Hidden Hills and Ryan Ranch shall not be in a higher stage than Main System Customers, unless specified in a resolution by the MPWMD Board.
  - b. Regulatory Non-Compliance at Stage 3: If Stage 4 was implemented based on non-compliance with regulatory limits through Stage 3, Stage 4 shall be rescinded by the MPWMD General Manager and Customers shall revert to the applicable lower Stage of water conservation upon compliance with the applicable year-to-date at month-end production goal for two (2) consecutive months in the subsequent Water Year.
  - c. Emergency: Upon correction of a water supply limitation caused by an emergency, Stage 4 shall sunset without action by the MPWMD Board and revert back to the pre-emergency Stage.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

(N)

**O. STAGE 5 – WATER RATIONING**

1. Stage 5 is the fifth stage as defined in this Rule and Regulation XV.
2. Stage 5 Triggers:
  - a. Physical Shortage Trigger: Stage 5 shall apply to all Customers who rely in whole or in part on production or production offsets from the Carmel River System or the Seaside Coastal Subareas, on June 1, or earlier as determined by the MPWMD Board following the May Board meeting, if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 21,802 AF and greater than 15,615 AF
  - b. Regulatory Trigger – Legally Ordered Reduction in Supply:
    - i. Stage 5 shall be enforced when any Company system is required to comply with a Final Cease and Desist Order that reduces available supplies by more than fifteen percent (15%) but less than thirty-five percent (35%) from pre-1995 production (16,806 AFA) in the Main System. This shall apply to any Company system that relies, in whole or in part, on production or production offsets from the Main System, or
    - ii. Stage 5 shall be enforced when any Company system is required to comply with a Final Cease and Desist Order that reduces available supplies by more than fifteen percent (15%) but less than thirty-five percent (35%) from Base Year production for any Company system that does not rely to any extent upon production or production offsets from the Main System.
  - b. Emergency Trigger: Stage 5 shall be implemented upon adoption of a resolution of the MPWMD Board finding there is an immediate need to reduce production by at least sixteen (16%) but not more than thirty-four percent (34%).
  - c. Delay of Stage Implementation: In accordance with Regulation XV, the MPWMD General Manager may delay implementation of Stage 5 for up to ninety (90) days to ensure adequate operation of the program.
3. Sunset of Stage 5:
  - a. Physical shortage limitations: Stage 5 shall continue until rescinded by resolution of the MPWMD Board at its May Board meeting upon a finding that total usable storage in the Carmel River System and Seaside Coastal Subareas is greater than 21,802 AF or as early as its January Board meeting if total usable storage in the Carmel River System and Seaside Coastal Subareas is equal to or greater than 27,807 AF on January 1. If storage is greater than 27,807 AF and the Company is in compliance with the monthly year-to-date goals specified in Table 1, Customers shall revert to Stage 1 unless otherwise specified in a resolution by the MPWMD Board.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

(N)

**O. STAGE 5 – WATER RATIONING (Continued)**

- 3. (Continued)
  - b. Regulatory Rationing: If Stage 5 rationing is imposed upon any Company system to comply with a Final Cease and Desist Order, Stage 5 shall continue until a resolution of the MPWMD Board is adopted that finds the triggering order has been lifted or no longer applies to that system.
  - c. Emergency: Upon correction of a water supply limitation caused by an emergency trigger, Stage 5 shall sunset without action by the MPWMD Board and revert back to the pre-emergency Stage.
  - d. A resolution of the MPWMD Board causing the sunset of Stage 5 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Company system.
  - e. The Company shall notify Customers via first class mail of the Sunset of Stage 5.
- 4. Requirements imposed by Stage 1 shall remain in force during Stage 5.
- 5. Rates: The Company shall implement Commission approved rationing rate schedule.

**P. STAGE 6 - WATER RATIONING**

- 1. Stage 6 is the sixth stage as defined in this Rule and Regulation XV.
- 2. Stage 6 Triggers:
  - a. Physical Shortage Trigger: Stage 6 shall apply to all Customers who rely in whole or in part on production or production offsets from the Carmel River System or the Seaside Coastal Subareas, on June 1, or earlier as determined by the MPWMD Board following the May Board meeting, if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 15,615 AF and greater than 9,610 AF.
  - b. Regulatory Trigger - Legally Ordered Reduction in Supply:
    - i. Stage 6 shall be enforced when any Company system is required to comply with a Final Cease and Desist Order that reduces available supplies by thirty-five percent (35%) but less than fifty percent (50%) from pre-1995 production (16,806 AFA) in the Main System. This shall apply to any Company system that relies, in whole or in part, on production or production offsets from the Main System, or

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

(N)

**P. STAGE 6 - WATER RATIONING (Continued)**

2. (Continued)

b. (Continued)

ii. Stage 6 shall be enforced when any Company system is required to comply with a Final Cease and Desist Order that reduces available supplies by thirty-five percent (35%) but less than fifty percent (50%) from Base Year production for any Company system that does not rely to any extent upon production or production offsets from the Main System.

c. Emergency Trigger: Stage 6 shall be implemented upon adoption of a resolution of the MPWMD Board finding there is an immediate need to reduce production by at least thirty-five percent (35%) but less than fifty percent (50%).

d. Delay of Stage Implementation: In accordance with Regulation XV, the MPWMD General Manager may delay implementation of Stage 6 for up to ninety (90) days to ensure adequate operation of the program.

3. Sunset of Stage 6:

a. Physical shortage limitations: Stage 6 shall continue until rescinded by resolution of the MPWMD Board at its May Board meeting upon finding that total usable storage in the Carmel River System and Seaside Coastal Subareas is greater than 15,615 AF or as early as its January Board meeting if total usable storage in the Carmel River System and Seaside Coastal Subareas is equal to or greater than 27,807 AF on January 1. If storage is greater than 27,807 AF and the Company is in compliance with the monthly year-to-date goals specified in Table 1, Customers shall revert to Stage 1 unless otherwise specified in a resolution by the MPWMD Board.

b. Regulatory Rationing: If Stage 6 rationing is imposed upon any Company system to comply with a Final Cease and Desist Order, Stage 6 shall continue until a resolution of the MPWMD Board is adopted that finds the triggering order has been lifted or no longer applies to that system.

c. Emergency: Upon correction of a water supply limitation caused by an emergency trigger, Stage 6 shall sunset without action by the MPWMD Board and revert back to the pre-emergency Stage.

d. A resolution by the MPWMD Board causing the sunset of Stage 6 may also activate any lower Stage as may be warranted for good cause by circumstances affective a particular Company system.

e. The Company shall notify Customers via first class mail of the Sunset of Stage 6.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
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**P. STAGE 6 - WATER RATIONING (Continued)**

(N)

- 4. Requirements imposed by Stage 1 and Stage 5 shall remain in force during Stage 6.
- 5. All Customers shall cease operation and maintenance of all ornamental water uses (fountains, ponds, etc.).
- 6. Customers shall not use water from the MPWRS for dust control purposes except by prior approval of the MPWMD General Manager.
- 7. Rates: The Company shall continue to implement Commission approved rationing rate schedule.

**Q. STAGE 7 – WATER CONSERVATION – RATIONING**

- 1. Stage 7 is the seventh stage as defined this Rule and Regulation XV.
- 2. Stage 7 Triggers:
  - a. Physical Shortage Trigger: Stage 7 shall apply to all Customers who rely in whole or in part on production or production offsets from the Carmel River System or the Seaside Coastal Subareas, on June 1, or earlier as determined by the MPWMD Board following the May Board meeting, if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 9,610 AF.
  - b. Regulatory Trigger – Legally Ordered Reduction in Supply:
    - i. Stage 7 shall be enforced when any Company system is required to comply with a Final Cease and Desist Order that reduces available supplies by fifty percent (50%) or more from pre-1995 production (16,806 AFA) in the Main System. This shall apply to any Company system that relies, in whole or in part, on production or production offsets from the Main System, or
    - ii. Stage 7 shall be enforced when any Company system is required to comply with a Final Cease and Desist Order that reduces available supplies by fifty percent (50%) or more from Base Year production for any Company system that does not rely to any extent upon production or production offsets from the Main System.
  - c. Emergency Trigger: Stage 7 shall be implemented upon adoption of a resolution of the MPWMD Board finding there is an immediate need to reduce production by fifty percent (50%) or more.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**Q. STAGE 7 – WATER CONSERVATION – RATIONING (Continued)**

(N)

2. (Continued)

d. Delay of Stage Implementation: In accordance with Regulation XV, the MPWMD General Manager may delay implementation of Stage 7 for up to ninety (90) days to ensure adequate operation the program.

3. Sunset of Stage 7:

a. Physical shortage limitations: Stage 7 shall continue until rescinded by resolution of the MPWMD Board at its May Board meeting upon finding that usable storage in the Carmel River System and Seaside Coastal Subareas is greater than 9,610 AF or as early as its January Board if total usable storage in the Carmel River System and Seaside Coastal Subareas is equal to or greater than 27,807 AF on January 1. If storage is greater than 27,807 AF and the Company is in compliance with the monthly year-to-date goals specified in Table 1, Customers shall revert to Stage 1 unless otherwise specified in a resolution by the MPWMD Board. Upon correction of a water supply limitation caused by an emergency trigger, Stage 7 shall be rescinded by resolution of the MPWMD Board.

b. Regulatory Rationing: If Stage 7 rationing is imposed upon any Company system to comply with a Final Cease and Desist Order, it shall continue until a resolution of the MPWMD Board is adopted that finds the triggering order has been lifted or no longer applies to that system.

c. Emergency: Upon correction of a water supply limitation caused by an emergency trigger, Stage 7 shall sunset without action by the MPWMD Board and revert back to the pre-emergency Stage.

d. A resolution of the MPWMD Board causing the sunset of Stage 7 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Company system.

e. The Company shall notify Customers via first class mail of the Sunset of Stage 7.

4. Customers utilizing portable water meters or hydrant meters or using hydrants to fill water tanks without the use of a meter, shall be required to cease use of the water. Each Customer reporting as "Other" by the Company and any Customer known to estimate water from a hydrant shall be notified by the Company of this requirement. Portable water meters shall be returned to the Company at least thirty (30) days before the implementation of Stage 7.

5. Requirements imposed by Stage 1, Stage 5 and Stage 6 shall remain in force during Stage 7.

6. Rates: The Company shall continue to implement Commission approved rationing rate schedule.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

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**R. INSTALLATION AND REMOVAL OF FLOW RESTRICTORS**

1. Installation: The Company is authorized to install Flow Restrictors on Customer meters for repeated water waste or non-essential water use as set forth below.
  - a. Customers who have three or more notices of water waste or non-essential water use violations from the Company or the MPWMD within a twelve month period.
  - b. Customers who have three or more notices of water use beyond their Water Ration in one Ration Year.
  - c. Each Customer will be granted a one-time waiver if they exceed their monthly Water Ration and do not exceed it during any future billing cycle under Stage 5 through 7.
  - d. Flow Restrictors shall not limit flow to less than 35 gallons per person per day.
  - e. Customers in mixed use on a master-meter or multi-family dwelling units (two or more dwellings per meter) are exempt from the installation of Flow Restrictors.
  
2. Flow Restrictor Removal: The Company is authorized to remove Flow Restrictor installed due to rationing violations when conditions are reduced to Stage 3. Flow Restrictors installed for non-essential water use or water waste shall be removed if the Company is notified by the MPWMD in writing to remove the restrictor.
  - a. Flow Restrictor installation and removal will be performed only during normal business hours.
  - b. The Company is authorized to include the amount of the removal charge, or multi-family dwelling unit charges as part of the bill amount due for the next Customer bill.
  - c. Failure to pay the entire bill, including the removal charges or multi-family dwelling unit charges, will be used by the Company to proceed with its authorized procedures for late fees and service disconnect.
  - d. Flow Restrictors installed due to rationing violations shall remain in place until conditions are reduced to Stage 3. Flow Restrictors installed due to water waste or non-essential water use violations shall remain in place until conditions are reduced to Stage 1.
  - e. A schedule of removal and multi-tenant charges is described in Tariff Schedule MO-14.1.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

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**S. ACCOUNTS FOR FLOW RESTRICTOR GENERATED REVENUES AND COSTS**

The Company shall book revenues received from removal of flow restrictors and multi-family dwelling unit charges as noted in Section R above in an interest bearing balancing account and shall amortize this amount each year as a refund to Customers.

**T. VARIANCES**

1. The Company is authorized to provide individual Customer variances from Flow Restrictor requirements and rationing requirements as recommended by the MPWMD through its variance and appeal process as described in Rule 169 of MPWMD Regulation XV.
2. The purpose of rationing variances is to provide some flexibility for specific and limited water needs in excess of a Water Ration as provided in Regulation XV.

**U. CUSTOMER COMPLAINTS**

Any Customer not satisfied with the Company's responses to their inquiries concerning this Rule may file a complaint with the Commission by addressing a letter to the Consumer Affairs Branch, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, California 94101-3298. The Customer and the Company will be notified of the disposition of such complaint by letter from the Commission.

If the Customer disagrees with such disposition, the Customer shall have the right to file a formal complaint with the Commission. Except as set forth in this Section, no Person shall have any right or claim in law or in equity against the Company or any of its officers, employees or agents because of, or as a result of, any matter or thing done or threatened to be done pursuant to the provisions of this Rule.

**V. PUBLICITY**

The Company shall provide Customers with periodic updates regarding the water supply situation and results of the Customer conservation efforts. Updates may be provided by bill insert, special mailing, poster, flyer, newspaper, television or radio spot/advertisement, community bulletin board, or other appropriate method(s).

(T)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 797-A  
DECISION NO. D. 09-07-023

ISSUED BY  
D. P. STEPHENSON  
NAME  
DIRECTOR - RATES & REGULATION  
TITLE

(TO BE INSERTED BY C.P.U.C.)  
DATE FILED OCT - 2 2009  
EFFECTIVE OCT - 7 2009  
RESOLUTION NO. \_\_\_\_\_

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING**

Stage 5 is the fifth stage in the District's Expanded Water Conservation and Standby Rationing Plan.

**A. TRIGGER**

1. Physical Shortage Trigger

Stage 5 shall take effect for any Water Distribution System that relies, in whole or in part, on production or production offsets from the Carmel River System or the Seaside Coastal Subareas, on June 1 or such earlier date as may be set by the Board following the District's May Board meeting if total usable storage in the Carmel River System and the Seaside Coastal Subareas on May 1 is less than 21,802 Acre-Feet and greater than 15,615 Acre-Feet.

2. Regulatory Trigger – Legally Ordered Reduction in Supply

Stage 5 shall be enforced in any Water Distribution System, including any California American Water subsystem, when that system is required to comply with a final Cease and Desist Order by the State Water Resources Control Board, the Seaside Watermaster or any other final court order that reduces available supplies by:

- a. More than fifteen percent (15%) but less than thirty-five percent (35%) from pre-1995 production (16,806 AFA) in the Main California American Water System. This shall apply to any Water Distribution System that relies, in whole or in part, on production or production offsets from the Main California American Water System, or
- b. More than fifteen percent (15%) but less than thirty-five percent (35%) from base year production (the term "base year" shall refer to the Water Year immediately preceding any triggering order) for any Water Distribution System that does not rely to any extent upon on production or production offsets from the Main California American Water System.

3. Emergency Trigger

Stage 5 shall be implemented for any Water Distribution System, private Well, or Water User upon adoption of a Resolution of the Board of Directors. In that Resolution, the Board shall find there is an immediate need to reduce production by at least sixteen percent (16%) but not more than thirty-four percent (34%).

4. Delay of Stage Implementation

The General Manager may delay implementation of Stage 5 Water Rationing for any Water Distribution System to ensure adequate operation of the program. Delays authorized by the General Manager shall not exceed ninety (90) days.

(N)

(Continued)

(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

ADVICE LETTER NO. 797-A

D. P. STEPHENSON

DATE FILED OCT -- 2 2009

NAME

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DECISION NO. D. 09-07-023

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RESOLUTION NO. \_\_\_\_\_

TITLE

CANCELING

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

**B. SUNSET OF STAGE 5**

1. Water Supply Availability

Stage 5 shall continue until rescinded by Resolution of the Board of Directors. In that Resolution, the Board shall find that the total usable storage in the Carmel River System and the Seaside Coastal Subareas is greater than 21,802 Acre-Feet. This determination will normally be made at the Board's May meeting. However, a determination to rescind Stage 5 may be made as early as the following January Board meeting if the total usable storage in the Carmel River System and the Seaside Coastal Subareas is equal to or greater than 27,807 Acre-Feet on January 1.

2. In the event total usable storage is greater than 27,807 Acre-Feet, the General Manager shall review California American Water's year-to-date production. Upon compliance with the monthly year-to-date goals specified in Table XV-1 of Rule 162 and, unless otherwise specified in the Resolution rescinding Stage 5, Water Users shall revert to Stage 1.

3. Where Stage 5 has been imposed upon any Water Distribution System to comply with a final Cease and Desist Order by the State Water Resources Control Board, the Seaside Watermaster or any other final court order, Stage 5 shall continue until a Resolution of the Board of Directors is adopted that finds that the triggering order has been lifted or no longer applies to that Water Distribution System.

4. Emergency

Upon correction of a water supply limitation caused by an emergency, Stage 5 shall be rescinded by Resolution of the Board of Directors.

5. Restoration of Lower Stage

A Resolution causing the sunset of Stage 5 may also activate any lower Stage as may be warranted for good cause by circumstances affecting a particular Water Distribution System, private Well, or Water User.

**C. AFFECTED WATER USERS**

The Board of Directors may exempt a Water Distribution System, private Well, or Water User from Stage 5 restrictions upon proof of a superior, unimpaired water right. Evidence of riparian water rights may be established by a Declaration under penalty of perjury, unless it is refuted by other proof. As necessary to ensure adequate water supplies, the Board of Directors may act within its discretion to authorize Stage 5 within one or more Water Distribution Systems, private Wells, or Water Users in the District.

(N)

(Continued)

(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

ADVICE LETTER NO. 797-A

D. P. STEPHENSON  
NAME

DATE FILED OCT - 2 2009  
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DECISION NO. D. 09-07-023

DIRECTOR - RATES & REGULATION

RESOLUTION NO. \_\_\_\_\_

TITLE

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

**D. CONSERVATION REQUIREMENTS CONTINUE**

Requirements imposed by Stage 1 shall remain in force during Stage 5.

**E. MORATORIUM**

Upon declaration of Stage 5, the District shall cease accepting Water Permit applications associated with Intensification of Use for any affected Water Distribution System, private Well, or Water User in the District. All pending Water Permits not issued within 120 days of declaration shall be suspended. This provision shall not suspend the issuance of Water Permits that utilize public or private Water Use Credits or where issuance of a Permit is required by prior agreement or Water Entitlement issued by the District.

**F. REDUCTION GOAL**

Stage 5 shall achieve water use reductions of 16 - 34 percent of the California American Water and non- California American Water system production limits in each User Category as follows: Residential single-family and multi-family, Commercial, Industrial, Public Authority, Golf Course, Other Use, Non-Revenue Metered Uses, and Reclaimed Water Users.

**G. NOTICE**

- California American Water shall provide written notice of mandatory water rationing to every Residential and Non-Residential Water User within the California American Water systems via first-class mail at least thirty (30) days before the first day Stage 5 water use restrictions are imposed. During Stage 5, California American Water shall send monthly reminders of water rationing in the water bill along with information showing the User's Water Ration, the quantity of the Water Ration consumed, and the quantity of water available in the Water User's Water Bank. Finally, California American Water shall update survey information as needed. (T)
- All other Water Distribution System Operators subject to Stage 5 restrictions shall provide written notice of mandatory water rationing to every Water User within the Water Distribution System via first-class mail at least thirty (30) days before the first day Stage 5 water use restrictions are imposed.

At all times during Stage 5, each Water Distribution System Operator shall send monthly reminders of water rationing along with information showing the Water Ration and the quantity of the Water Ration consumed by the Water User. Finally, the Water Distribution System Operator shall provide each Responsible Party with a survey form at least once each Rationing Year during Stage 5. Water Distribution System Operators shall ensure that notices provided or required by the District shall be distributed to the system Water Users.

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 885-A  
DECISION NO. D. 09-07-023

ISSUED BY  
D. P. STEPHENSON  
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DATE FILED APR 26 2011  
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RESOLUTION NO.

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

G. NOTICE (Continued)

- 3. Upon direction of the General Manager, the District shall publish a notice of Water Rationing to all Water Users of private Wells (Single-Parcel Connection Systems) within the MPWRS at least thirty (30) days before the first day of Stage 5.
- 4. California American Water Rationing Rates  
  
California American Water shall implement the CPUC-approved rationing rates schedule. California American Water shall file an Advice Letter with the CPUC to implement rationing rates after it has first met and conferred with the District at least five (5) days in advance of that filing. The General Manager may waive this time period for good cause.
- 5. California American Water and all other Water Distribution System Operators shall notify Water Users of the Sunset of Stage 5. Notice shall be via first class mail. The District shall publish a notice to inform all Private Well Owners that Stage 5 has sunset.

H. RATIONS BY CATEGORY

Water Rations shall be determined by User Category. Each Water User within the Monterey Peninsula Water Resource System shall be classified in one of the following groups: Residential single-family and multi-family, Commercial, Industrial, Public Authority, Golf Course, Other Use, Non-Revenue Metered Use, and Reclaimed Water Users.

I. REDUCED CALIFORNIA AMERICAN WATER ANNUAL PRODUCTION DURING STAGE 5

The California American Water annual production limit shall be reduced by 16 – 34 percent during Stage 5. The resulting production limit shall be further reduced by the average Unaccounted For Water Use percentage of the Water Distribution System(s) for the twelve (12) months preceding Stage 5, and by a Water Rationing Contingency determined by the Board. The remaining water shall be the California American Water annual production limit for all User Categories.

J. REDUCED NON- CALIFORNIA AMERICAN WATER ANNUAL PRODUCTION LIMITS DURING STAGE 5

Available production for other Water Distribution Systems subject to Stage 5 shall be determined using the same methodology as for California American Water. Systems with less than ten (10) connections shall not have a deduction for Unaccounted For Water Use.

(Continued)

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(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

ADVICE LETTER NO. 797-A

D. P. STEPHENSON

DATE FILED OCT - 2 2009

NAME

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DIRECTOR - RATES & REGULATION

RESOLUTION NO. \_\_\_\_\_

TITLE

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

**K. ESTABLISHING RATINGS**

1. Rations for each User Category shall be determined by the General Manager by dividing the reduced available production by the percentage of use for each Water Distribution System subject to water rationing. The percentage of use for each User Category shall be determined by the most recent unrationed Water Year (October 1 through September 30) data. Priority Water Rations shall be given to Residential water needs to ensure health, safety and welfare. Residential Water Rations shall under no circumstance be less than 35 gallons per person per day.

a. Residential Water Users

Each Residential Water User either served by a water meter reported as "single-family residential" by the Water Distribution System or served by a private Well shall have an equal portion of the water available to the single-family Residential category based upon the number of residents reported on the survey form.

2. Multi-Family Residential Water Users

Each multi-family Residential Water User either served by a water meter reported as "multi-family residential" by the Water Distribution System or served by a private Well shall have an equal portion of the water available to the multi-family Residential category based upon the number of residents reported on the survey form with the following exception:

a. Multi-Family Residential Sites with common laundry facilities on a separate water meter shall receive a Water Ration for each Dwelling Unit that has access to the facility. Each Dwelling Unit located on the Multi-Family Residential Site that has access to the common laundry facility shall have the Dwelling Unit ration reduced.

3. Commercial and Industrial Water Users

Each Commercial and Industrial Water User shall have a Water Ration determined by applying the current Non-Residential Water Use Factors to the type(s) of use and/or by using the Landscape Water Budget established for the Water User. An alternate Water Ration (variance) may be determined by completion of an audit by California American Water or the District that documents use of Best Management Practices for the type of use.

a. Mixed Use Water Users. Mixed Use Water Users shall be classified as Commercial Uses for the purposes of this program. The Water Ration for a Mixed Use Water User shall include an increment of water for the Residential Water User.

(Continued)

(N)

(TO BE INSERTED BY UTILITY)

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TITLE

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

K. ESTABLISHING RATIONS (Continued)

4. Public Authority

Public Authority Uses shall be rationed by Jurisdiction. Each Public Authority Water User may combine multiple accounts or Connections when the accounts are located within one Jurisdiction. Water Rations shall be determined by applying the current Non-Residential Water Use Factors to the type(s) of use and/or by using the Landscape Water Budget established for the Water User. An alternate Water Ration (variance) may be determined by completion of an audit by California American Water or the District that documents use of Best Management Practices for the type of use.

5. Golf Courses

Golf Courses supplied water exclusively by the California American Water or non- California American Water Distribution Systems or Wells may be rationed individually or, upon request to the General Manager, as a group. Water Rations shall be determined by using the Landscape Water Budget.

6. Other

Water Users utilizing portable water meters or hydrant meters shall be required to employ Best Management Practices. California American Water shall be required to report monthly to the District the location and Responsible Party for all portable water meters and the amount of use from those meters. As deemed necessary to achieve the imposed reduction in use, the District may condition use or suspend use of temporary Connections.

7. Non-Revenue Metered Users

Non-Revenue Metered Uses shall be rationed as a group with the following exception:

- a. Irrigation required by the Mitigation Program adopted when the Water Allocation Program Environmental Impact Report was adopted in 1990, and as required by SWRCB Order No. WR 95-10, shall not be subject to reductions in use. Required irrigation of the Riparian Corridor shall be identified and reported separately from other Non-Revenue Metered Uses.

(Continued)

(N)

(TO BE INSERTED BY UTILITY)

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(TO BE INSERTED BY C.P.U.C.)

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NAME

DATE FILED OCT - 2 2009

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TITLE

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

**K. ESTABLISHING RATINGS (Continued)**

**8. Recycled Water Users**

Recycled Water Irrigation Areas receiving water from the CAWD/PBCSD Wastewater Reclamation Project shall be subject to Stages 5 and higher for Potable water used during an Interruption or emergency, in accordance with contractual Agreements between the District and the respective Owners of the Recycled Water Irrigation Areas.

- a. Before Project Expansion Is Completed. Under the agreements operative before the Project Expansion is Completed (as the capitalized terms are defined in Rule 23.5), the Owners of the Recycled Water Irrigation Areas shall have the respective irrigation requirements thereof satisfied to the same degree as any non-Project Golf Course or open space which derive their Source of Supply from the California American Water system. The irrigation requirements of the Recycled Water Irrigation Areas will be determined based on the most-recent non-rationed four-year average irrigation water demand, including both Recycled Water and Potable water, for each Recycled Water Irrigation Area. The use of Recycled Water, when available in sufficient quantities to satisfy the irrigation requirements of the Recycled Water Irrigation Areas, shall not be restricted by this requirement.

Each Recycled Water Irrigation Area shall be entitled to receive the average irrigation requirement determined above, reduced by the percentage reduction required by the current stage of rationing. If the quantity of Recycled Water that is available is less than the quantity of water that the Recycled Water Irrigation Area is entitled to, Potable water shall be provided to make up the difference and satisfy the irrigation requirements of the Recycled Water Irrigation Area to the same degree that the irrigation requirements of non-Project Golf Course and open space Users are being satisfied.

The District shall ensure that the water provided during water rationing is of adequate quality. If the quality does not satisfy the contractual agreement operative before the Project Expansion is deemed Completed (as the capitalized terms are defined in Rule 23.5), Potable water shall be provided in sufficient quantities to improve the quality of the Recycled Water.

This Subsection K-8-a shall cease to be operative once the Project Expansion is deemed to be Completed (as the capitalized terms are defined in Rule 23.5), and shall thereafter be of no force or effect.

(Continued)

(N)

(TO BE INSERTED BY UTILITY)		ISSUED BY	(TO BE INSERTED BY C.P.U.C.)
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		TITLE	

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

**K. ESTABLISHING RATINGS (Continued)**

**8. Recycled Water Users (Continued)**

- b. When Project Expansion Is Completed. Under the agreements operative once the Project Expansion is deemed Completed (as the capitalized terms are defined in Rule 23.5), the Owners of the Recycled Water Irrigation Areas shall have the respective irrigation requirements thereof satisfied to the same degree as any non-Project Golf Course or open space which derives its Source of Supply from the California American Water system. The irrigation requirements of the Recycled Water Irrigation Areas will be determined based on the most-recent non-rationed four-year average irrigation water demand, including both Recycled Water and Potable water, for each respective Recycled Water Irrigation Area.

Each Recycled Water Irrigation Area shall be entitled to receive the average irrigation requirement determined above, reduced by the percentage reduction required by the current stage of rationing. If the quantity of Recycled Water that is available is less than the quantity of water that the Recycled Water Irrigation Area is entitled to, Potable water shall be provided to make up the difference and satisfy the irrigation requirements of the Recycled Water Irrigation Areas to the same degree that the irrigation requirements of non-Project Golf Course and open space Users are being satisfied.

The preceding sentence shall not apply to the extent that the irrigation requirements of any Recycled Water Irrigation Area are met with water legally available to Buyer from any source other than the Carmel River System or the Seaside Groundwater Basin, including percolating Groundwater underlying Buyer's Property, to make up any such difference.

When Recycled Water (as defined in Rule 23.5) is available in sufficient quantities to satisfy the irrigation requirements of the Recycled Water Irrigation Areas, such irrigation shall not be subject to Stages 5 and higher, and neither Potable water nor any water described in the preceding sentence (whether or not it is Potable) shall be used for irrigation of the Recycled Water Irrigation Areas except to the extent allowed in the circumstances described in the next two sentences.

If there is an Interruption in Recycled Water deliveries to any Recycled Water Irrigation Area (as the capitalized terms are defined in Rule 23.5), the temporary use of Potable water for irrigating each such Recycled Water Irrigation Area is authorized in the manner described in Rule 23.5, Subsection F.

(N)

(Continued)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 797-A  
DECISION NO. D. 09-07-023

ISSUED BY  
D. P. STEPHENSON  
NAME  
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RESOLUTION NO. \_\_\_\_\_

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 165 - STAGE 5 WATER RATIONING (Continued)**

K. ESTABLISHING RATINGS (Continued)

8. Recycled Water Users (Continued)

b. When Project Expansion Is Completed. (Continued)

If MPWMD has adopted an ordinance in response to any emergency caused by drought, or other threatened or existing water shortage pursuant to section 332 of the Monterey Peninsula Water Management Law, said ordinance shall prevail over contrary provisions of this Rule. Notwithstanding the preceding sentence, Potable water shall be made available for irrigating tees and greens of the Recycled Water Irrigation Areas in sufficient quantities to maintain them in good health and condition during an Interruption, without any limitation on the duration.

The District shall have no obligation to furnish Potable water for irrigation of the Recycled Water Irrigation Areas except in the circumstances set forth above in this Subsection K-8-b.

If (1) an emergency or major disaster is declared by the President of the United States, or (2) a "state of war emergency," "state of emergency," or "local emergency," as those terms are respectively defined in Government Code section 8558, has been duly proclaimed pursuant to the California Emergency Services Act, with respect to all or any portion of the territory of MPWMD, the provisions of this Subsection K-8-b shall yield as necessary to respond to the conditions giving rise to the declaration or proclamation.

This Subsection K-8-b shall be of no force or effect until the Project Expansion is deemed Completed (as the capitalized terms are defined in Rule 23.5), and shall thereafter be operative and of full force and effect.

L. ADDITIONAL CONSERVATION ACTIONS

By Resolution, the Board shall adopt restrictions on outdoor water use that include any or all of the following and any other conservation method deemed feasible: Limit outdoor watering and irrigation to one day per week or one day every other week; prohibit outdoor watering and irrigation with water from the affected water resource system(s); prohibit irrigation of turf areas with water from the affected water resource system(s); discontinue irrigation of Public Landscaped areas; reduce Golf Course irrigation from the affected Water Distribution System(s) to a percentage of the amount required to water tees, greens and landing areas only; prohibit the use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle unless done at a facility that recycles water; prohibit the use of water from hydrants for construction purposes or any other purposes other than fire fighting. The use of Recycled Water, when available, shall not be restricted by this requirement.

(N)

(TO BE INSERTED BY UTILITY)  
ADVICE LETTER NO. 797-A

ISSUED BY  
D. P. STEPHENSON  
NAME

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DIRECTOR - RATES & REGULATION  
TITLE

RESOLUTION NO. \_\_\_\_\_

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

**MPWMDs RULE 168 - WATER BANKS**

(D)

- A. Water Banks shall be available to each Water User during Stages 5 through 7. A. Water Bank shall allow each Water User to accrue the unused portion of a monthly Water Ration for use in the current Rationing Year.
- B. Water Banks shall be reset to zero on the first day of each Rationing Year. Ten (10) percent of the remaining Water Bank shall be credited to the following year's Water Bank for three months to allow the establishment of a new bank.
- C. The Water Bank shall be reduced on the first day of the fourth month of the Rationing Year by the amount of banked water carried over. Water Banks shall not carry a negative balance.

(TO BE INSERTED BY UTILITY)

ADVICE LETTER NO. 885-A

DECISION NO. D. 09-07-023

ISSUED BY

D. P. STEPHENSON

NAME

DIRECTOR - RATES & REGULATION

TITLE

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DATE FILED APR 26 2011

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RESOLUTION NO. \_\_\_\_\_

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 169 - WATER RATIONING VARIANCE**

A. The General Manager shall assign additional water beyond the Water Ration established in Stage 5 through Stage 7 in the following circumstances upon submittal of the appropriate variance request form and fees.

B. The following variances shall be considered and provide cause to allow additional water during Stages 5 through 7.

1. Medical and/or sanitation needs certified by a doctor;
2. Hospital and/or health care facilities that have achieved all BMPs for those uses;
3. Drinking water for large livestock;
4. Non-Residential Users that can demonstrate compliance with all BMPs appropriate for the type of use and where there is minimal exterior water use on the water meter or water supply serving the use;
5. Leaks, when an invoice is provided by a licensed plumber or contractor;
6. Commercial laundromats with signs advising full loads only;
7. Business in a home on a case-by-case basis;
8. Riparian irrigation when required as a condition of a riverbank restoration Permit issued by the District or as a condition of a riverbank erosion protection Permit issued by the District.
9. Emergency, extreme, or unusual situations on a case-by-case basis;

**C. NO VARIANCE**

The following categories of water use shall not qualify for special consideration or provide cause for additional water under the provisions of this Regulation:

1. Visitors other than those occupying Short-Term Residential Housing as defined in Rule 11 (Definitions) when the property owner has submitted a completed survey form with the applicable information about the occupancy of the Site. The District may request additional documentation to substantiate Water Rations for Short-Term Residential Housing;
2. Irrigation, other than variances allowed by Rule 169-B-8 of this Regulation.
3. Filling spas, ponds, fountains, etc.;
4. Leaks that are not repaired within 72 hours of notice.

(Continued)

(N)

(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

ADVICE LETTER NO. 797-A

D. P. STEPHENSON  
NAME

DATE FILED OCT - 2 2009  
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TITLE

CANCELING

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 169 - WATER RATIONING VARIANCE (Continued)**

**D. MANDATORY CONDITIONS OF APPROVAL**

1. Prior to approving any Residential or multi-family Residential variance pursuant to Rule 169-B, the Site must be in compliance with all applicable District Rules and Regulations and the following water conservation standards shall be achieved in all structures on the Site. Verification by District inspection shall be conducted prior to granting a variance.
  - a. Toilets shall be designed to flush with a maximum of 1.6 gallons-per flush;
  - b. Showerheads, Rain Bars, or Body Spray Nozzles shall not emit more than 2.2 gallons per minute of water in the aggregate per bathing enclosure;
  - c. Faucets shall not emit more than 1.5 gallons of water per minute;
  - d. If an irrigation system is installed, drip irrigation exclusively shall be used to irrigate non-turf plantings. This requirement may be waived when outdoor watering is prohibited.
  
2. Prior to approving any Non-Residential variance pursuant to Rule 169-B, the Site must be in compliance with all applicable District Rules and Regulations and the following water conservation standards shall be achieved in all structures on the Site. Verification by District inspection shall be conducted prior to granting a variance.
  - a. Toilets shall be designed to flush with a maximum of 1.6 gallons-per flush;
  - b. Showerheads, Rain Bars, or Body Spray Nozzles shall not emit more than 2.2 gallons per minute of water in the aggregate per bathing enclosure;
  - c. Faucets shall not emit more than 1.5 gallons of water per minute;
  - d. If an irrigation system is installed, drip irrigation exclusively shall be used to irrigate non-turf plantings. This requirement may be waived when outdoor watering is prohibited;
  - e. Automatic sensor faucets or self-closing faucets shall be installed where there are more than two washbasins in a room;
  - f. Site must comply with all BMPs appropriate for the type of use.

(N)

(TO BE INSERTED BY UTILITY)

ISSUED BY

(TO BE INSERTED BY C.P.U.C.)

ADVICE LETTER NO. 797-A

D. P. STEPHENSON  
NAME

DATE FILED OCT - 2 2009

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TITLE

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CANCELING

**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 172 - LANDSCAPE WATER AUDITS**

- A. Landscape Water Audits shall be conducted under the supervision of an individual who has been certified by the Irrigation Association to conduct audits and establish Landscape Water Budgets. Each audit shall be signed by that Person, who shall attest that the audit was performed under his/her direction.
- B. Landscape Water Audits and Landscape Water Budgets shall be offered by the District and/or California American Water or their agent free of charge to all Water Users of California American Water with Dedicated Irrigation Meters, large irrigated areas over three acres, and Large Residential Water Users. Landscape Water Audits and Landscape Water Budgets shall be required for new Dedicated Irrigation Meters at the time the meter is installed.

California American Water shall review its Residential customer consumption records at the completion of every Water Year to identify all Residential Users that consumed an average of 32 units per month during the prior Water Year. Using this information, California American Water shall identify the Users that require a Landscape Water Audit and Landscape Water Budget and that do not have a Water Budget on file at MPWMD and California American Water. Newly identified Users shall be notified by California American Water that they are required to obtain a Landscape Water Audit and Landscape Water Budget. Once notified of the requirement to obtain a Landscape Water Audit and Landscape Water Budget, a User must arrange to complete the audit process within sixty (60) days. Existing customers subject to this Rule shall be given annual notice by California American Water to report any changes to the Landscaping or Irrigation Systems. Significant changes shall necessitate a follow-up audit.

- 1. California American Water Users shall be required to obtain Landscape Water Audits and establish Landscape Water Budgets if the property:
  - a. Has a Dedicated Irrigation Meter; or
  - b. Is an irrigated area of greater than three acres; or
  - c. Is a Large Residential Water User.
- 2. All Landscape Water Budgets must be prepared by an individual certified by the Irrigation Association.
- 3. All Water Users required to complete a Landscape Water Audit and establish a Landscape Water Budget shall have the option of obtaining a Landscape Water Audit and Landscape Water Budget from a Landscape Irrigation Auditor of their choice at their own expense if the auditor is certified by the Irrigation Association.

(N)

(Continued)

(TO BE INSERTED BY UTILITY)  
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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 172 - LANDSCAPE WATER AUDITS (Continued)**

B. (Continued)

4. Landscape Water Audits and Landscape Water Budgets not conducted and prepared by the District and/or California American Water shall be completed as specified in this Rule. Completed Landscape Water Budgets and Landscape Water Audits shall be submitted to California American Water. California American Water shall forward a copy of all completed Landscape Water Audits and Budgets to the District within ten (10) days of receipt by California American Water. Landscape Water Audits not performed by the District or California American Water are subject to review and acceptance by the District. Landscape Water Audits and Landscape Water Budgets rejected by the District may be appealed to the Board of Directors pursuant to Rule 70 (Appeals).

5. Audit

a. An On-Site Landscape Irrigation Audit shall be completed or overseen by a Certified Landscape Irrigation Auditor (CLIA) and shall include evaluation and documentation of the following:

1. Visual and physical evaluation of Irrigation System.
2. Description of the type(s) of Irrigation System contained on the property.
3. Location of problems with Irrigation System which may be contributing to excessive water use.
4. Condition and performance of the following:
  - Points of connection
  - Backflow devices(s)
  - Valves
  - Piping (to include mains and laterals)
  - Control system
  - Sprinklers/emitters
  - System coverage
5. Landscaped areas irrigated by each valve/zone/running station.
6. Plant materials, plant hydrozone compatibility, soil type, Irrigation System operating pressure, irrigation water requirements, and efficiency for each zone
7. Site map, photographs and or a detailed zone description summary including: Zone location, zone efficiency, sprinkler type and zone comments.

(Continued)

(N)

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 172 - LANDSCAPE WATER AUDITS (Continued)**

B. (Continued)

5. Audit (Continued)

b. Upon completion of an On-Site audit, the Irrigation System data shall be analyzed and compiled into a usable, written report that shall include at least the following:

1. Calculation and determination of Site Landscape Water Budget using the Irrigation Association Water Requirement (WR) calculation, as follows:

$$WR = \frac{ETo \times KL \times A}{DU \times Ewm \times Cu}$$

Where:

- WR = Water Requirement <sup>1</sup>
- ETo = Reference Evapotranspiration (inches per year)<sup>2</sup>
- KL = Landscape Coefficient
- A = Area (square feet)
- Cu = Conversion Factor (convert to CCF = 1,200)
- Ewm = Management Efficiency<sup>3</sup>
- DU = Distribution Uniformity

2. The budget shall include calculations for each of the following hydrozones assuming they are present in the landscape.

- Cool season turf (.8)
- Warm season turf (.6)
- All other vegetation (.5)

3. Monthly irrigation schedule.
4. Condition and functionality of existing Irrigation System.
5. Recommendations for improvements to Landscape material and Irrigation System (to include "Smart" irrigation technology and information about Rebates available).

(Continued)

(N)

<sup>1</sup> Water Requirement calculations, for the purpose of establishing the Landscape Water Budget, shall not include a variable for Effective Rainfall. Property owners/irrigators will need to adjust their actual watering schedules based on actual rainfall, as this will help them stay within their Landscape Water Budgets. One of the top recommendations given to all audited properties must be the installation of a Rain Shut-Off Switch.

<sup>2</sup> Historic ETo data for specific properties shall be provided to consultant(s), by MPWMD, as requested.

<sup>3</sup> Due to the unique and critical water supply situation in the Monterey Peninsula Water Resource System, a higher standard of Management Efficiency (Ewm) will be required, especially for properties identified as needing Landscape Water Audits and Budgets. Therefore, Ewm shall not be less than 0.90 for the purpose of establishing a Landscape Water Budget.

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**Rule No. 14.1.1 (Continued)**  
**WATER CONSERVATION PLAN**  
**MONTEREY DISTRICT**

**ATTACHMENTS**

(N)

**MPWMDs RULE 172 - LANDSCAPE WATER AUDITS (Continued)**

B. (Continued)

5. Audit (Continued)

b. (Continued)

6. Estimate of water and money savings potential, including cost estimates for recommended improvements.
7. Site map and or a detailed zone description summary which identifies relevant Irrigation System details, including valves/zones, and sprinkler/emitter types for each zone.

The following minimum criteria will be used to establish the hydrozone distribution uniformity:

Type of Zone	Minimum Distribution Uniformity (DU)
Fixed Spray	50%
Rotor	60%
Stream Rotor	60%
Impact	60%
Micro Spray	80%
Drip - Standard	80%
Drip - Pressure Compensating	80%
Bubbler - Standard	80%
Bubbler - Pressure Compensating	80%

The following Landscape Coefficients (species factors) shall be used:

Type of Vegetation	Coefficient
Cool Season Turf	0.80
Warm Season Turf	0.60
All Other Landscape Vegetation	0.50

(N)

(Continued)

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(N)

**MPWMDs RULE 172 - LANDSCAPE WATER AUDITS (Continued)**

B. (Continued)

6. California American Water shall provide monthly status notices to each Water User required to follow a mandatory Landscape Water Budget during Stage 2 through Stage 4.

C. MODIFICATIONS TO AUDITED LANDSCAPES

Following significant modification to an existing audited Landscape, a new Landscape Water Audit shall be conducted to establish an appropriate Landscape Water Budget. It shall be the responsibility of the property owner to ensure that a Landscape Water Audit is conducted within 60 days of any such change and to submit a new Landscape Water Audit and Landscape Water Budget to California American Water.

D. REPORTING AND ANALYSIS

California American Water shall preserve water use records and budgets for all Water Users subject to this Rule. Updated Landscape Water Budgets shall supersede previous data. Monthly during Stage 2 through Stage 4, California American Water shall notify the District of Water Users who have exceeded their Landscape Water Budget. Quarterly, a report shall be compiled by California American Water and provided to the District showing the account information and comparing the Landscape Water Budget with actual consumption.

E. LANDSCAPE IRRIGATION RESTRICTIONS

Unless watering is by drip irrigation or through a hand-held hose with a Positive Action Shut-Off Nozzle, the following watering schedule shall apply:

1. Odd Numbered Properties shall water after 5 p.m. or before 9 a.m. on Saturdays and Wednesdays only. This schedule shall also apply to properties located on the South or West side of the street in cities where no street address is available.
2. Even Numbered Properties shall water after 5 p.m. or before 9 a.m. on Sundays and Thursdays only. This schedule shall also apply to properties located on the North or East side of the street in cities where no street address is available.
3. Sprinkler irrigation overseen by a professional gardener or landscaper who is available on Site may occur between 9 a.m. and 5 p.m., but shall not exceed two watering days per week.

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